

Annex 3 | ***National Traditional
Knowledge Policy***

National Traditional Knowledge Policy

(3rd draft, 2009)

1. Foreword

Papua New Guinea (PNG) is blessed with a multitude of diverse cultures and people. PNG has 850 different and distinct languages which also provide the backdrop to the diversity of cultures present in the country. The country has rich and strong cultures which provide the backbone for the development of the country and its people.

These different and varying cultures are bound to be impacted by other cultures from outside the country. PNG is a member of the international community and thus is bound to encounter the impacts of other cultures through its interactions with the other members of the international community.

The Policy is designed to protect, preserve and promote the country's traditional knowledge and expressions of culture. It takes a holistic approach to the identification, documentation, storage, management, transmission, access and utilization of traditional knowledge and expressions of culture.

The Policy embraces the interests of both the holders and owners of traditional knowledge and the users of traditional knowledge and expressions of culture and seeks to provide an enabling environment for the mutual and equitable beneficial sharing of benefits derived from the use of traditional knowledge and expressions of culture.

The Policy seeks to implement the latest Somare-Temu Government's national overarching development plans – the Papua New Guinea Vision 2050 and the Medium Term Development Strategy 2005-2010. The

Policy also seeks to implement the country's international and regional commitments reflected in international and regional instruments.

commend the efforts of the National Cultural Commission and the leadership of Dr. Jacob Simet – the Director of the National Cultural Commission for completing the Policy as a testament of the Somare-Temu Government's commitment to the protection, preservation and promotion of the country's rich and diverse traditional knowledge and expressions of culture.

Minister for Culture and Tourism
November 2009

2. Executive Summary

Papua New Guinea is culturally rich and diverse. The country has 850 distinct languages and a depth of traditional knowledge which is expressed in various forms. This wealth of traditional knowledge and expressions of culture are evolving all the time. Traditional knowledge and culture are therefore not static.

In this modern technological age, traditional knowledge and culture are being challenged in many ways than one. Although traditional knowledge and expressions of culture is always evolving with time, measures must be introduced by the Government to protect, preserve and promote it.

The Policy has taken a three-pronged approach in dealing with traditional knowledge and expressions of culture. These are: (1) protection; (2) preservation; and (3) promotion. The underpinning of protection is to safeguard traditional knowledge and expressions of culture and the holders and owners of traditional knowledge. The preservation of culture focuses on the identification, documentation, management and transmission of traditional knowledge and expressions of culture. The benefits arising as a result of the use of traditional knowledge and expressions of culture must be fairly and equitably shared by the holders and owners of traditional knowledge

and users of this knowledge. Promotion involves the use of traditional knowledge in both the public and private domain.

A series of measures are promulgated by the Policy to achieve the protection, preservation and promotion of traditional knowledge and expressions of culture. At the core of the Policy are the principles which guide the identification, documentation, storage, access, and management of traditional knowledge and expressions of culture.

The major focus of the Policy is on traditional knowledge and expressions of culture and the holders and owners of traditional knowledge. The storage, management and use of traditional knowledge and expressions of culture are major components of the Policy.

The success of the Policy depends on the commitment of the Government and its institutions and sector stakeholders. Effective collaboration, networking and partnership creation and strengthening are the major drivers of the Policy.

The different strategies and action plans identified in the Policy have been fashioned to achieve the goals of the Policy. They are critical and interdependent. To boost the Policy, a legal framework is required. Law is but just another tool that must be applied to strengthen policy. Appropriate administrative structures and measures are needed to complement the law to obtain the outcomes envisioned by the Policy.

Chapter 1 Introduction

Papua New Guinea (PNG) is a culturally diverse country. It has 850 distinct and different languages and a similar number of cultures. At the core of culture is traditional knowledge. Traditional knowledge has been and continues to be the backbone of the survival and existence of the people of PNG and their identity as a group of people within and outside the country. Papua New Guinea is a dual society with 15% of its population living in the urban areas while 85% of the people dwell in the rural areas. These people depend largely on their traditional knowledge to carve out a lifestyle for themselves in an evolving and contemporary society.

As PNG presses into the technological age, the need to protect, preserve and promote its traditional knowledge and expressions of culture has become an imperative. Unique and innovative ideas and strategies are required to ensure that Papua New Guineans continue to protect, strengthen and promote their custom, culture and traditions in an increasingly changing globalized environment.

This calls for a rethink of the way Papua New Guineans conduct themselves and how they plan their development programs.

A. Policy Issues

Papua New Guinea is developing at a rapid pace. In its short history it has moved quickly into the computer age. As Papua New Guineans move into the unknown future, they should not lose sight of their roots which are embedded in their rich cultures and traditions. PNG is presented with a unique opportunity to maximize technology and modernity to protect, preserve and promote its traditional knowledge and the expressions of its cultures.

