



**FINAL
REPORT**

*Rankin Inlet, Nunavut
May 24-27, 2001*



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ᑕᓐ 24-27, 2001

**INUIT WOMEN’S TRADITIONAL KNOWLEDGE WORKSHOP
ON THE AMAUTI AND INTELLECTUAL PROPERTY RIGHTS**

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Inuit Women's Traditional Knowledge Workshop on the Amauti and Intellectual Property Rights

Final Report
Rankin Inlet, Nunavut
May 24-27, 2001

March 2002 © Pauktuutit Inuit Women's Association

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The opinions expressed in this document are those of the authors and do not necessarily reflect the official views of the funding agencies.

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၂၀၁၂ ခုနှစ်၊ ဇန်နဝါရီလ ၁၂ ရက်နေ့၊
 နေပြည်တော်၊ မြန်မာနိုင်ငံတော်
 လူ့အခွင့်အရေး ကော်မရှင်
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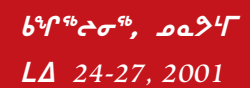
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[illegible]



$\Delta_{\mathcal{M}} \Delta^C \nabla^{\mathfrak{g}}_{\mathfrak{a}} \Delta^C \nabla^{\mathfrak{g}}_{\mathfrak{b}} \mathcal{L} \nabla^{\mathfrak{g}}_{\mathfrak{c}} \nabla^{\mathfrak{g}}_{\mathfrak{d}} \sigma^{\mathfrak{b}} \nabla \mathcal{L} \nabla^{\mathfrak{g}}_{\mathfrak{e}} \sigma^{\mathfrak{c}}$
 $\nabla \mathcal{L} \sigma^{\mathfrak{d}} \nabla^{\mathfrak{g}}_{\mathfrak{f}} \sigma^{\mathfrak{b}} \nabla \sigma^{\mathfrak{c}} \nabla^{\mathfrak{g}}_{\mathfrak{g}} \nabla^{\mathfrak{g}}_{\mathfrak{h}} \sigma^{\mathfrak{c}}$



article 8(j) of the *Convention on Biological*

Diversity (1992) mandates Contracting Parties, as far as possible, where appropriate, and subject to national legislation to: respect, preserve and maintain knowledge, innovations and practices of Indigenous and local communities embodying traditional sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge, innovations and practices.

She commented that to write about how a caribou *amauti* was made that it would be a very thick book from the moment of cutting up the caribou. She commented how she thought detailed information would be necessary. Also she raised the need to rush because people are starting to die off and... Inuit will be able to teach young people. She commented that a few people know how to make *amautis* out of bird skins. Her big worry is the sewing skills that young people will have and she wonders if they will learn to be great seamstresses similar to the ones of the past. She expressed her great pride of *amautis* that do not require the belt. She commented that if someone were able to make a book that they would have to include all the different women who make comfortable and beautiful *amautis* and be very

Δc⁹ 8(j) $\partial_a \Gamma \Delta C \rangle b_c n \sigma^b \partial^c \langle \gamma^* \lambda^{\dot{a} \dot{a}} \rho^c \rangle C \Delta \sigma^c J^c$

[illegible][illegible]

Δ₂C⁹PC

ΔαCαλγDγLζγC.....	7
ΡαDγNγC ΔβζγβγLζC CΔγDσγγC.....	8
βNγLγβγβCβCβDγC ΔNγC.....	9
ΛγCγσγL.....	14
βNγLζNβγDσCγβγC.....	22
γαD°C ΔLβN?.....	28
LγLγNγDζC.....	30
ΔβγPγαPβDζC.....	34
ΛCαCγγDσCγβγC <γαDγNγDγLζC.....	42
βNγLσDζC γβDγγCγβCβDσγL.....	48
ΡγγCγC.....	52
DΔγγα:	
ΔLβγCσγC βNγLζNβγC.....	56



acknowledgements

This workshop was the first national consultation with Inuit women in Canada on the issues of protecting their cultural property, traditional knowledge and intellectual property rights.

It was also the culmination of several years of research and development.

Pauktuutit would like to extend its thanks and appreciation to the many individuals and organizations that made this workshop possible.

Pauktuutit would also like to thank the residents of Rankin Inlet, Nunavut, who made the delegates from across the Arctic and our special guests from Panama and Peru feel very much at home.

The discussions and outcomes would not have been possible without the participation of all those in attendance.

ΔαCαλνΔρλνν

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Pauktuutit also wishes to thank the Biodiversity Convention Office of Environment Canada for the initial support provided for preparing the project proposal.

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Δ_{max} = 1.50;

baCD^c rCŠ^aj^b)Cn^c d^L rC^c dC^LΓ σD^oΠ^cb^bC^c)Cn^c;

$b_{\alpha}\Gamma \triangleleft^{\epsilon} b_{\beta}\Delta^C$ ከጋንታክሰርዮር;

[illegible]
$$\Delta_{\mathcal{M}} \Delta_{\mathcal{N}} \Delta^c \quad \Delta \Delta^b \mathcal{D}^{\mathfrak{c}_b} / \mathcal{L} \sigma^a \mathcal{L} \sigma \quad d \langle \Delta \rangle \dot{\mathfrak{z}}^b d^c;$$

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[illegible]

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 ከቢላኤንኤርዲቲ፣ >ገ ለ-ኤታ፣ሪ፣σ^c: CHIRAPAQ y
 Tàller Permanente
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ለላሊ ፍብረት
 ጋኒኑጋኖባሊዲኖ: ከፍር ልካፍርጋኔራሶ፣ ሊሪጋላሙኑ
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introduction Historical evidence

indicates that the style and form of the *amauti* and other Arctic

clothing has changed little over the centuries. This is evident

from Inuit oral history and the records of early explorers.

