



Sub-theme 10

Capturing indigenous knowledge for development while respecting intellectual property rights, ethical and moral integrity and biosafety

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Strengths of paper

- Comprehensive description of IK and IKS emphasizing its complex and dynamic nature
- Overview of efforts in preserving IKS in SA and centres elsewhere in Africa
- Key challenges particularly in protecting the Intellectual Property Rights of indigenous people ('IK holders')



Gaps

- No discussion on moral and ethical integrity nor biosafety -> complex issues
- Why the slow process and lack of consensus about how to protect IKS?



Arguments for IPR

- (Economic) incentive for innovation
- IK as important source of health-, food- and livelihood security
- Protect indigenous people and their knowledge from misappropriation and exploitation



Areas of contestation

- Ownership versus custodianship
 - Sharing/reciprocity vs sacred/secret
 - Commercial vs non-commercial use
- Public-community-private domain
 - Peoples sovereignty
 - Balance Doctrine*: majority vs ethnic minority rights (* private interests must be balanced against societal values)
- Who represents and negotiates for indigenous people (communities divided)

To be explored further.....Thank you