The protection, preservation and promotion of traditional knowledge and the expressions of culture must contribute to the sustainable development of local communities and the country. Traditional knowledge and expressions of culture must contribute to the alleviation of poverty, improve health conditions, improve gender equality and community empowerment.

B. Policy Context

The Policy gives effect to the National Goals and Directive Principles of the Constitution. The Policy is guided particularly by Goal 5 which calls for the use of Papua New Guinean ways to promote the development of PNG. Traditional knowledge and expressions of culture finds its place in this Goal.

Relying on Goal 5, traditional knowledge and expressions of culture must contribute to the integral development of Papua New Guineans, strengthen equality and participation, promote self

reliance and contribute to the wise use and management of the country's environment and its natural resources.

The Policy is guided by the two overarching national development policies: (1) the Papua New Guinea Vision 2050; and (2) the Medium Term Development Strategy 2005-2010 (MTDS). The policy therefore compliments the Vision 2050 and implements the MTDS 2005-2010.

The Vision 2050 is a long term development strategy for PNG. It is premised on seven pillars namely:

- Human Capital Development, Gender and People Empowerment
- Wealth Creation
- Institutional Development and Service Delivery
- Security and International Development
- Environment Sustainability and Climate Change
- Spiritual, Cultural and Community Development
- Strategic Planning, Integration and Control

The vision of the Papua New Guinea Vision 2050 is to ensure that "Papua New Guinea becomes a smart, wise, fair, healthy and happy society by 2050". This calls for a paradigm shift in national development. Traditional knowledge and expression of culture policy is designed to protect, preserve and promote traditional knowledge and expressions of culture to provide opportunities for wealth creation, strengthen people empowerment, ensure cultural and community development and sustainable development.

The MTDS 2005-2010 is a five year plan for economic and social advancement. It is guided by 10 principles which are:

- Private Sector-led Economic Growth
- Resource Mobilisation and Alignment
- Improvements in the Quality of Life
- Natural Endowments

- Competitive and the Global Market
- Integrating the three tiers of Government
- Partnership through Strategic Alliances
- Least Developed Areas Intervention
- Empowering Papua New Guineans and improving Skills
- ‘Sweat equity’ and Papua New Guinean Character

The Policy provides specific mechanisms which are aimed at empowering Papua New Guineans through the use of their traditional knowledge and the use of this knowledge to improve their skills. The Policy also aims at defining the Papua New Guinean character through the strengthening of traditional knowledge and expressions of culture.

The National Traditional Knowledge and Expressions of Culture Policy calls for a paradigm shift in the way PNG perceives traditional knowledge and expressions of culture and implores Papua New Guineans to utilize traditional knowledge to develop innovative ideas to create wealth that can be equitably beneficial to Papua New Guineans.

The Policy is also informed by existing national policies such as: the National Policy on Traditional Medicine; the National Agriculture Development Plan; the National Health Plan; the National Population Policy; the National Food Security Policy; the Integrated Community Development Policy; the National Biodiversity Strategy and Action Plan (NBSAP); the National Education Plan and the Higher Education Plan. A number of draft national policies also inform this Policy. These include the draft National Cultural Policy, the draft Biosafety and Biotechnology Policy, the draft Climate Change and Carbon Trade Policy. These and other sectoral policies have been reviewed to provide a guide to the formulation of this Policy.

An important tool that has been relied on to fashion the Policy is the draft National Cultural Policy and the draft Cultural

Development Plan. Prior to the development of the Policy a number of important interventions had been made by the National Cultural Commission (NCC) and the Tourism Ministry in promoting traditional knowledge and expressions of culture. The body of work that has been collated through the work of the Ministry and the NCC has been used extensively to develop the Policy.

PNG has ratified the Convention establishing the World Intellectual Property Organization, 1967, in July 1997, and the Paris Convention for the Protection of Industrial Property, 1883, in June 1999. It is not party to the Berne Convention for the Protection of Literary and Artistic Works, 1886. It is also a member of the World Trade Organization (WTO) and signatory to the Agreement on Trade-Related Aspects of Intellectual Property Rights (the TRIPS Agreement) since June 1996. Other important international instruments relevant to traditional knowledge and expressions of culture include the Convention on Biological Diversity, the UNESCO Convention on the Safeguarding of the Intangible Cultural Heritage 2003 and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005; the Declaration on the Rights of Indigenous People 2007; and the Millennium Development Goals. These international instruments have also informed the Policy.