Caribou and seal have been traditional sources of food and the

raw material for clothing, shelter, and even boats. Caribou hair is

hollow and is an ideal insulator for winter clothing. As the inner

liner for clothing, the hair is water resistant and this reduces the

risk of matting and sticking from sweat and condensation. The

water repellent qualities of sealskin make it the preferred material

for clothing during the wetter spring and summer months.

Modern materials such as wool duffle and printed calico are

now commonly used to make the *amauti* but the shapes and

styles remain.

The distinction between an Inuit man's parka and the *amauti* of a woman is common throughout the Arctic. Regional and community variations in clothing designs can readily be distinguished. The style and decorations of the *amauti* can indicate a region and location. Different styles also indicate the age and status of a woman in the community. For example, an

ለጥፋት (ፍጥነት) ምክንያት ለሰው ልማት ምክንያት

[illegible][illegible]

$\bar{L}^a J^c$ $NP^c_{\mu\nu}$. CL^a $a \rightarrow a \Delta^{ab} C D \gamma L^b \Delta^{ab} \Delta \sigma^b b D \gamma L^c \Delta^{ab} C \Delta \sigma^b$

ጋኔዮርባጅ ልሊ ርኪፕናል፣ ለየሰውነት ምርመራና ማስተካከያ በበኩሉ ያለው-

[illegible][illegible]

ᐃᓚᓂᓐᓂᓐ ᐃᑦᐱᓕᐱᓚᐅᓂᓐᓂᓐᓂᓐ. ᐅᓐᐱᓐ ᑦᓂᓐᓂᓐ

D^SJ^bC^LN^BG^b D^PD^aJN^cJ Jⁱm^jn^kd^re^s/d^s<^aLC.

အသံအလုံးစုံအားဖြင့် အသံအလုံးစုံအားဖြင့် ဖွဲ့စည်းထားသော အသံအလုံးစုံအားဖြင့်

ᐃᓚᑦ ᑕᐱᑦ ᔪᐱᓂᑦᑕᑦᑭᑦᑐᑦᐱᓂᑦᑕ ᑲᐱᒍᐱᓄᑦᑦᑦ ᑥᓄᓄᓂᑦ ᐃᓚᑦ

[illegible]
$$D^{\alpha_0} \sigma \Gamma^b \quad \langle D^{\alpha_0} \sigma \Gamma^b \rangle^C \quad D^{\alpha_0} \sigma \Gamma^b \quad \langle D^{\alpha_0} \sigma \Gamma^b \rangle^C \quad D^{\alpha_0} \sigma \Gamma^b \quad \langle D^{\alpha_0} \sigma \Gamma^b \rangle^C$$

$\langle \epsilon^b \rangle_0 = P_{\sigma} \langle \epsilon^b \rangle / P_{\sigma} \langle \epsilon^b \rangle$

$\varphi_b \langle \varphi_a | \rho_b \rangle^C$ ΔD_0^C $\langle D^{ab} | \varphi_a \varphi_b | D^{ab} \rangle^C$

$\langle 1 | \rho_{\text{out}}^{(b)} \rangle = \langle 1 | \rho_{\text{in}}^{(b)} \rangle$

CALE^a CYA^a D^b 20^b.

examination of the application of the IPR system with respect to traditional knowledge.

Preparing for the workshop was a momentous task. Funding was a critical problem and a great deal of time and effort went into the endeavour. The workshop material required special attention. Effort was made to ensure that the material was visually appealing. The intent was to prepare plain language resources that could later be used by other organizations or groups that wished to hold similar consultative workshops on traditional knowledge and IPR. The subject matter is complex and often confusing so it was important that key terms, concepts, laws, and conventions were presented in an understandable manner. A plain language glossary was therefore prepared as additional reference material. Material also was prepared that:

- 👤 Described Canada's IP laws;
- 👤 Described the history of the CBD;
- 👤 Described the role of the World Intellectual Property Organization (WIPO) and its 1982 *Model Provisions for National Laws on the Protection of Expressions of Folklore Against Illicit Exploitation*;
- 👤 Detailed WIPO's recent Fact Finding Mission, including its consultations with Aboriginal peoples in Canada;
- 👤 Described Panama's *Act 20* which protects traditional knowledge and the collective property rights of its Indigenous peoples; and,
- 👤 Described a draft contract prepared by the *International Centre for Human Rights & Democratic Development* intended to help Indigenous women protect their intellectual property.

[illegible][illegible]



The Workshop Agenda

A review of the agenda (see *Appendix*)

shows how the material and issues were presented in a manner

that built upon each item. The first morning session introduced

the workshop and its objectives and reviewed the workshop's

written material. During the afternoon session, the co-chair

Robbie Watt gave a visual presentation about the history of

the *amauti*. The delegates then organized themselves into four

break-out groups in order to consider a range of questions about

what was an *amauti* and what was it that needed protection.

