

# **THE MANUKAN DECLARATION of the Indigenous Women's Biodiversity Network (IWBN)**

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of the Indigenous Women's Biodiversity Network (IWBN)  
Maunkan, Sabah, Malaysia, 4-5 February, 2004

## **Preamble**

We, the Indigenous women, having met in Manukan, Sabah from the 4th to 5th February 2004 in order to prepare ourselves for the deliberations of the Conference of the Parties to the Convention on Biological Diversity (COP 7) wish to present the following statement:

We are alarmed that despite the existence of the Convention on Biological Diversity the erosion of the world's biodiversity continues.

As Indigenous women, we have a fundamental role in environmental conservation and preservation throughout the history of our Peoples. We are the guardians of Indigenous knowledge and it is our main responsibility to protect and perpetuate this knowledge. Our weavings, music, songs, costumes, and our knowledge of agriculture, hunting or fishing are all examples of some of our contributions to the world. We are daughters of Mother Earth and to her we are obliged. Our ceremonies recognize her and we return to her the placentas of our children. She also safeguards the remains of our ancestors.

We, Indigenous women, continue to affirm our cultures, histories, perspectives on creation and ancestry, our views of life and the world, and ways of being. These ways of life are essential for the perpetuation, promotion and development of the world's biodiversity.

We, Indigenous women, secure the health of our Peoples and our environment. We maintain a reciprocal relationship with Mother Earth because she sustains our lives. Indigenous Peoples have developed our own health systems, and Indigenous women are the fundamental conservers of the diversity of medicinal plants, used since the time of our conception.

We, Indigenous women strongly affirm our right to self-determination. Our right to self-determination is fundamental to the freedom to carry out our responsibilities in accordance with our cultural values and our customary laws.

We also note the importance of the work still to be done by the States to honor the treaty obligations made with Indigenous Peoples. Many treaties contain specific obligations of the States which guarantee Indigenous rights to protect the flora, fauna, lands, coasts, fishing areas, oceans and lakes.

As Indigenous women, it is our priority to protect our rights over our traditional knowledge and biological resources which have to be preserved and protected for future generations. Any decision on the use and protection of our traditional knowledge and biological resources must respect the rights of Indigenous Peoples.

## **Our areas of concern**

### **Indigenous Women as Guardians of Knowledge**

Indigenous women are the guardians of knowledge, wisdom and experience in relation to environment. We have an integral role in the transmission of this knowledge, wisdom and experience to the younger generations.

Our systems of traditional knowledge have existed prior to the western systems of education or property rights regimes. In order to maintain our own integrity, we have the right to exist free from external interference.

Non-Indigenous systems of education have had a negative impact on Indigenous knowledge and ways of life. Indigenous Peoples have the right to protect, develop and perpetuate their own systems of education which are consistent with their cultural and spiritual values. This is an integral aspect of self-determination.

There are more than 6000 languages in the world, the majority of which are spoken by Indigenous Peoples. As Indigenous women, we recognize that these languages are disappearing rapidly and this threatens the maintenance and continuance of our knowledge.

As Indigenous women, we are opposed to the development of data banks and registries of Indigenous knowledge without our free, prior informed consent, including our right to say no to the development of data banks and registries.

### **Biodiversity and Indigenous Women**

Indigenous knowledge systems and the diversity of life in our territories are collective resources under our direct control and administration.

Indigenous women have a vital role to play in the protection and conservation of the biodiversity in distinct ecosystems including forests, arid and semi-arid lands, inland waters, oceans and coasts and mountains. Our ways of life, our artistic expressions, are dependant on the land and its abundance. Any erosion of biodiversity has an irreversible impact on our cultural heritage.

The medicinal knowledge of Indigenous women is vast. Our specialized experience has made us midwives, spiritual leaders, healers, herbalists, botanists and pharmacists within our communities. Our knowledge, use and control of medicinal plants, must be protected from outside research and commercialization efforts.

We are opposed to technologies and policies such as regimes on intellectual property rights which violate the rights of Indigenous Peoples to maintain our traditional knowledge, practices, seeds and other food related genetic resources.

We are opposed to the introduction of genetically modified organisms and genetic use restriction technologies which might have very serious impacts on food security, health, the environment and the livelihoods of Indigenous Peoples.

### **Indigenous Women and Health**

Indigenous women recognize that the womb is the first environment of every person. The state of health in this sacred environment is intrinsically linked to, and depends on, the health of the water, the air, the land, the plants and animals.

Our poor health situation as Indigenous women is intimately linked to our access to traditional medicines and to the health of ecosystems. For example, in the Arctic region, mother's milk has the highest levels of polychlorinated biphenols (PCBs) and mercury in the world due to the trans-boundary travel of persistent organic pollutants, their bioaccumulation and their subsequent magnification in the food chain.

As Indigenous women, we are the main producers of food for their communities. Environmental contamination threatens food security, our cultures and ways of life.

We recognize that Indigenous knowledge has contributed greatly to food security and to many of the medicines used throughout the world. We are opposed to any attempts from outside to commercialize and profit from our knowledge and resources.

### **Indigenous Women and Industrialization**

Industrial projects, including but not limited to, mining, clear-cutting, hydroelectric projects, nuclear energy and waste, toxic dumping, agri-business expansion, commercial fisheries, tourism development, and war devastate our lands, destroy our economies, and threaten our survival within our territories.

