## Genetic Resources and Traditional Knowledge

Case Studies and Conflicting Interests

Edited by

## Tania Bubela

Associate Professor, School of Public Health, University of Alberta, Canada

## E. Richard Gold

James McGill Professor, Faculty of Law, McGill University, Canada

ELGAR INTELLECTUAL PROPERTY AND GLOBAL DEVELOPMENT

**Edward Elgar** 

Cheltenham, UK • Northampton, MA, USA

## Contents

	nowledgements of contributors	vii ix
1.	Introduction: Indigenous rights and traditional knowledge Tania Bubela and E. Richard Gold	1
PAR	T 1 THE INTERNATIONAL LEGAL AND POLITICAL LANDSCAPE	
2.	WIPO, genetic resources and TK: The evolution of a formal intellectual property agreement protecting TK associated with genetic resources  Charles Lawson	31
3.	A comparative analysis of access and benefits-sharing systems  Rebecca Crookshanks and Peter W.B. Phillips	63
4.	From traditional medicines to modern drugs  Graham Dutfield	93
PAR	T 2 CASE STUDIES	
Braz	zil	
5.	Property rights, biocultural resources and two tragedies: Some lessons from Brazil Edson Beas Rodrigues Jr	113
Ken	ya	
6.	under the evolving normative environment in Kenya  Kent Nnadozie	183
Indi		
7.	Sustaining the indigenous knowledge commons  Ashok Kumbamu	207

Ca	ทล	ď	a

Index

8.	Canada's First Nations' policies and practices related to managing	
	traditional knowledge	231
	Peter W.B. Phillips, Sidi Zhang, Tara Williams and Laural	
	DeBusschere	
9.	Aboriginal rights and traditional ecological knowledge in	
	Northern Canada	270
	Cherie Metcalf and Tania Bubela	
10.	Respecting and aligning knowledge systems in Northern Canada:	
	Beyond the International Polar Year	310
	David S. Hik, Tania Bubela and Scot Nickels	
PAR.	T 3 CONCLUSION	
11.	A capabilities-based framework	339
	Julia Carbone	
Index	τ	367