Each group presented their findings to the plenary and these

were discussed further. The intent of the exercise was to help

document specific details about the *amauti* and what it is that

requires IPR protection. The delegates were given an opportunity

to discuss regional differences in the *amauti*'s design, how one

traditionally made the garment, how one learned to make it,

and from whom. Importantly, the women felt the *amauti* was

an identifier of northern women and people.

በቢረክት ስር

በቢሮዎች ላይ የሚገኙ የጥገና ሰነዶች

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ᐃᑉᑎᑎᑦᑕᑎᑎᑦᑕᑎᑎᑦᑕ ᐃᑎᑎᑦᑕᑎᑎᑦᑕᑎᑎᑦᑕ ᐃᑎᑎᑦᑕᑎᑎᑦᑕᑎᑎᑦᑕ ᐃᑎᑎᑦᑕᑎᑎᑦᑕᑎᑎᑦᑕ

$$bNL\sigma^a\sigma^b\pi^c\rho^c \rightarrow a\Delta^c\Delta^c\rho^c\Delta^c\Delta^c\pi^b\rho^c \quad bNL\sigma\Delta\sigma\Delta\pi^b\rho^b \rightarrow a\sigma^b$$

ለገዢናገብላኝነትና፡ ለሀገር ሥልጣን ጋናጸናገብላኝነት ለሀገር ግንዛቤና፡

በበረሃው ስር ያለው የግድግዳ ስርዓት በግልጽ ይታያል፡፡

Δ^bΥ^cΔC₂L^bΔ^abCΔ^aΔ^b Δ^a Δ^aC Δ^aΓ^aΔ^aΥ^aΔ^aΔ^aΔ^ab>^ab

ᐱᓚᐅᑎᓕᐅ^aᑖ^cᑦᑭᐅᓯᓚᓄ^c ᐃᑦᓴᓚᓂ^b. ᑲᑎᓚᓯᑭᐅ^bᓯᓚᓂ^c ᑕᐱᓚᓂ

[illegible][illegible]

$\langle D_{\sigma} \rangle$, $\langle A^b Y L_{\sigma} N^b \rangle$, $\langle A_{\text{core}} \langle S^b S^b N^{\dagger}_{\text{core}} \rangle D^{S_b} \rangle^C$, $\langle S^b P^{\dagger}_0 C D_{\text{core}} D^{S_b} \rangle^C$

$\text{b}^{\text{a}}\text{d}^{\text{b}}\text{e}^{\text{c}}\text{f}^{\text{d}}\text{g}^{\text{e}}\text{h}^{\text{f}}\text{i}^{\text{g}}\text{j}^{\text{h}}\text{k}^{\text{i}}\text{l}^{\text{j}}\text{m}^{\text{k}}\text{n}^{\text{l}}\text{o}^{\text{m}}\text{p}^{\text{n}}\text{q}^{\text{o}}\text{r}^{\text{p}}\text{s}^{\text{q}}\text{t}^{\text{r}}\text{u}^{\text{s}}\text{v}^{\text{t}}\text{w}^{\text{u}}\text{x}^{\text{v}}\text{y}^{\text{w}}\text{z}^{\text{x}}$

$D^{a_1}_{b_1} \subset D^{a_2}_{b_2} \subset \dots \subset D^{a_n}_{b_n} \subset D^{a_{n+1}}_{b_{n+1}} \subset \dots$ $CAL^a \Delta \subset D^{a_1}_{b_1} \subset D^{a_2}_{b_2} \subset \dots$

$\Pi_0^{\text{sc}} \subset \Pi_0^{\text{sc}} \cup \Pi_0^{\text{sc}} = \Pi_0^{\text{sc}}$

[illegible]

the *Coordinadora Nacional de Mujeres Indigenas de Panama* (CONAMUIP). These two women shared their experiences with the delegates and helped place the IPR concerns of Indigenous women into an international perspective. The delegates were directed to the reading material that addressed WIPO's activities and to a draft contract prepared by the *International Centre for Human Rights and Democratic Development*. The contract was developed to guide and aid Indigenous people who are allowing access to their the intellectual property by an outside individual or company.

The final day of the workshop was geared towards developing a strategy or workplan. The effort had been to provide the delegates with a better understanding of potential tools and directions that they may choose to initiate. Discussion began about the value of trademarks and how this could be practically implemented. The delegates had been informed about the *igloo tag* trademark that was managed by the Department of Indian and Northern Affairs Canada. They were asked to consider its usefulness. Delegates also considered collective marks, official marks, and the formation of an association or public authority. An association could serve the collective needs of Inuit seamstresses and could register for trademark protection. Such marks would guarantee the quality and authenticity of the garments. Delegates were very interested in the practicalities associated with a trademark or label. They wanted a clear understanding of how it would impact the making of their *amautis*. It was stressed to the delegates that these were commercial tools and that they could not effectively prevent anyone, Inuit or non-Inuit, from entering the market with products based on traditional knowl-

edge. The workshop was held in a room with a large table and chairs. The delegates were seated around the table, and the facilitator was standing at the front of the room. The delegates were very engaged in the discussion and took notes on the information provided. The facilitator provided a clear and concise overview of the workshop's objectives and the delegates' role in the process. The delegates were also given a chance to ask questions and share their own experiences. The workshop was a success and the delegates left with a better understanding of the importance of trademarks and the role of the Inuit community in the development of the Inuit fashion industry.

