

Local Knowledge: Global Institutions

Why should local experts disclose their knowledge to institutional experts? ¹

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The ongoing discussions in the inter-governmental panel on access to genetic resources, traditional knowledge and folklore have almost completely failed to grapple with the central issue in the debate on formal and informal knowledge systems and institutions responsible for conservation and sustainable utilization of biodiversity. The asymmetry in the efforts of protecting IPRs on knowledge generated in formal institutions to the exclusion of any protection for the knowledge generated in informal institutions has not been addressed adequately.

The efforts to harmonize the standards under TRIPS for protection of IPR rights globally have bypassed the knowledge systems of almost 60 per cent of the humanity, which survives through utilization of TK and grassroots innovations. The obvious inadequacy of the survival mechanisms in the absence of proper incentives at local level have led to large scale erosion of knowledge. Never before in the history of human kind, the rate of erosion of local knowledge has been so high as in the present generation.

The paper deals with four issues:

1. How does one address the tensions in dealing with public, community and private proprietary knowledge around local community, public and privately managed biodiversity resources?
2. How to align the incentives for disclosure of knowledge with the available instruments of protection, Prior Informed Consent (PIC) and sharing of benefits.
3. How to link local level institutions with international institutions at minimum transaction costs and through local language – a task which has not begun in right earnest (NIF and local communities of Karnataka have entered into an MOU for linking Local Biodiversity Register with National Register Of Grassroots Innovations and Traditional Knowledge and People Knowledge Database maintained at NIF through the support of Indian Institute of Sciences, Bangalore).

¹ Paper presented at the Workshop on Biodiversity being organized by IDDRI as a part of International Conference on Biodiversity in Paris, 27th January 2005.

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4. How to link portfolio of monetary and non-monetary incentives with the portfolio of knowledge and resources and institutions and technologies involved in conservation and sustainable utilization of resources at local, national and global levels.

If all TK is public domain, then there is no case for any benefits to accrue to the knowledge holders. The rights emerge only because the boundary around resources and knowledge associated with them are respected. The efforts to draw boundaries around resources and knowledge have been part of human history ever since the concept of proprietary emerge. Care must be taken, however, to enrich and expand the public domain of the knowledge without impoverishing and taking peoples' knowledge for granted so that people to people learning does not get inhibited. Honey Bee philosophy is a means to achieving that.

I submit that there is a case when a new international treaty is negotiated the rights and responsibilities of actors and institutions at multiple levels of producing and reproducing, valorizing and sharing benefits in equitable and sustainable manner. Road ahead is paved with expectations of the knowledge holders and innovators which so far the international discourse on the subject has managed to ignore considerably.

The cost of the indifference will be ultimately determined by whether future generations will have access to the resources and the associated knowledge system.

The paper concludes my drawing upon a range of instruments such as connecting INSTAR (International Network for Sustainable Technological Applications and Registration) and other such mechanisms along with new instruments that need to be developed for evolving decision making arrangements that can maintain the dynamism of local knowledge systems and at the same time empower the knowledge holders to deal with modern institutions at their own terms.