The World Intellectual Property Organization (WIPO) has been at the forefront of these initiatives. A number of important issues relating to traditional knowledge and expressions of culture have been and continue to be addressed by WIPO. The Policy has also benefited from the contributions of WIPO through critical reviews and capacity building.

At the regional level, a number of important interventions have been made to engage the governments in the region to introduce regulatory measures to protect, preserve and promote traditional knowledge and expressions of culture. The 'Regional Framework for the Protection of Traditional Knowledge and Expressions of Culture' and the 'Model Law on the Protection of Traditional

Knowledge and Expressions of Culture’ are milestone contributions that have been made by the Pacific regional organizations. The development of the Policy has benefited largely through the financial and technical contributions of the Pacific Islands Forum Secretariat and WIPO.

C. Policy Approach

The National Traditional Knowledge Policy and Expressions of Culture Policy is the result of wide consultations between different stakeholders and the NCC. The adoption by Government of the Policy is a celebration of the country’s diverse and rich cultural heritage.

It was envisioned that the active and effective participation of the stakeholders in the Policy development process will ensure that the Policy adequately captures the visions and aspirations of the different stakeholders. It also ensures that the stakeholders take ownership of the Policy and will consequently actively participate in its implementation.

Chapter 2 Policy Vision, Goals and Principles

The National Traditional Knowledge and Expressions of Culture Policy is be guided by the Vision, Goals and Principles enunciated in this Chapter. The Policy takes a three-pronged approach – protection, preservation and promotion of traditional knowledge and expressions of culture.

Protection – the aim of is to safeguard traditional knowledge and the expressions of culture from misuse and misappropriation. The rights of traditional knowledge holders and owners are also acknowledged and respected by the users of traditional knowledge and where culture is expressed it is respected. Beneficiaries of traditional knowledge must be accorded what is fairly due to them through protective measures.

Preservation – the primary target is the identification, documentation, maintenance, management and transmission of traditional knowledge and

expressions of culture. Respect for secret and sacred traditional knowledge is important. Access to traditional knowledge and expressions of culture which may be captured in databases must be based on respect and where it is accessed, fair and equitable sharing of benefits is imperative.

Promotion – traditional knowledge and expressions of culture should be promoted at all levels and at all times because this policy seeks to celebrate the diverse and rich culture of Papua New Guinea. Where traditional knowledge and expressions of culture is used for commercial purposes or where traditional knowledge contributes to innovation, fair and equitable sharing of benefits is a necessity.

A.Vision

Traditional knowledge of the people of Papua New Guinea and the expressions of their culture will be protected, preserved and promoted for the benefit of present and future generations.

B.Goals

The protection, preservation and promotion of traditional knowledge and expressions of culture is the core goal of the Policy. This can be achieved through the adoption of effective strategies which are cost effective, manageable and achievable. The specific goals of the Policy are:

1. To recognize and respect the role that traditional knowledge and expressions of culture and the holders of traditional knowledge play in the development of the country.
2. To provide measures for the effective protection and preservation of traditional knowledge and expressions of culture.
3. To provide measures for the protection of traditional knowledge holders and legitimate users of traditional knowledge.

4. To safeguard traditional cultures.
5. To promote intellectual and artistic freedom, research and cultural exchange on fair and equitable terms.
6. To provide the enabling environment for monitoring, accessing, and managing traditional knowledge and the expressions of culture.
7. To provide measures to ensure the sustainability of traditional knowledge and the fair and equitable distribution of benefits derived from the use of traditional knowledge and expressions of culture.

C. Principles

Traditional knowledge and expressions of culture is intricately connected to people relations and their relationship with the environment. It plays an important role in fashioning the character and substance of an individual and community. In identifying and adopting the principles, it is essential that the principles are widely accepted and applicable over time. The following principles have universal application and are significant to PNG. In pursuing the goals of the Policy, the following principles should be observed by the Government, the industry, practitioners and holders and owners of traditional knowledge and users of traditional knowledge and expressions of culture-

1. Traditional knowledge and expressions of culture is an integral part of the daily lives of people.
2. A people's values and aspirations are reflected in their traditional knowledge and its expression in various forms.
3. Traditional knowledge and the expressions of culture is flexible and evolving.
4. Traditional knowledge and expressions of culture is capable of being shared on fair and just terms.
5. Traditional knowledge and expressions of culture is the thread that binds the communities and their relationships to each other and shapes future generations.

6. Traditional knowledge and expressions of culture attract both rights and obligations on both holders and owners, and users of traditional knowledge.
7. Traditional knowledge and expressions of culture empowers people.
8. Traditional knowledge contributes to innovation and technologies for the development of the country.
9. Traditional knowledge and expressions of culture can contribute to the creation and strengthening of relations at the regional and international levels.
10. Traditional knowledge and expressions of culture shapes the Papua New Guinean character.