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edge. Delegates felt that rather than try to fit Inuit needs within existing IPR laws, that perhaps a new law should be created that would effectively protect against the misappropriation of their cultural heritage. Based on these discussions, a workplan was developed.

[illegible]

[illegible]

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Customary Laws An important

objective of the workshop was to develop a better understanding

of the customary laws and rules that govern access to the

patterns and techniques associated with the *amauti*. Such an

understanding would lend itself to developing a more

Inuit-specific or *sui generis* (local or traditional) form of protection.

A number of questions were prepared for the participants.

Break-out groups were arranged and the questions were divided

among them. Each group's responses were then presented to

the plenary and discussed further.

Overall, access to the traditional knowledge of the *amauti* is relatively informal. Inuit are taught to share, not to refuse.

None of the knowledge is written down. It “...goes on forever

because Inuit own them....” Participants indicated that the

sources for certain rules are now unclear. In the past there

were rules about who could make *amautis*. Inuit make *amautis*

the same way as in the past and they are still Inuit designs.

Knowledge is passed down between generations but it is

owned by all. Ownership is held by the ancestors, not by the

individual. Therefore no Inuk/Inuit can be denied the right to

learn it. As one break-out group noted: “Because people

are always dying, their knowledge is passed down to their

children and so the knowledge will always belong to Inuit.”

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$L^{c^b}CD^bL^aA^{c^b}b^{c^b} \sigma^b \quad \Delta DP^a_a c^{b^c} \Pi^c \gamma^b C^c \sigma^c \Gamma \quad \dot{D}^b \gamma^c A^a J^a A^{c^b} \sigma^b$

ယခင်ကလေးတို့က ဘုရားရှင်တို့က ချစ်ခင်စားသုံးခဲ့ရတဲ့ အစားအသောက်တွေကို အစားအသောက်အသစ်တွေနဲ့ အစားထိုးပေးခဲ့ရတာမျိုးဟာ အဆင်မပြေဘူးလား။ အခုကတော့ အစားအသောက်အသစ်တွေကို အစားအသောက်အသစ်တွေနဲ့ အစားထိုးပေးခဲ့ရတာမျိုးဟာ အဆင်မပြေဘူးလား။

$\Delta^{\mathfrak{a}\mathfrak{c}}$ ኃኛሌቲ^b ስለ ዶመስበር^c ($\Delta^{\mathfrak{l}^b}$ sui generis)

[illegible]
$$\langle \Lambda^{\zeta_b} d^{\zeta_b} \gamma_c \Lambda^{\zeta_b} j^{\zeta_b} L^{\zeta_b} \sigma^b \rangle \supset \sigma^{\zeta_b} d^{\zeta_b} \gamma_c \Lambda^{\zeta_b} j^{\zeta_b} L^{\zeta_b} \sigma^b \rangle^c. \quad \langle \Lambda^{\zeta_b} \rangle^{\zeta_b} \cap \langle \sigma^{\zeta_b} d^{\zeta_b} \gamma_c \Lambda^{\zeta_b} j^{\zeta_b} L^{\zeta_b} \sigma^b \rangle^c$$

$\Delta^L L \leq \Delta^{L^{5b}} \partial \Gamma_C \Delta^{a_j} J \Gamma_L \leq \sigma^b \quad \supset \sigma \Delta^{5b} b^{5b} C D^c \supset \Pi^b \quad \wedge \text{c.n.} \Delta^b \text{h.n.} \sigma \Delta^{5b} C^a \Gamma^a \sigma^b.$

$\langle D \rangle_\sigma \quad \langle \Delta^b \rangle^b / L \sigma D^c \quad P D^b N^b L_c \Delta L L^b P^c \quad L^b P C D_c c D^b \rangle^c$

CLΔ^ac bNL^{5b}c^{5b}/L^Δc Δ^LL Δ^{5b}cΔ^Δb^aσc^{5b}η^b.

[illegible]

$\Delta^{\epsilon} \rightarrow \Delta^{6b} \cap C D / L^a \Gamma^L L C$. $\Delta_m \Delta^c$ $\Delta \Gamma^{6b} b^6 n^6 b^6 c_n \Delta^6 b^6 \sigma^6 \Gamma^b$,

[illegible]

