

# Traditional value(s): India calls for amendment to TRIPs pact

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COMMERCE & industry minister Kamal Nath has called for amendments to Trade-Related Intellectual Property Rights (TRIPs) Agreement to protect traditional knowledge and bio-diversity. In a letter to trade ministers of 31 countries, he has emphasised the need to develop a sharper and more aggressive strategy on the issue.

The implications have a strong bearing on large sections of people who are holders of traditional knowledge and are poor or disadvantaged. "We need to form a common position before Hong Kong for taking the process towards a logical outcome," he has proposed in the letter which comes at a time when work is on full swing to achieve progress at the Hong Kong ministerial meeting of the World Trade Organisation (WTO).

"While insisting on an amendment to the TRIPs Agreement in



## Nath For Getting Ministerial Declaration On TRIPs, Biological Diversity & Folklore

line with our consistent policy, we could also think of a parallel line of action, similar to what we did on public health issues during the Doha ministerial meeting, namely, getting a ministerial declaration on TRIPs and biological diversity, traditional knowledge and folklore. If we are able to achieve this at Hong Kong, it would strengthen our hands in getting an even-

tuational amendment to the TRIPs Agreement," the letter says.

Doha Ministerial Declaration of 2001 had instructed the council on TRIPs in the WTO to examine the relationship between the TRIPs Agreement and the Convention on Biological Diversity (CBD) for the protection of traditional knowledge and folklore. This issue was included in the ne-

gotiating mandate after several negotiating countries found that TRIPs obligations were not be supportive of the commitments they had undertaken under the CBD, which provided for the conservation and sustainable use of bio-diversity with a view to meeting the food, health and other needs of the growing world population. CBD also encourages equitable sharing of benefits arising from utilisation of such knowledge.

"Finding a solution for implementing the TRIPs Agreement and the CBD in a mutually consistent manner has been at the core of discussions in the TRIPs Council for the last four years. India, along with other countries having significant biological diversity, has made submissions to bring about a mutually supportive resolution to the objectives of the TRIPs and the CBD," says Mr Kamal Nath's letter. So far not much progress has been made towards achieving this, it has been pointed out.