

Indigenous Knowledge Forum

Newsletter No. 4 March 2014



Project Funded by North West Local Land Services (NSW)

In December 2013 we commenced a research project on *Recognising and Protecting Indigenous Knowledge associated with Natural Resource Management* (the Project). Our Project is funded by North West Local Land Services (NSW) (formerly Namoi Catchment Management Authority) and is currently in progress and due for completion in September 2014 with the delivery of a White Paper to government. The project will establish a comparative framework facilitating the development of a legislative regime for recognition and protection of Indigenous knowledge. It is a collaborative project engaging Aboriginal and Torres Strait Communities in developing a standard-setting model of involvement in natural resource management and access to country.

The three stages of the project are:

1. Identification of the key elements of a regime that will recognise and protect Indigenous knowledge associated with natural resource management and facilitate access to and connection/reconnection of Indigenous Australians with Country;
2. Development of a draft legislative regime that accords with Australia's obligations under the *Convention on Biological Diversity, 1992*, the *Nagoya Protocol*, and the *UN Declaration of the Rights of Indigenous Peoples, 2007*, and is capable of national application;
3. Conduct of community consultations to refine the draft regime into a model that may be implemented through State and/or Federal legislation.

A Working Party (WP) comprising members from the Organising Committee of the Indigenous Knowledge Forum, interested participants from the August 2012 Indigenous Knowledge Forum, key personnel from a representative selection of Traditional Knowledge Holders' Organisations, Aboriginal Advisory Committees from a variety of Local Land Services and Land Councils, and NGOs will meet up to three times during Stage 2 commencing with a face-to-face meeting in Sydney and thereafter meeting with the assistance of teleconferencing for the remaining two meetings. We will be calling for expressions of interest to participate in the Working Party soon.

Second Sydney Forum (IKF2)

Completion of the Project will coincide with the Second Indigenous Knowledge Forum to be held in Sydney in the first week of September 2014. The Second Sydney Forum will bring together key speakers from around the globe representing those nations with existing legal frameworks for the

protection of Indigenous knowledge and culture. IKF2 will facilitate dialogue and discussion, and information exchange bringing together government officials, decision makers, scholars, and especially Indigenous and local peoples' representatives. IKF2 will be hosted in Sydney by UTS and will span two days of plenary and concurrent sessions, workshops and open forum. At this forum the results of the Project will be presented and the White Paper officially launched and offered for public consultation.

The forum which we hoped would take place at TERI University Delhi at the end of last year has been deferred until after the Second Sydney Forum due to funding priorities of their key sponsor, the Ministry of Environment and Forests, India.

Meanwhile, Professor Natalie Stoianoff and Dr Alpana Roy visited TERI University in November 2013 to continue discussions around the proposed format and content of some of the panel sessions at IKF2 intended to extend our comparative analysis of regimes for protection and recognition of Indigenous knowledge to Southern Asian and Pacific nations.

Visiting scholar

In the meantime Dr Alpana Roy has successfully applied for a University of Queensland (UQ) Travel Award for International Collaborative Research for 2014 which will see Manuel Ruiz Muller from Peru visit UQ and UTS from late July 2014 and be a keynote speaker at IKF2. Manuel is the Director and Principal Researcher of the International Affairs and Biodiversity Program, Peruvian Society for Environmental Law. He is actively involved in the process to implement the Convention on Biological Diversity (CBD) at national, regional and international levels.

Publications

The last of the Papers from the 2012 forum was published in December 2013 in the journal *Intellectual Property Forum*. A link to this paper is available on the Forum website:

S. Bhutani, *In the Knowledge Bazaar – Protecting India's (Biodiversity) Know-how? A Critical Look at Laws and Policies on Traditional Knowledge and Intellectual Property*, *Intellectual Property Forum* Issue 95, December 2013, 57-65.

If you would like to follow the progress of our research or learn more about the Indigenous Knowledge Forum you can do so at: www.indigenouknowledgeforum.org

Meanwhile, enquiries regarding our research or activities please contact:

Professor Natalie Stoianoff
IKF Chair and Director, Intellectual Property Program,
Faculty of Law, University of Technology, Sydney
at Natalie.Stoianoff@uts.edu.au or by phone +61 2 9514 3453, fax +61 2 9514 3488
or post PO Box 123 Broadway, NSW 2007, Australia