⁹ፔፕሊክሲፕሊኒክ በበኛርዎሊቤ. “...ርዎሊኒ ርዎሊኒ

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$C\Delta^{\frac{1}{2}}L\sigma^{\frac{1}{2}}b^{\frac{1}{2}}c - Lc^{\frac{1}{2}}d^{\frac{1}{2}}n^{\frac{1}{2}}b^{\frac{1}{2}} < c\Delta^{\frac{1}{2}}LC$ Pa $\Delta L D n c \Delta^{\frac{1}{2}} b^{\frac{1}{2}} n c \Delta^{\frac{1}{2}} b^{\frac{1}{2}} c n \Delta^{\frac{1}{2}} b^{\frac{1}{2}} \sigma$

$$\Delta_{\mathcal{D}} \Delta^C \nabla L \nabla \Pi_C \nabla^{\mathfrak{q}_b} \nabla^{\mathfrak{q}_a} \sigma^{\mathfrak{q}_b} \nabla^C \quad \text{f.c.} \quad C \Delta L^{\mathfrak{a}_C} \nabla \Delta^{\mathfrak{a}_C} \nabla^{\mathfrak{q}_b} L^C \quad \nabla^C \nabla \nabla^C \nabla^{\mathfrak{q}_b} \nabla^{\mathfrak{q}_b}$$

$\Delta^L \subset \Gamma \subset \Delta^R$ ከሚኖሩት ሆኖች $L \subset R$ ይገኛል። የመደበኛነት መለኪያ

$$\Delta^a \sigma^A \nabla^b \Pi^C \gamma^\mu \zeta C D \rho^b \omega \nabla^c \Pi^C \omega \quad CL \Delta \sigma^C \quad \Delta m^a \sigma^C$$

$a^{\alpha} \Gamma_{\sigma n} \triangleright \Delta^{\alpha} a^{\beta} \rangle^c$. $\rho^c \triangleleft \sigma n \triangleright^c$ $a^{\alpha} \Gamma_{\sigma^{\beta}} b^{\beta} \cap D^{\alpha} L C,$

$$\langle CD\rangle\langle\Gamma^C\ a^b\sigma_{ab}\rangle\langle a^b\sigma^L_{ab}\rangle. \quad C\Delta L_C\ \Delta_{ab}\ \langle CD\rangle\langle\sigma^b_{ab}\ \Delta_{ab}\Delta^c_{ab}\sigma^C_{ab}\rangle$$
[illegible]



Issues

Throughout the workshop many issues

were raised by the delegates. They provide valuable insight into

the mood and concerns of the participants and the depth of the

discussions. The issues have been organized here into general

categories and are presented below. They are offered as a

resource and as a reference with which to better understand

the concerns and expectations of the stakeholders.

Loss of traditional sewing and manufacturing techniques:

- 👤 No longer using the size of the hand to measure and fit the *amauti*.
- 👤 Need to revive hand-measuring techniques from Elders; old people still use their hands to measure and cut patterns from skins. There are too few Elders around today.
- 👤 Loss of traditional sewing and measuring techniques is leading to *amautis* no longer fitting comfortably.
- 👤 Issue of custom fits versus standard small, medium, large sizes.
- 👤 *Amautis* risk being lost if they are made from patterns instead of the traditional method/technique.
- 👤 Style and decorations are superseding traditional concerns over comfort and form. Traditionally, all *amautis* were custom fit for comfort.

Traditional materials and styles:

- 👤 Traditional materials such as skins and fur are being lost to modern western materials like calico and duffel.
- 👤 Garments of skin require more work.

$\nabla^b \rho^c_{ab} \nabla^c$ $b \cap L \sigma^c b^c c^L u^L \sigma$ $\nabla \Gamma / \sigma^b$

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$\Delta_{\mathcal{C}} \mathcal{D}^{\mathfrak{S}^b} \mathfrak{S}^b \mathcal{C} \mathcal{D} / \mathcal{L} \mathfrak{S}^c$ $\triangleleft \mathfrak{A}^b \mathcal{C}^{\mathfrak{S}^b} \mathcal{C} \mathcal{D} / \mathcal{L} \mathfrak{S}^c \cap \mathfrak{b}$. $\triangleleft \mathcal{D} \Delta^a \mathfrak{a} \mathcal{D} \cap \mathcal{C} \mathcal{D} / \mathcal{L} \mathfrak{S}^c$

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[illegible][illegible][illegible]

- [illegible]

👤 Should begin to record different ways and styles of *amautis* in all the communities.

👤 Concern that *amautis* that are made for *qallunaat* are being changed to suit their desires; *amautis* are being made without pouches or large hoods.

Concern over the value of hand-made *amautis*:

👤 Inuit women are undervaluing their work and are not getting a good price for their efforts.

Amauti as an art form:

 Some clothes are art.


👉 *Amauti* is not an art form like a sculpture; it is utilitarian, practical, and comfortable.

 Cloth patterns can be protected from alteration and copying.

👉 Should individual *amautis* be protected or all variations of the *amauti*?

Qallunaat should not learn to make *amautis* but should buy them from Inuit makers:

 Similar concern with *kamiks*, duffel socks, mitts, and hats.

 Non-Inuit are going up north and learning how to make these forms of clothing.

 Inuit women are protective of their traditional designs.

👤 Inuit want to prevent exploitation of the *amauti* without prior informed consent.

Too few Elders to pass on the sewing skills to younger Inuit:

👉 Will younger people learn to be great seamstresses like in the past?

[illegible][illegible][illegible][illegible][illegible][illegible]

Δηλώνω^α βεβαιώνω^β ότι^γ δηλώνω^δ τη^ε γνώμη^ς:

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[illegible]

- 👤 Younger people working on this project may feel intimidated by elders.
- 👤 People may not be well versed in traditional knowledge.
- 👤 Elders are not aware of all the laws and the possible obstacles and challenges that will be faced.