Chapter 3 Definitions of Traditional Knowledge and Expressions of Culture

This Chapter clarifies the concept of traditional knowledge and expressions of culture and explains the various forms that traditional knowledge and expressions of culture takes.

A. The Issue of Definition

The issue of definition has created controversy and some confusion about the nature and content of traditional knowledge and expressions of culture. In PNG traditional knowledge and expressions of culture in the draft National Cultural Policy refers to “tradition-based literature, beliefs, artistic and scientific works, songs, performances, inventions, scientific discoveries, designs, marks, names and symbols”. This definition is however imprecise and ambiguous.

The working definitions of the two terms are provided by the Model Law on the Protection of Traditional Knowledge and Expressions of Culture. They are very useful and are adopted here for PNG.

Traditional knowledge – includes any knowledge that generally-

- (a) is or has been created, acquired or inspired for traditional economic, spiritual, ritual, narrative, decorative or recreational purposes; and
- (b) is or has been transmitted from generation to generation; and
- (c) is regarded as pertaining to a particular traditional group, clan or community of people in Papua New Guinea; and
- (d) is collectively or in certain cases individually held.

Expressions of culture – means any way in which traditional knowledge appears, is manifested, irrespective of content, quality or purpose, whether tangible, intangible, and without limiting the preceding words includes-

- (a) names, stories, chants, riddles, histories and songs in oral narratives; and
- (b) art and craft, musical instruments, sculpture, painting, carving, pottery, terra-cotta mosaic, woodwork, metalware, painting, jewellery, weaving, needlework, shell work, rugs, costumes and textiles; and
- (c) music, dances, theatre, literature, ceremonies, ritual performances and cultural practices; and
- (d) the delineated forms, parts and details of designs and visual compositions; and
- (e) architectural forms.

B. Nature of Traditional Knowledge and Expressions of Culture

Traditional knowledge is a dynamic system that is intricately linked to the social, political and economic systems of the society. Traditional knowledge is a system which may be culturally expressed through songs and dances, proverbs, stories, folklore, rituals, customary law, and inventions.

Traditional knowledge is mostly commonly owned. However, in some instances sacred and secret traditional knowledge can be held individually. Issues of ownership relating to nature and content of traditional knowledge and expressions of culture, varies from one geographical location to another in PNG.

C. Forms of Traditional Knowledge and Expressions of Culture

3.3.1 Tangible Traditional Knowledge and Expressions of Culture

Tangible traditional knowledge can find expression in: tradition-based literature, artistic and scientific works, performances, inventions, scientific discoveries, designs, marks, names and symbols.

3.3.2 Intangible Traditional Knowledge and Expressions of culture

Intangible traditional knowledge may be expressed through: songs and dances, proverbs, stories, folklore, rituals and customary law.

Chapter 4 Protection, Preservation and Promotion of Traditional Knowledge and Expressions of Culture

Traditional knowledge and expressions of culture has much to offer to the modern society in the areas of food and agriculture, culture, human rights, resource management, sustainable development, conservation of biodiversity and trade and economic development. The protection, preservation and promotion of traditional knowledge and expressions of culture is thus imperative as it centers on questions of fundamental justice and the concomitant right to receive a fair return on what the holders and owners of traditional knowledge have developed.

A. Protection of Traditional Knowledge and Expressions of Culture

The protection of traditional knowledge and expressions of culture ensures that misuse and misappropriation and wrongful exploitation of traditional knowledge and expressions of culture is prevented and where there are infringements, the holders and owners of traditional knowledge are properly compensated. Protection will become relevant only after the traditional knowledge holders and owners are clearly identified and their rights are articulated by the legal framework.

Protection measures should also be flexible to allow for the use of traditional knowledge and the promotion of expressions of culture to generate economic benefits that can lead to the improvement in the livelihoods of the holders and owners of traditional knowledge.

B. Preservation of Traditional Knowledge and Expressions of Culture

The main underpinning of preservation is to maintain the intrinsic value, quality and authenticity of traditional knowledge and expressions of culture for the benefit of present and future generations. To preserve traditional knowledge and expressions of culture, they need to be identified and documented in a systematic manner. The current work being undertaken by the National Cultural Commission in identifying and documenting the traditional knowledge and expressions of culture in the Gulf Province is timely. The Government must continue to support this initiative so that the traditional knowledge and expressions of culture of other regions of the country can be identified and documented and managed for the benefit of present and future generations.

C. Promotion of Traditional Knowledge and Expressions of Culture

Traditional knowledge and expression of culture must be protected in a manner that its intrinsic value is maintained and that it is not misused or misappropriated and wrongfully exploited and that there is equitable distribution of benefits from its promotion. This requires the identification, collection, storage, maintenance and transmission of traditional knowledge and expressions of culture.

