The rights of indigenous peoples to control access to and to determine the use of their cultural knowledge is an issue being debated in the United Nations, in the biodiversity and human rights movements, within the pharmaceutical industry, in government and private corporations, in the universities and research institutions, in applied scientists, and, most importantly, among indigenous peoples themselves. Traditional knowledge is the very foundation of their culture, it is their identity, their values, systems and cosmology.

Indigenous cultures embody rules and regulations about communicating, sharing, using and applying traditional knowledge. These rules and regulations are the obligations that indigenous peoples must comply with and are the indigenous peoples’ customary or common law. This distinctive spiritual and material relationship with ancestral territories and their environments calls for shared responsibilities that indigenous peoples must meet when using plants, animals or other living beings for their own needs.

Indigenous peoples ensure their cultural obligations towards communicating, sharing, disseminating, using and applying their knowledge through their spiritual and customary or common law. This is the very foundation of their culture, it is their identity, their values, systems and cosmology.

Building networks to strengthen rights Indigenous peoples are dispersed throughout the world. From the Arctic to the Antarctic, they come their isolation and to share information in the liberation, transmitting new information and communication technologies – provided that they are owned and managed by indigenous peoples themselves and not imposed by communication conglomerates or well-meaning outsiders.

Networking by means of web-based technologies as well as radio and television satellite broadcasting are two possibilities. In 1997 the Latin American Association for Communication Education (ALREC) began work towards a satellite platform that would provide the continent’s community radio stations to link up. Today that initiative is now the ALER Intercontinental Satellite System for Radio Communication. As part of it, a communication proposal was developed to create a network for the Quechua and Kichwa peoples of Peru, and now called the Kichwa Satellite Network.

Ten years on and discussions are taking place to elaborate a Continental Indigenous Network whose aim is to give free and unencumbered access to indigenous peoples’ knowledge. Communication rights are being defined as a human right, and to create a platform which will allow indigenous peoples to communicate their knowledge and express their human rights to the people of the world. The idea is that the Continental Indigenous Network would produce and disseminate information and communication resources.

These are questions of communication rights, human dignity, and solidarity that affect all the peoples of the world. As Mary Robinson, former President of Ireland and former UN High Commissioner for Human Rights, has pointed out:

“Freedom, justice and their embodiment in human rights require and promote solidarity between all human beings on the basis of the indivisible and equal dignity of each. The origin of such a peaceful, just and free society on earth consists in the recognition and ethical obligation of the human race.”

Notes:

The No-Nonsense Guide to Indigenous Peoples’ Communication Rights

We were all indigenous once. In 6.7 billion people, there are at least 370 million indigenous peoples in over 225 countries. Practicing unique traditions, they retain social, cultural, economic and political characteristics that distinguish them from others, and they see themselves as different from their neighbors. Indigenous peoples are the custodians of unique languages, knowledge systems...
and beliefs and possess inviolable knowledge of practices for the sustainable management of natural resources. Their way of life is in special relation to their traditional land which has intrinsic meaning for their collective physical and cultural identity. Indigenous peoples often suffer from poverty political representation, underdeveloped, environmental, political, legal, economic, social and cultural and social institutions.

There is a right to the improvement of their housing, sanitation, health and social security. The right to maintain, control, protect and develop their intellectual property rights. The right to maintain, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestation of their beliefs and customs, as well as to maintain and develop their human remains.

The Declaration on the Rights of Indigenous Peoples

On 13 September 2007 the United Nations General Assembly adopted the Declaration on the Rights of Indigenous Peoples (UNDRIP), reflecting global concern that indigenous peoples continue to suffer from historical injustices and prevent them from exercising their rights.

The Declaration acknowledged the fact that indigenous peoples are organizing for political, economic, social and cultural development, and that they have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions.

Moreover, the Declaration affirms several key rights that indigenous peoples have a right to, including:

- The right to participate in decision-making and a right to participate in the development of their lands and territories.
- The right to maintain, protect and develop their intellectual property, and to participate in the development of their cultural heritage, traditional knowledge and traditional cultural expressions.
- The right to maintain, control, protect and develop their property rights over their lands and territories.
- The right to maintain, control, protect and develop their traditional knowledge and traditional practices.
- The right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions.
- The right to maintain, control, protect and develop their intellectual property rights.
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