Concern that the *amautis* that have been handed down to others are now being taken apart and used as patterns to make other *amautis* for profit:

- Presently a person can buy an *amauti* and take it apart to use as a pattern to make new ones, possibly for sale, and without asking permission from the person who made the original.
- Raises the question of ownership of the pattern and who and how the *amauti* is being reproduced.
- Currently there is no need to ask for permission. Permission should be requested.
- Different from the past where patterns were passed down from parents to children.

Inuit should not lose their cultural ways in order to protect the *amauti*:

- 👤 Need to cooperatively think of the best way to protect the *amauti* that is appropriate to the Inuit way and not just meet the existing concerns of lawyers.
- 👤 Fitting into already defined forms of protection is not good enough.
- 👤 Need to document knowledge to give it strength.
- 👤 Important to protect the old ways of making the *amauti*.

[illegible]

- [illegible]

[illegible]

- [illegible]

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- [illegible]

- 👤 Need a form of protection for traditional knowledge without a limit.
- 👤 Develop a form of protection that lasts the lifetime of the people; create a new mark of protection.
- 👤 Protection must respect collective knowledge.

Collective rights:

- 👤 The forms of protection for intellectual property that are sought are for all Inuit.
- 👤 No Inuit or Inuk woman should be excluded from this protection.
- 👤 Future Inuit peoples must be protected by these laws and mechanisms.

Non-government, cross-jurisdictional authority:

-  A national body or group should be formed to oversee the work to protect the *amauti*.
-  A women's group should act as the protector of the *amauti*
- Question of trust.
-  Need to work cooperatively between regions to protect the *amauti*.
-  Do not want to collect patterns to give to the government.
-  Need to get other Inuit regional, governmental, and cultural organizations involved.

International concerns:

- 👤 Inuit live in Canada, USA, Greenland, and in Russia.
- 👤 Protecting Inuit property rights must account for the pan-Arctic distribution of the Inuit.
- 👤 International organizations should participate in the discussions.

- [illegible]

အမှတ် ၁၄၆၃၈ ဂရုတ်ပြည်နယ်လူမှုဝန်ထမ်းများသို့

- [illegible]



workplan I The fourth day of the workshop

centred on developing a workplan that reflected the interests

and concerns of the delegates. The previous days had raised

awareness and provided technical information about existing IPR

systems and placed these issues in the context of Inuit values,

domestic laws, international debates and initiatives, and in the

context of how other Indigenous women were coming to terms

with the misappropriation of their cultural heritage. The resulting

workplan was conceived in terms of short or immediate objectives

and longer term objectives. The specifics are detailed below.

The immediate goal is to take the initiative and to continue to nurture a leadership role. Pauktuutit needs to seek a mandate from its Board of Directors in order to proceed with this project and then to take the results of the workshop to the Association's membership during the forthcoming Annual General Meeting. A working group needs to be formed and a formal communication strategy needs to be developed. A critical component will be to develop working relationships with groups at the local, regional, territorial, national, and international level.

The long-term goals seek to initiate an interim form of protection and then to proceed with a research and consultation

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$$\Lambda_{\tau\tau}\Delta^{a_b}\mathcal{J}\sigma\Delta^{c_b})\mathcal{D}^c \quad \langle^c_{\mathcal{Q}}\Delta\mathcal{N}\tau\Delta^{c_b}\langle^c_{\mathcal{C}}\Delta\tau\mathcal{C}\Delta^{c_b}\rangle^c \quad \mathcal{C}\mathcal{D}^{b_b}\Delta\mathcal{N}^c\mathcal{I}\mathcal{I}\mathcal{L}\mathcal{L}\sigma^b$$
[illegible][illegible][illegible]
$$a^b \Gamma \sigma^c b^c \sigma c n^z \Gamma CD^z \sigma^b \quad \Delta^L L \rightarrow \Delta c^z \Gamma CD^z L c c D^c b^z \rightarrow n^b \quad \Delta \sigma \Delta^c$$

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$\nabla^a \Gamma^C \nabla^D \Gamma_{C-} \nabla^b \nabla^c$ $\nabla^L \nabla$ $\Lambda_{C-} \nabla^a \nabla^b \Gamma_{C-} \nabla^c$, $\nabla^L \nabla$ $\nabla^a \nabla^b \nabla^c$

[illegible]

Δ^cb d γ C^b Γ^a σ Λ^d μ ρ λ γ Γ^b C Δ D^c σ γ Δ b C D γ L^b C^c σ^a ρ^a δ^c. C Δ L Δ

$$\Lambda_{\mathcal{C}} \mathcal{A}^{\mathcal{A}} \mathcal{J} \sigma \mathcal{A}^{\mathcal{B}} \mathcal{D}^{\mathcal{C}} \quad \langle \mathcal{A} \mathcal{D} \mathcal{B} \mathcal{A}^{\mathcal{B}} \mathcal{B}^{\mathcal{C}} \langle \mathcal{C} \mathcal{A} \mathcal{C} \mathcal{D}^{\mathcal{B}} \mathcal{C} \quad \mathcal{A} \mathcal{D} \sigma \mathcal{A}^{\mathcal{A}} \mathcal{B}^{\mathcal{C}} \mathcal{J} \mathcal{C} \quad \mathcal{D}^{\mathcal{A}} \mathcal{B}^{\mathcal{A}} \mathcal{C}^{\mathcal{C}}$$
[illegible][illegible][illegible][illegible]