Traditional knowledge and expressions of culture must be promoted through the education system in the elementary, primary and secondary school curriculum, acceptable modes of communication such as the print and spoken media and internet, and training. The promotion of traditional knowledge and expressions of culture must ensure that holders and users of traditional knowledge are protected and also gain economically for the use of their traditional knowledge and expressions of culture.

Where traditional knowledge is promoted through traditional knowledge-based innovation, it is crucial that holders and owners of the traditional knowledge are properly acknowledged and the benefits accruing from the innovation are fairly and equitably shared with the holders and owners of the traditional knowledge.

Chapter 5 Implementation

The success of the Policy depends largely on the roles that the Government through the National Authority and related government agencies, traditional knowledge holders, the creative/cultural industries and the civil society play in the protection, preservation and promotion of traditional knowledge and expressions of culture. Each stakeholder is a critical player in this sector. The Government through the National Authority must undertake the task of identification, collection, storage and maintenance of traditional knowledge and expressions of culture, establish a register of relevant stakeholders and may assign specific roles to each or several stakeholders to implement, monitor and evaluate certain components of the Policy.

A.Role of Government

The Government through the National Authority must establish a register of traditional knowledge holders and owners, creative/cultural industries, relevant civil society organizations, relevant government agencies according to a classification system whereby they are clustered according to their roles in the sector. The National Authority must also promote and strengthen networking and collaboration amongst the stakeholders.

The role that relevant government agencies such as the NCC, the Institute of Papua New Guinea Studies; the National Film Institute; National Performing Arts Troupe; National Museum and Art Gallery; the Intellectual Property Office; and the Department of Health; Department of Education; Department of Agriculture and Livestock play in implementing the Policy is obvious. They play an important role. The integration of the objectives and principles of the Policy in

their specific policies and operational manuals will contribute meaningfully to the attainment of the goals of this Policy.

Traditional knowledge and expression of culture contributes to social, economic and cultural development. The identification, documentation, storage and management of traditional knowledge and expressions of culture is a key responsibility of Government. This has been recognized by the Government through the establishment of the NCC, the Institute of Papua New Guinea Studies, the National Film Institute, National Performing Arts Troupe and the National Museum and Art Gallery. These different government agencies are responsible for the identification, collection and documentation, storage and management of traditional knowledge and expressions of culture. The collaboration between these institutions and with other stakeholders in the collection, documentation, storage and management of traditional knowledge and expressions of culture is important for its protection, preservation and promotion.

B. Role of Traditional Knowledge Holders and Owners

Traditional knowledge and expressions of culture is usually owned by local communities. They are the producers, custodians, users and the main beneficiaries of traditional knowledge. Their engagement in the protection, preservation and promotion of traditional knowledge and expressions of culture is undoubtedly very important. Identifying and understanding the link between the traditional knowledge and expressions of culture and the holders and owners of that knowledge and its expression in culture is critical to ensuring that the rights of holders and owners of traditional knowledge are acknowledged, respected and given effect to.

Their active participation in the implementation of the Policy is crucial. The identification, documentation, storage and transmission of traditional knowledge and expressions of culture will require the full cooperation and active involvement of holders and owners of traditional knowledge. The use of customary

protocols for the protection, preservation and promotion of traditional knowledge and expressions of culture can be useful in achieving the goals of the Policy.

The holders and owners of traditional knowledge must be encouraged and supported by the Government and the creative/cultural industries and other stakeholders to utilize their traditional knowledge and expressions of their culture for economic gains by promoting their traditional knowledge and culture.

C.Role of creative/cultural industries

The actors in this category play a crucial role in the protection, preservation and promotion of traditional knowledge and expressions of culture. These players are involved in various activities that impact on different components of traditional knowledge and expressions of culture.

The Government through the National Authority must actively identify those involved in the creative/cultural industries and clarify their roles and initiate programs that will strengthen their capacities and better improve the coordination of their programs and activities to reduce duplication, misapplication of resources and prevent the misuse and misappropriation of traditional knowledge and expressions of culture.

Proactive measures are needed to promote greater and better cooperation between the industry and the holders and owners of traditional knowledge to ensure that there is mutual respect between the parties and that where traditional knowledge and expressions of culture are utilized by the industry, benefits accruing from the use of traditional knowledge and expressions of culture are shared in an equitable and fair manner.

D. Role of provincial and local-level governments

Provincial governments are mandated under the Organic Law on Provincial and Local-level Governments 1995 to establish and manage cultural centres which encompass traditional knowledge and expressions of culture. A similar mandate is also given to local-level governments. Measures must be introduced to improve the networking between Provincial and local-level governments and the National Authority and between and amongst provincial and local-level governments.