Power in the government in many countries is largely concentrated in the hands of the industry lobby so they have an opportunity and advantage to make decisions about environmental problems. We need instruments to ensure the participation of Indigenous Peoples in the decision-making processes related to industrial developments and environmental policy.

### **Indigenous Women and Protected Areas**

Indigenous communities have been and continue to be expelled from our territories. We are victims of the destruction of our territories under the pretext of the establishment of protected areas and national parks. We demand that our rights be restored and that these acts which violate our human rights and our rights as women cease immediately.

### **Indigenous Women, Trade and Globalization**

We, Indigenous women, strongly oppose the appropriation and commercialization of our knowledge, ceremonies, songs, dances, rituals, designs, medicines and intellectual property. Any acquisition, use or commercial application of intellectual, cultural and spiritual property of Indigenous women must be done with our free, prior informed consent and respect our customary laws.

Intellectual property regimes must be prevented from asserting patents, copyright, or trademark monopolies for products, data, or processes derived or originating from the

biodiversity or knowledge of Indigenous Peoples.

We affirm that natural life processes and prior art and knowledge are clearly outside the parameters of intellectual property rights protection. Therefore intellectual property rights protections over any genes, isolated genes, or other natural properties or processes, for any life forms, or knowledge derived from Indigenous knowledge may not be utilized without the free, prior informed consent of the Indigenous communities involved.

The advancement of policies of free trade policies through international and regional free trade agreements, state laws, and policies is allowing an increase in the exploitation of Indigenous Peoples knowledge and resources.

We oppose trade policies which impose western legal frameworks upon us and do not recognize our rights to maintain and implement our systems of management based on our customary laws.

### **Indigenous Women, Conflict and Militarization**

Indigenous women have been seriously affected by colonialism, armed conflict, resettlement and forced displacement from our communities by discriminatory laws or lack of enforcement of laws.

In regions where conflicts exist, we as Indigenous women are the first victims of the destruction of biodiversity. Dependent and linked to the lands, but displaced as a result of war, they are unable to provide for the needs of our families.

Recalling previous declarations, conventions and decisions which affirm the rights of Indigenous Peoples to full and effective participation in international fora which influence our lives:

Recalling that the Charter of the United Nations, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights affirm the fundamental importance of the right to self-determination of all Peoples, according to which, they can freely determine their political situation and freely pursue their economic, social and cultural development;

Recalling Decision VI/10 on Article 8(j) and related provisions "emphasizing the need for dialogue with representatives of Indigenous and local communities, particularly women for the conservation and sustainable use of biological diversity within the framework of the Convention";

Considering "the vital role of Indigenous Peoples in sustainable development" already affirmed by the political declaration of the World Summit on Sustainable Development, Johannesburg, 2002, para.25; and

Affirming other instruments and mechanisms which guarantee our participation and contribution in the discussions, such as:

The Rio Declaration on Environment and Development (in particular Principle 22), Agenda 21 (in particular chapters 11 and 26); and the Convention on Biological Diversity (in particular Article 8(j) and related provisions); the Convention on the Elimination of all Forms of Racial Discrimination; the Declaration on the Forest Principles and the IPF/IFF/UNFF; ILO Convention 169 on Indigenous and Tribal Peoples, among others;

Further Recognizing, that at the end of the United Nations Decade on the World's Indigenous Peoples there have been achievements and progresses but there still remains a lot of work to be done.

**We therefore call upon Conference of the Parties to include the following recommendations in the final decisions of COP7:**

We encourage the development of instruments which avoid the expropriation and commercialization of our knowledge and biological resources.

We affirm that natural processes and prior art and knowledge are clearly outside of the parameters of the protection of intellectual property. Therefore, intellectual property rights over genes, isolated genes or other processes or natural properties over any form of life derived from Indigenous knowledge must be eliminated.

The Parties must declare an immediate moratorium on the development, cultivation and use of seeds, plants, fish and other genetically modified organisms.

We request the Parties reaffirm Paragraph 23 of their Decision V/5, in light of the continuing lack of information on negative impacts on Indigenous Peoples and in accordance with the precautionary principle.

We request that the Parties guarantee that Indigenous women are free to implement our own practices and institutions to ensure food sovereignty.

Scientific research and any activity of bioprospecting, conducted without the full consultation and free, prior informed consent of the Indigenous Peoples affected must be stopped and any research must be undertaken in a comprehensive and protective manner.

The Parties must undertake immediate action to urgently stop the introduction of alien species which threaten the health of our traditional territories and food sources.

Knowing that contaminated ecosystems threaten the very survival of our Peoples, Indigenous women urge the Parties to ratify and implement the Stockholm Convention on Persistent Organic Pollutants.

We request that the Parties guarantee decisions to protect and promote the development of sui generis systems based on our customary laws.

That the Parties guarantee that intellectual property regimes are not imposed on Indigenous knowledge, biodiversity and customary systems of management.

Ensure that any benefit sharing regime protects the rights of Indigenous Peoples to prior informed consent as principle parties when our knowledge or resources are impacted, and further protect our right to deny access and/or refuse to participate.

The Parties must ensure that national legislation reflects and is coherent with the norms established by the CBD.

The decisions must recognize and reflect the intrinsic link existing between Indigenous knowledge and biodiversity.

The Conference of the Parties, in its activities of public information and capacity-building, must pay specific attention to the full and effective participation of Indigenous women.

All decisions must recognize and protect the fundamental principle that Indigenous Peoples are rights holders with inherent and inalienable rights over our traditional knowledge and biological resources.