$\langle \Lambda_{\text{NL}} / L_{\text{NL}} \Lambda^{\text{NL}} \rangle^C$ CL_a $\Lambda_{\text{NL}} \Lambda^{\text{NL}} J^{\text{NL}}$ $b_{\text{NL}} \Lambda^{\text{NL}} \Pi C D / L_{\text{NL}} \rho_a \delta_{\text{NL}}$

$\Delta^L_{\text{L}} \quad bNL\sigma^{\epsilon}\sigma^{\epsilon}D_c D^{\epsilon}_b \Gamma^c \quad Y^{\epsilon}PCD/L_c c D^{\epsilon}_b \Gamma^c \quad \Delta_c L^{\epsilon} D^{\epsilon}_b CD^{\epsilon}_b \Gamma^c$

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[illegible]

Inuit social and cultural organizations and to the makers of the *amauti*. This consultative process will lend itself to further refining the legislative changes that are ultimately sought.

The workplan's long-term objectives will serve as the basis for this project's second phase. The consultation workshop with the stakeholders was step one. In the months to come, Pauktuutit will develop another proposal based on this workplan and will seek the financial support to proceed.

Immediate Objectives:

- 👤 Present outcomes and recommendations to the Pauktuutit Board;
- 👤 Take to Pauktuutit AGM for ratification;
- 👤 Present outcomes and recommendations to other Inuit organizations and explore more formal partnerships;
- 👤 Prepare a national and international communication strategy;
- 👤 Publicly put the mark of Inuit ownership on the entire project so no one else tries to do the work;
- 👤 Form a working group to guide project;
- 👤 Formalize working relationships with:
 - Nunavut Law Reform Commission;
 - Nunavut Social Development Council;
 - Regional Inuit Associations;
 - Avataq Cultural Institute and other Inuit cultural organizations;
 - Qullitit (Nunavut's Status of Women Council);
 - Inuit Tapiriit Kanatami;
 - Inuit Circumpolar Conference;
 - Federal, Territorial, & Provincial governments;

[illegible][illegible][illegible]

ԼՊՆԻ ԾԳՆԱԴՎՈՅ:

- [illegible]

A black and white portrait of a young woman with dark hair, wearing a light-colored headband and a dark, patterned shawl or blanket draped over her shoulders. She is smiling slightly and looking towards the camera.

◀δσ▷↵^c ▷ξ^aΔ↵^b◀^c▷^c:

- [illegible]

Long-term Objectives:

1. Form association of manufacturers or other public authority to seek interim protection and registration of cultural property trademark (within Pauktuutit for now):
 - ☞ Women's groups, throat singers, elders.
 - ☞ All Inuit women to be members; and,
 - ☞ No fee to join or belong.
 - ☞ Develop mandate, objectives and issues (working group):

Issues to be addressed include:

- 👉 ownership;
- 👉 control, access;
- 👉 benefit sharing;
- 👉 licensing;
- 👉 quality control;
- 👉 sustainability;
- 👉 membership criteria;
- 👉 ethical issues, (i.e. sharing patterns and designs, obligations of individuals to communities, social standards/fair trade practices, etc.); and,
- 👉 Identify cultural/intellectual property to be preserved, promoted and protected.

2. Additional Research and Project Development:


- a. Examine Canadian legislation that may be relevant and/or useful and further examine the Panamanian model (Act 20);
- b. Fund a delegation to Panama and develop an information exchange/fact-finding/cultural exchange project;
- c. Expand the consultation process and develop a meeting schedule:

[illegible]

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☞ $CL\Delta^a\sigma^b \quad \Delta\sigma^b\sigma^b \quad \nabla^c_a\sigma^b \quad \Delta c\triangleright^c\delta\eta^c b^c\triangleright\eta^b; \quad \nabla^L L\triangleright$

🙏 Δငါ့ဦးနှောက်ကွေးကွေးနဲ့ ငါ့အသက်အသက်ကို ကျန်းမာရေးကောင်းအောင် ကုသပေးပါ။

 Առևճի հետևանքով, ճգնաժամից հետո ՎԼՀ Լճակ-
նակ (Առևճի ԲՈՒՄԻ ՈՐԴԻՆ) Լճակի ԲՈՒՄԻ:

$$\Lambda^{\rho^c} \llcorner \lrcorner \lrcorner \sigma \triangleright \sigma \lrcorner^{\mathfrak{b}} \triangleright^c \quad \text{Ld} \sigma^{\mathfrak{a}} \text{L} \quad \Delta \lrcorner^{\mathfrak{b}} \lrcorner^{\mathfrak{b}} \triangleright^c:$$

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◀▶ $c^c\sigma^{\mathfrak{c}^c}\sigma^{\mathfrak{c}^b}$, $\Lambda^{\mathfrak{c}^b}\mathfrak{c}^{\mathfrak{c}^b}\cap C\triangleright\sigma^{\mathfrak{c}^b}$;

