

**Speaking Notes for
National Chief Kevin Daniels
Congress of Aboriginal Peoples**

**Regional Workshop on Access to Genetic Resources and Associated
Aboriginal Traditional Knowledge and Benefit-Sharing**

**Truro, Nova Scotia
March 21, 2009**

Good Morning Elders, Chairman Hunka, guests and participants. Thank you for inviting me to attend your regional workshop on Access to Genetic Resources and Associated Aboriginal Traditional Knowledge and Benefit-Sharing.

It is a pleasure to be here on the traditional territory of the Micmaq people. It is really important to be here today to be doing our part in taking care of the Mother Earth. Every part of her is sacred to us. Here we are standing on soil that is rich with the blood of your ancestors.

By living in harmony with our surroundings, Aboriginal people have gained a deep understanding of the environment. We have a holistic view that is increasingly being respected by Western scientists.

The world is paying increasing attention to Aboriginal traditional knowledge because it has much to contribute. There is a need to find ways to bridge the gap that separates the knowledge of Aboriginal and non-Aboriginal communities.

Canada is lagging behind other countries in the development of national ABS policies. This is an advantage for Aboriginal interests, because we now have the benefit of seeing how other countries have included indigenous knowledge and interests into their ABS policies.

This is a complex issue, but I encourage you dialogue and seek information. This is an issue that it of great importance to us and will be here for many generations to come.

For the last 17 years a struggle has been taking place on earth to conserve the planet's rapidly depleting biodiversity. It all started in 1992 with the birth of the UN Convention on Biodiversity at the Rio Earth Summit.

On June 11, 1992 Canada was the first industrialized country to sign and ratify the Convention on Biodiversity. You may ask: WHO WAS THE PRIME MINISTER THAT HAD SUCH A GREEN VISION?

Well it may seem hard to believe, but it was Brian Mulroney and he was recently nominated by environmental leaders as Canada's greenest Prime Minister.

There are three objectives in the CBD:

The conservation of biological diversity, sustainable use, and the fair and equitable sharing of benefits arising from the use of genetic resources.

Indigenous peoples of the world have closely following this agenda since 1992. In 2002, we had an international Indigenous Summit in South Africa which produced A Declaration and Action Plan.

Indigenous peoples have recognized that it is a priority to bring the messages of our peoples to international forums. We have hope, because we see Aboriginal peoples rising up all over the world to assert their rights and defend our sacred plants and medicines as well as our traditional knowledge.

The world has heard that sustainable development cannot take place if Aboriginal rights are not recognized.

The Convention on Biodiversity has 42 Articles and Article 15 is one that we need to pay attention to. Under this Article, governments are to facilitate and access is to be provided to biological and genetic resources. And this is to be done through prior informed consent. What does this mean for Micmaq, Maliseet and Passamaquoddy peoples?

First, Aboriginal traditional knowledge was not considered in the scope of Article 15, but we must be on guard because it is part of the scope of the negotiations on an international ABS regime. This something we need to be very concerned about.

CAP is not involved in these international negotiations and we rarely receive an opportunity to be involved. This is something I want to change.

At first glance things seem gloomy but there is another Article in the Convention, which is very important to us: Article 8 (j). It calls upon all countries to respect, preserve and maintain knowledge innovations and practices of indigenous communities. It also calls upon governments who have signed up, to promote indigenous knowledge and to encourage equal sharing of the benefits arising from the use of indigenous knowledge. There have been decisions reached by the parties, which go even further calling for the repatriation of indigenous knowledge, innovations and practices. There is also a decision to support capacity building and resources to achieve the above objectives.

The CBD also contains another Article 10c. which requires the parties to protect and encourage the use of biological resources in accordance with traditional cultural practices. This means Canada needs to develop laws and policies that respect the laws and customs of Aboriginal peoples and our rights to lands and resources.

For us to do our work we need to have a clear idea of the customary uses of biological resources by Aboriginal peoples in the Maritimes.

So here are some of the questions we need to consider today:

How can Aboriginal traditional knowledge holders share their knowledge with researchers and help identify interesting and potential valuable biological resources?

What is the balance between the respect for Aboriginal culture and practices and advancing scientific research?

Who are the traditional knowledge holders?

Should a Board of Aboriginal representatives be put in place to ensure compliance with the principles of Prior Informed Consent and Access to Benefit sharing?

There is a lot to talk about...and this is only the beginning.

CAP welcomes the opportunity to be part of this dialogue and we call upon the Government of Canada to support us and our affiliates in this important work.

We seek practical measures to ensure that unethical conduct is controlled. CAP wants Aboriginal rights and interests protected and affirmed in ABS policies. So we seek our involvement in development of Canadian draft policies and to take this Agenda forward.

I wish to thank the Maritime Aboriginal Peoples Council for hosting this regional session to raise awareness on access to genetic resources and benefit sharing in the Atlantic region.

This session is leading the way for CAP's participation in discussions on the development of a Canadian domestic policy on this issue. Based on the lessons learned from this session, we will be able to implement future regional dialogues across Canada...these are the stepping-stones to cross in the development of a CAP vision and policy on ABS.

I look forward with hope to the years ahead guided by our Elders. We all have a sacred trust and a sacred responsibility to take care of the gifts of plants, animals and all the living things on earth. Thank you for being here today so we can begin working together.

Welal'lin!