

From Plants and Traditional Knowledge to Medicines: A Summary

During his presentation for the Environmental Justice Seminar, Professor Thomas Burelli introduced the participants to a biopiracy case study set in French Guiana. The case portrayed 15 years of research in French Guiana for studies that led to the identification of an important molecule by French researchers. Indigenous communities shared their knowledge of plant identification and traditional recipes for medicine to the researchers, which helped them in their study. Following this, a patent was developed by the French for the molecule, which was then used to produce new drugs. However, when they applied for the patent, the researchers didn't include the Indigenous communities in the process, as they should have.

In summary, French researchers decided to conduct research with Indigenous people in French Guiana to study the traditional recipes and medicines used to treat malaria. Indeed, the researchers said they wanted to use traditional knowledge to develop new remedies. To support this, Burelli showed statistics regarding the study and the use of traditional knowledge, identifying the success rate of using traditional knowledge at 26% when conducting a study and 0,5% when using random collection. The research led to the identification of two molecules and a patent request was made for one of them in 2009. There is no information regarding the involvement of the consultants, meaning the Indigenous community, which were completely absent from the patent ownership process.

There was a lot of opposition in France, which led to a lot of questions that put the researchers on the spot. They defended themselves by arguing that what they did was not biopiracy, that they sought to be as rigorous and ethical as possible. They based their arguments on what they should've done in theory, not what they did in practice. The Research Institute explained that they respected the protocol because they only had to ask for consent when the patent would be exploited. In this sense, there was a lot of controversy around this case. An action against the research facility was brought up by an NGO, which was accused of speaking in the name of the Indigenous community without representing them. This brought over claims of legitimacy since Indigenous communities were not involved in the process. The Research Institute claimed that since Indigenous people didn't recognize French law, they didn't legally have to take their consent into account. The

institute showed that they respected the law only when it was convenient for them to do so. They justified themselves by saying that it would be too complex to deal with Indigenous people, but the real problem is that they never took the time to decide formalities with them. They needed to consider the rules and the rights of local communities, but they did it on unequal terms. They prioritised their research, even if it contradicted the needs of the communities.

As a result, Burelli concluded his presentation by underlining the importance of prioritising and respecting Indigenous people's best interest when researchers conduct studies that involve them. They should be patient and modify their research in accordance with the Indigenous communities' priorities. Burelli claimed that "[researchers] should follow the rules, or they will be caught, which will have dramatic consequences on their careers, and they will be labeled". It is better to consider long-term effects and respect the opinions of Indigenous people rather than try to take short-cuts and have a faster result that will only result in short-term benefits.

This study case demonstrates that Indigenous people often don't have a chance to give their opinion. Burelli advocated that communities should have the right to choose to be part of the patent or not, depending on their wishes. The communities were very happy to share their knowledge, but they might not have the same understanding of the notion of "sharing" as Western countries do. The researchers didn't have the same expectations as the Indigenous community, so it would have been preferable for them to communicate better with the community and take the time to settle on a contract or at least an agreement before starting the patent process. Research led by foreign people on Indigenous territories should be made on the communities' own terms, rather than foreign countries imposing themselves and disrespecting Indigenous' practices. This way, Indigenous communities are empowered, because they can adopt their own rules, even though it doesn't guarantee anything. At least, the communities will have formal proof of the events and will be able to complain if anything is amiss.