[illegible]

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 $\Lambda \Delta^C \gamma \Delta^{qb} \sigma^b \quad \Delta \Delta_c^C \gamma \sigma^{qb};$

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[illegible][illegible][illegible]

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$$\langle D^{\mathfrak{g}_b} C D^{\mathfrak{g}_a} \mathfrak{g}_b \rangle_{\sigma^b} \quad \langle L_{\mathbb{Z}} / D^{\mathfrak{g}_a} \mathfrak{g}_b \rangle_{\sigma^c}$$

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Workshop Evaluation

A final component of the

workshop was the distribution to participants of a workshop evaluation questionnaire. The intent was to get some measure of how the participants viewed the organization of the workshop, viewed the value of the workshop reading material, and viewed the workshop presentations. A total of 18 completed questionnaires were returned.

Most found the organization of the flights and the accommodations to be good (76 percent of those who responded to the question). About six percent stated the organizing was average. No one claimed it was poor.

The English language version of the workshop material was the most commonly used (about 55 percent of the participants). About 94 percent of those who responded indicated they liked the look and organization of the workshop booklet. Over 80 percent indicated they found it well written and easy to understand. This positive response is encouraging considering that 44 percent of the participants used the Inuktitut material, or both the English and Inuktitut. During preparations for the workshop there was concern that the technical material would not translate well into Inuktitut. These results suggest the material was effectively translated. One respondent commented, however, that the Inuktitut should have been better proof read.

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Conclusion The Amauti and Intellectual

Property Rights Workshop was a successful first step in defining the IPR needs of Inuit women. The workshop resulted in a two-phased plan to develop an effective mechanism that would protect the cultural heritage of all Inuit. It was felt that those who wish to profit from the *amauti* and to copy them outside of the Inuit social and cultural context need to be managed. Above all, Inuit women want to prevent the exploitation of the *amauti* without their prior informed consent. The delegates were not just interested in protecting their profits, they want to protect and continue the traditions.

The work being done to define the scope of issues and protection has generated significant interest from academics and others interested in doing the same or similar work. This workshop and resulting recommendations confirm the urgent need to ensure Inuit ownership and control of the issues, initiatives, processes and outcomes of this critical area of endeavour.

This work has received support and recognition of all Inuit regions, land claims organizations, national Inuit organizations, cultural institutes and other interested parties and stakeholders. The interest in and need to work collaboratively and in partnership was confirmed by all participants.

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require time for participants to feel comfortable in openly participating, delegates were eager to begin their substantive discussions.

The workshop also generated a keen interest among several participants in global and hemispheric processes and influences such as the Organization of American States (OAS), the Free Trade Agreement of the Americas (FTAA) and issues related to globalization and its impact on Inuit women and Inuit communities in Canada. Tangible links were made to the need to protect Inuit cultural property, traditional knowledge and intellectual property rights and the CBD, and Pauktuutit was strongly encouraged to continue its work at the international level with organizations such as the United Nations, the World Intellectual Property Organization and others.

In addition to these broader conclusions and recommendations, participants formulated many specific recommendations. The participants concluded that a labelling system could be implemented until a more comprehensive system can be developed. For example, an *amauti* trademark could serve as a fair-trade trademark. As well, an inventory of *amauti* styles, designs, and makers by community, by region, and nationally should be initiated. They felt that there should be a governing body that could manage and control this cultural property in the name of the collective. To ensure the integrity of the designs, it was suggested that licensing may be an option. It was felt that those who profited from the *amauti* have an obligation to their communities and that some benefits should therefore be returned. The lessons learned from the Panamanian example led to the suggestion that five percent of sales should go to an

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Appendix

Amauti Workshop Agenda

Inuit Women's Traditional Knowledge Workshop on the Amauti and Intellectual Property Rights

Rankin Inlet, Nunavut - May 24-27, 2001

Day 1 - May 24

Morning

Introduction to the Workshop

Presenters

Tracy O'Hearn

Sally Webster

1. Background to the workshop
2. Objectives of the workshop
3. Overview of workshop material
4. Review of agenda
5. Workshop methodology

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Day 3 - May 26

Morning

Current Intellectual Property Right Laws

Presenter Phillip Bird

Copyright

Trademarks

Industrial designs

Afternoon

International Examples and Experiences

How have Indigenous peoples in other countries tried to protect their traditional knowledge?

Presenters

Sonia Henríquez (Panama)

Graciela Magan (Peru)

Panama -Legislation Act 20

Peru

Draft Contract

WIPO Model Provisions for Protecting Folklore

WIPO's Fact Finding Mission

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Day 4 - May 27

Morning

Review and Discussion

- Open forum
- Collective Rights
- Trademark
- Association of Manufacturers
- Formal documentation of the amauti and registration of design(s)
- Public authority

Afternoon

Action Plan

1. How can the *amauti* be protected?
2. Should customary laws about issues like access and benefit sharing be defined and documented?
3. Should an organization to register intellectual property rights for Inuit be created?
4. How should benefits from traditional knowledge be distributed?
5. How can the use and marketing of traditional knowledge be authorized?
6. Should trademarks, copyrights, and industrial designs be considered to protect intellectual property?

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