Such measures may include the training of relevant provincial and local government officers and the conduct of programs jointly at the provincial and local government levels. These programs may include the identification, documentation and management of traditional knowledge, cultural shows, craft markets, establishment of cultural centres and collaborative research.

E. Data collection, storage, management and access

Data collection, storage, management and access is crucial where traditional knowledge and expressions of culture has already been captured. The task of identifying and documenting traditional knowledge and expressions of culture must be undertaken jointly by the Government and the holders and owners of traditional knowledge. Customary protocols relating to the identification, documentation, storage and management must be respected and the prior informed consent of the holders and owners of traditional knowledge must be obtained before documentation and access to the stored data. The Government must provide adequate and consistent funding to the sector institutions to undertake this important task.

Data plays an important function in the protection, preservation and promotion of traditional knowledge and the expressions of traditional culture. Specific rules and guidelines which acknowledge customary protocols must be introduced to enable

access to and the management of data. The National Authority may develop and introduce these rules and guidelines.

F. Gender and Traditional Knowledge and Expressions of Culture

Men and women play a critical role in the protection, preservation and promotion of traditional knowledge and the expressions of culture. The status and role of women have been given prominence at the international and regional levels. Women usually play an integral role in the expressions of culture and are sometimes (together with their male counterparts), holders and owners of traditional knowledge. In the Policy they are recognized as equal partners in the protection, preservation and promotion of traditional knowledge and expressions of culture.

The Government is supportive of this paradigm shift. The important role that women play in society and their hierarchical standing in certain societies in PNG must be strengthened and promoted.

G. Education and Awareness

The importance and role of traditional knowledge and expressions of culture in the sustainable development of PNG must be appreciated and celebrated through education and awareness programs. This may entail the introduction of educational programs or curriculum in the education sector and the consistent transmission of knowledge on the subject through the media and other outlets.

The role of research institutions and individuals may be considered here as their knowledge on traditional knowledge and expressions of culture contributes to education and awareness. Their knowledge may also contribute to the introduction of innovative technologies. The way researchers conduct their research on traditional knowledge and expressions of culture and their use of the traditional knowledge must be based on respect for the holders

and owners of traditional knowledge and their traditional knowledge and expressions of culture.

The active participation of all stakeholders in this area will be critical to the achievement of the goals of the Policy. The strengths of partners should be capitalized to promote education and awareness of the value and role of traditional knowledge and expressions of culture in the development of the country.

Chapter 6 Programs Priorities

The Policy adopts a series of strategies and action plans that must be undertaken to ensure the effective implementation of the Policy. The Government has to systematically deal with each and every program in an efficient manner so that each program is given equal weighting. However, the programs can be prioritized as follows-

- A. Introduce and implement a national program on the identification, documentation, storage and management of traditional knowledge and expressions of culture.
- B. The identification and where appropriate the registration of holders and owners of traditional knowledge and expressions of culture in a systematic manner and across geographical boundaries of the country.
- C. Improve coordination and collaboration between the government institutions in the sector to improve their roles and functions and operations relating to the identification, documentation, storage and management of traditional knowledge and expressions of culture. This activity may involve both institutional and personal capacity building and strengthening. This can be done through administrative processes or legislative alignment.
- D. The development and introduction of legal rules and standard protocols on the protection, preservation, management and access to traditional knowledge and expressions of culture.
- E. The development of a legislation to protect, preserve and promote traditional knowledge and expressions of culture.
- F. Develop, promote and strengthen programs geared at utilizing traditional knowledge and expressions of culture for the economic

benefit of holders and owners of traditional knowledge.

- G. Design and introduce programs and activities which will enable the active participation of holders and owners of traditional knowledge including women and girls in the protection, preservation and promotion of traditional knowledge and expressions of culture.
- H. Networking and partnership strengthening of sector stakeholders in protecting and promoting traditional knowledge and expressions of culture. This can be achieved by clarifying the roles and functions of stakeholders.
- I. Design an administrative system of protecting traditional knowledge and expressions of culture particularly in relation to designs, copyright and patents.
- J. Promote educational and awareness programs aimed at protecting, preserving and promoting traditional knowledge and expressions of culture.

Chapter 7 Strategies and Action

The protection, preservation and promotion of traditional knowledge and expressions of culture will be undertaken through the following strategies and action plans. It is important to understand that these strategies and action plans are not exhaustive. The strategies and action plans have been designed to maximize existing opportunities and address existing and future challenges.

