

CHALLENGES & ISSUES: TK,GR & TCE

PRESENTATION TO IP AFRICA FORUM
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PURPOSE

- To share some of the challenges that are encountered in trying to protect TK/GR and TCE (indigenous knowledge).



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OBJECTIVES

❑ Scan problematic areas

- Cross cutting nature of indigenous knowledge
- Substantive issues may not be protectable by one system
- National stakeholders
- Regional stakeholders
- International stakeholders
- Various Agendas
- Failure to discern strategies of developed countries by developing countries
- Indigenous Development Agenda
- Conclusion



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Discussion

- **Cross cutting...**
 - **TK refuses to be compartmentalised but it is for developing countries to discern how national laws can be harmonised to deal with this matter.**

- **Substantive Issues...**
 - **Substantive issues can be protected, but with limitations.**
 - **The above may be a delaying tactic by developed countries**
 - **Results are that plundering is continuing**

- **National Stakeholders...**
 - **Stakeholders that belong to a first economy in a country may not be interested in the protection of indigenous**



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- **Regional Stakeholders**

- Governments in various regions may not have a common policy approach on this matter and this weakens them.

- **International Stakeholders**

- The United Nations agencies may not be pursuing this in the same manner
- Funding of UN agencies by users of IK may be a problem of such agencies to move with speed to protect
- Other international organisations may not want resolution of IK protection
- There are just too many players on the matter

- **Failure to Discern**

- Developed Countries are resolved that IK is in the public domain
- In this regard they may not be keen in the protection of IK.
- Developing countries may need to discern this.

- **Development Agenda as in IK**

- Developing countries should see to it that their IK is protected as IK ca



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Conclusion

- **Conclusion**
 - **There are problems in a sense that member states of various organisations are not treating the protection of IK in a same tempo and in certain quarters there are no political will.**



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THANK YOU



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