

TRANSLATION OF SPEECH

VIRTUAL NORDIC EXPERT SEMINAR ON INTELLECTUAL PROPERTY AND PROTECTION OF TRADITIONAL CULTURAL EXPRESSIONS, 22 October 2020

b) Prerequisites for increased Nordic co-operation

Riitta Kaivosoja, Ministry of Education and Culture

Good morning, dear Nordic colleagues,

1) [WELCOME]

- I am very happy that we have got so many experts and interested in the subject of protection of Sami traditional knowledge and Sami cultural expressions with us today.

2) [MINISTRY'S WORK IN THIS AREA]:

- Our Ministry handles many different aspects of protection of the Sami culture, including language activities (language nests), education especially for children and young people, cultural heritage and IP rights.

- In recent years, i.a. The Sami Museum SIIDA has received an increased state share of the funding and many objects have been returned to Sápmi.

- We have also worked actively to improve our knowledge of the impact of Sami traditional knowledge, e.g. by supporting the formulation of guidelines for ethical Sami tourism.

3) [BAKGRIUND AND PURPOSE OF THE TRADITIONAL KNOWLEDGE NETWORK]

- Since 2012, we have had a "National network for traditional knowledge".

- I have served as chairman of the two physical meetings that we have arranged over the years.

- The goal has been to create a loosely cohesive network to exchange information and expertise. The establishment of the network was based on a recommendation by the Working Group on the National Biodiversity Strategy and Article 8j of the Convention on conservation of biodiversity.

- The purpose of the network is to coordinate the protection of traditional knowledge and traditional cultural expressions across ministry boundaries.

- A similar network could also be formed at the Nordic level! It is important that the co-operation is effective and that it does not create an unnecessary extra burden but, on the contrary, streamlines and engages the right experts at the Nordic level.

4) [PRESIDENCY OF THE NORDIC COUNCIL OF MINISTERS/ QUESTIONNAIRE]

- Finland is chairing the Nordic Council of Ministers next year. We have wanted to take advantage of the opportunity and aim to work for increased co-operation on these issues within the framework of our Presidency of the Nordic Council of Ministers.
- To gather information on how the work has been organized in the other Nordic countries, we sent out the "Survey on the conditions for increased Nordic co-operation on IP and the indigenous peoples' traditional knowledge".
- We received answers from Sweden and Norway; Denmark and Iceland have also promised to return. Once we have gathered all the answers, we will summarize them and they can serve as a basis for the next step!

5) [WHAT, WHY, HOW – GROUNDS FOR INCREASED CO-OPERATION]

- It can still be good to emphasize what we hope to achieve with this work.
- The seminar's theme is Intellectual Property and traditional knowledge + cultural expressions at the Nordic level. These issues are closely linked to work in other policy areas, such as the conservation of biodiversity, cultural diversity, human rights, nature conservation, the fight against climate change.
- We want to explore the conditions for increased cooperation here. I look forward to the discussion today!

6) [WHAT]

- On the question of why increased Nordic co-operation is needed, we can only present our own experiences.
- The answers to the survey confirm that there is interest in cooperation
- What we do know is that it is not enough just intellectual property experts discuss the issues.
- Today, there is no open dialogue between relevant Nordic government representatives and indigenous peoples' representatives, and thus the overall picture in matters concerning the protection of traditional knowledge and the transparency between the various policy areas could be better.
- We have a good opportunity to develop the collaboration. It is also important to improve the information flow between different actors and sectors. In the worst case, opinions may be expressed regarding Sami traditional knowledge in the various areas that are in conflict with each other.
- In addition, it would be very nice if the Nordic countries would to a greater extent benefit from the experience that the Nordic countries have in indigenous issues when developing positions at EU level on impacting the indigenous peoples. The Sami are the only indigenous people living on EU territory. Better co-operation would also be compatible with the Nordic approach in indigenous issues at UN level.

7) [HOW]

- How should this be achieved then?
- I have personally seen how the interest in the network has increased over the years. The members of the network are already closer to 45!

- We look forward to a discussion on how we can take practical steps towards increased cooperation within the Nordic region!

- I believe that this goal can be achieved through greater dialogue between experts within the Nordic region. This is also important with regard to the Nordic Sami Convention, which will be ratified sometime in the future. The convention has many articles that touch on traditional knowledge!

8) [RESOURCE]

Finally, I would like to point out that from the funds reserved for the development of the copyright system, we have granted grants to study the Sami's need for intellectual property protection, e.g. of Sami traditional costumes and yoik. I know that studies have also been made in Norway, which is very important.

- In order to get a comprehensive picture, these should be studied at a pan-Nordic level. In addition, the studies should be based on the existing international instruments given within WIPO, CBD, Unesco ICH etc. and how the national implementation de facto takes or could take into account the protection of indigenous peoples' traditional knowledge.

9) [PRINCIPLE OF INCLUSION]

- It is so important that both IP experts and experts in Sami traditional knowledge can learn respectively about relevant issues

- The idea is thus to improve the protection of Sami traditional knowledge through INCLUSIVITY

- In addition, we can at the same time increase the understanding of what is further needed for the protection to be at an acceptable level.

10) [FINALLY]

Finally, I was able to take up the initiative for strengthened cultural cooperation and cultural policy dialogue in the Arctic; Arctic Arts Summit event series. Summit aims to bring together the Nordic countries, Canada, the United States and Russia to highlight and make visible the role of culture and art in the sustainable development of the Arctic region. Next time, the Summit in Canada will be held in the summer of 2022 with a special focus on culture by, for and with indigenous peoples. That platform could possibly offer opportunities for a broader Arctic dialogue also in matters of the protection of traditional knowledge. The year 2022, especially considering the cultural relations between the Nordic countries and Canada, is also due to a large, year-long festival of Nordic culture, Nordic Bridges, which is coordinated by the Harbourfront Center in Toronto.

11) I wish a very good, rewarding and inspiring seminar to you all.