A. Strategy on Protection of Traditional Knowledge and Expressions of Culture

The Government through the NCC currently has a draft National Cultural Policy which contains snippets of references to traditional knowledge and expressions of culture. This Policy will now be the overarching national policy on traditional knowledge and expressions of culture. The Government through the National Authority must develop and introduce programs and develop guidelines specifying the manner in which traditional knowledge and expressions of culture can be protected.

- Action Plan
 - Develop and introduce programs to protect traditional knowledge and expressions of culture from misuse and misappropriation. These programs may include: (a) conducting joint activities with partners in the sector; (b) entering into partnership agreements with creative/cultural industries for the protection of traditional knowledge and expressions of culture; and (c) engage holders and owners of traditional knowledge in policing the Policy and the legislation on the protection, preservation and promotion of traditional knowledge and expressions of culture.
 - Introduce and implement awareness programs aimed at the protection of traditional knowledge and expressions of culture. Activities may include: (a) awareness in the print and voice media about the value of traditional knowledge and expressions of culture to Papua New Guineans; and (b) inform the holders and owners of traditional knowledge about their rights relating to their traditional knowledge and expressions of culture through the print and voice media and other mediums.
 - Design and implement an effective program to engage with holders of traditional knowledge in pursuing activities that strengthens their traditional knowledge. This may involve the staging of cultural shows, arts and craft shows and exposure to international cultural events.
 - Develop protocols for accessing and using traditional knowledge and expressions of culture for private and public use. Rules and procedures relating to prior informed consent of holders and owners of traditional knowledge must be established before access is allowed.
 - A mechanism for the fair and equitable sharing of benefits arising from the utilization of traditional knowledge and expressions of culture must be formulated to enable holders and owners of traditional knowledge to benefit from the use of their traditional knowledge and culture.

B.Strategy on Preservation of Traditional Knowledge and Expressions of Culture

The Government through the National Authority must develop guidelines specifying the manner in which traditional knowledge and expressions of culture can be preserved.

- Action Plan
 - Develop and implement as soon as is practicable protocols containing rules for obtaining prior informed consent of holders and owners of traditional knowledge for the identification, documentation and storage of traditional knowledge and expressions of culture.
 - Develop a national program for the identification and documentation of traditional knowledge and expressions of culture.
 - Introduce a register of holders and owners of traditional knowledge and expressions of culture identified in (2) and where appropriate obtain prior informed consent for the access to and use of the database containing traditional knowledge and expressions of culture.
 - Introduce protocols for the storage, management and access to traditional knowledge and expressions of culture.
 - Develop and introduce a set of guidelines setting out the benefits that may be paid to holders and owners of traditional knowledge for the access to and use of traditional knowledge and expressions of culture.

C.Strategy on Promotion of Traditional Knowledge and Expressions of Culture

The Government through the National Authority must develop guidelines specifying the manner in which traditional knowledge can be promoted. The National Authority must also collaborate with the Education Department and the Office of Higher Education in developing and where there already exists a curriculum on

traditional knowledge and expressions of culture, strengthen the curriculum through reviews and training of teachers.

- Action Plan
 - The National Authority must ensure the effective coordination of the programs and activities of the Institute of Papua New Guinea Studies, the National Film Institute, the National Performing Arts Troupe to promote traditional knowledge and expressions of culture.
 - Introduce guidelines regulating the operations of the creative/cultural industries relating to the handling and use of traditional knowledge for commercial purposes to ensure that holders and users of traditional knowledge benefit fairly and equitably in the utilization of their traditional knowledge and the expressions of culture.
 - Liaise with the Education Department and the Office of Higher Education for the review of curriculum on traditional knowledge and expressions of culture.
 - Develop and implement sub-national consultation programmes for the engagement of provincial and local-level governments to improve their roles in the promotion of traditional knowledge and expressions of culture.

D. Strategy on the Engagement of Holders and Owners of Traditional Knowledge

The status and role of holders and owners of traditional knowledge are given prominence in the Policy. Their engagement must be based on the value that their traditional knowledge and expressions of culture contribute to national development and the Papua New Guinean character. The Government through the National Authority must ensure that the rights and interests of holders and owners of traditional knowledge are safeguarded so that their traditional knowledge and expressions of culture are not misused and misappropriated and wrongly exploited.

- Action Plan
 - Establish a register of holders and owners of traditional knowledge and expressions of culture.
 - Develop outreach programmes to inform and educate holders and owners of traditional knowledge about their rights and obligations relating to their traditional knowledge and expressions of culture.
 - Develop and implement programmes that involve the holders and owners of traditional knowledge in the effective protection, management and promotion of their traditional knowledge and expressions of culture.
 - Support holders and owners of traditional knowledge with training relating to the management of financial benefits that may arise with the utilization of their traditional knowledge and expressions of culture.
 - Design and implement programmes that provide opportunities to the holders and owners of traditional knowledge to promote their traditional knowledge and the expressions of their culture.
 - Provide opportunities for the creative/cultural industries to engage with the holders and owners of traditional knowledge to explore potential commercial ventures that deliver economic benefits to the parties on a fair and equitable basis.
 - Develop and implement guidelines for the engagement of holders and owners of traditional knowledge in research relating to traditional knowledge and expressions of culture and innovation.

