

Justice Institute Guyana Inc



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Access and Benefit Sharing:

Who controls Amerindian
traditional knowledge
and
genetic resources?

WHO?

83,000 people

9 Amerindian peoples

96 Amerindian communities own land

Nagoya Protocol 2010

- Protecting indigenous rights:
- Access to genetic resources: PIC
 - Access to TK: PIC

4 years before NAGOYA

AMERINDIAN ACT 2006

A regime of SPECIAL RIGHTS
for Amerindian communities
land rights and internal self-government

+

Guyana has sovereignty over natural resources

Could this be a model for other countries.....



- **LAND:** Amerindian land is owned by the **COMMUNITY** absolutely, forever and unconditionally

Amerindian Act

- Amerindian communities CONTROL legally:
 - entry to their land
 - access to all resources on their land
 - access to traditional knowledge

Amerindian Act 2006

- You cannot do research in Amerindian lands **UNLESS** you obtain the community's consent
- You must negotiate in **GOOD FAITH**

Amerindian Act 2006

Self-determination

- You MUST deal with the community and their elected Village Council.
- The Government cannot give permission on behalf of the community
- No NGO or other entity can speak on behalf of the community or represent the community

Amerindian act 2006

- Amerindian communities can negotiate what terms they want for
 - Access
and
 - Benefit sharing
- They do not have to agree to anything unless they want to!