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

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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!