E.Strategy on Partnership and Networking

The National Authority must develop guidelines specifying the manner in which stakeholders can protect, preserve and promote traditional knowledge and the expressions of culture.

- Action Plan
 - Establish a database of all stakeholders (other than government agencies and institutions) which are involved in the protection, preservation and promotion of traditional knowledge and expressions of culture.
 - Develop and implement a programme for the conduct of regular consultations with both the creative/cultural industries and government institutions in the sector to monitor the implementation of the Policy.
 - Strengthen the role of provincial governments and local-level governments in the protection, preservation and promotion of traditional knowledge and expressions of culture through regular consultations, training and collaboration in joint programs and activities such as cultural shows, establishment of craft markets, and cultural centres.
 - Establish and strengthen networking and collaboration with and between stakeholders in the area of education and awareness on traditional knowledge and expressions of culture.

F. Strategy on Gender and Traditional Knowledge and Expressions of Culture

The National Authority must develop programs and promote activities that will ensure the active participation of women and girls in the protection, preservation and promotion of traditional knowledge and expressions of culture.

- Action Plan
 - Develop programmes designed specifically for the engagement of women and girls particularly in the area of training so that they can actively and fully participate in the protection, preservation and promotion of traditional knowledge and the expressions of culture.
 - Liaise with provincial governments and local-level governments with the view to strengthening the role of

women in the promotion of traditional knowledge and expressions of culture.

- Liaise with the creative/cultural industries to develop programmes that protect the value and contribution of women and girls in the protection, preservation and promotion traditional knowledge and expressions of culture.

G. Strategy on Identification, Documentation, Management and Access to Traditional Knowledge and Expressions of Culture

The National Authority must in close consultation with the Institute of Papua New Guinea Studies, the National Film Institute, the National Museum and Art Gallery formulate and adopt a national programme for the identification, collection, recording and storing of traditional knowledge and expressions of culture and the access to this data.

- Action Plan
 - Introduce protocols for the identification and documentation of traditional knowledge and expressions of culture. These rules may include customary protocols relating to access, storage and use of traditional knowledge and expressions of culture.
 - Develop and implement rules and guidelines relating to the storage, management and access to the database on traditional knowledge and expressions of culture.
 - Identify and train officers of the National Authority and other related agencies of Government on the collection, assessment and management of data relating to traditional knowledge and expressions of culture.
 - Develop a national database on the storage and management of traditional knowledge and expressions of culture.

H. Development of a legislation to Protect, Preserve and Promote Traditional Knowledge and Expressions of Culture

The Policy provides a framework for the protection, preservation and promotion of traditional knowledge and expressions of culture. To be effective, it requires the support of law. In this context, it is essential that a legislative framework be introduced to compliment the Policy.

The law must provide for the protection, preservation and promotion of traditional knowledge and expressions of culture.

- Action Plan
 - Develop a legislation for the protection, preservation and promotion of traditional knowledge and expressions of culture.
 - Design and implement an effective programme for the monitoring and enforcement of the law.
 - Adopt and implement a programme on awareness of the law.

Chapter 8 Monitoring and Evaluation

The Policy will be monitored and evaluated on a regular basis to ensure its effectiveness. The monitoring and evaluation of the Policy must be undertaken using the indicators that are developed and approved by the National Authority. Data and information collected must be carefully analyzed by the National Authority to strengthen the implementation of the Policy.

The National Authority must collaborate with the other government agencies within the sector to monitor the implementation of the Policy through the collection of and analysis of data to improve the implementation of the Policy.

A. National Authority

A National Authority will be established to oversee the implementation of the Policy. The National Authority may be established as a stand-alone institution or an existing national institution may be designated as the National Authority. To avoid issues of duplication and excesses of resources, it is suggested that the NCC be declared the National Authority for the purposes of the Policy.

B. Indicators

The National Authority must develop appropriate performance indicators to monitor the effective implementation of the Policy.

C. Monitoring

The National Authority will be responsible for the monitoring of the Policy. This task may be undertaken by the National Authority acting alone or in close collaboration with other stakeholders.

D. Evaluation

This task may be undertaken either by the National Authority. The monitoring and evaluation of the Policy must be based on the indicators developed and approved by the National Authority.