

## **EMERGING LOCAL AND GLOBAL DISCOURSES ON NTFP USE AND STUDY: A VIEW FROM GUYANA**

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### **1. INTRODUCTION**

On 22 November 1998 I sat in on a Village Meeting in Sebai, a Mixed Amerindian community of about 230 persons (Warau/Carib/Arawak), located about 12 miles up a creek of the same name and some 22 miles distant from the sub-regional centre of Port Kaituma. The Captain was accused of poor administration of village resources, including marketable logs and palm hearts. One villager announced that people from the Aruka River were increasingly coming over to cut palm hearts (*Euterpe oleracea*) in the Yakirikat Creek, which formed one boundary of Sebai's titled land, and asked what the Captain was doing about that.

The Captain's response was succinct: for all his pains on behalf of the village, he received a monthly stipend of G\$ 2,800 (equiv. US\$ 16) from the Government. For that pittance, would he also have to be a watchman in the distant Yakirikat Creek area? He also pointed out that the Aruka 'cabbage cutters' would invariably claim that they were cutting down palm trees located on the State-owned bank of the Yakirikat River, not over on the village side. Since no Sebai households were sited in the area, who was there to dispute the Aruka claim?

A major part of Sebai folk came over originally from the Aruka River and the communities continue to be closely linked by ties of consanguinity and affinity. No doubt, a large number of palm hearts are harvested illegally from Sebai's titled area, but the bad guys in this instance are family and friends, all as poor as the Sebai villagers. Village administration in Sebai can be said to be non-existent and the same is probably true of the Aruka River settlements.

Stories such as this illustrate the complex world in which discussions of NTFPs take place. In a thoughtful introductory piece entitled 'Whose Knowledge, Whose Genes, Whose Rights?' Stephen B. Brush concluded:

'Effective conservation cannot be planned or accomplished without addressing the issues of poverty, domination and exploitation. Nevertheless, these problems are centuries old in most places. Understanding them strains the modest theoretical and methodological tools of social science. Solving them is beyond the grasp of the available political tools. Yet the value of human life, cultural diversity, and biological resources is so great that we cannot shirk from the challenge of finding viable conservation methods. The press of poverty and

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population growth and the urgency of protecting human dignity make this challenge as difficult as any intellectual or political challenge in the modern world' (1996: 18).

It is precisely such a challenge that a seminar such as this one takes up, focussing on the indigenous management of forest resources in the interests of both equity and conservation.

This paper examines some of the emerging discourses, local and global, on NTFP use and study. The context includes such factors as advances in biotechnology, the establishment and consolidation of supranational institutions, particularly since the 1990s, designed to regulate international flows of 'natural capital'; an increasing acceptance of indigenous rights and wider recognition of the link between cultural and natural diversity.

## **2. THE CARIB STUDY AREA**

Sebai village is located in the upper Kaituma/Barima/Barama watershed area, in which the Carib Studies Programme is being carried out by three Tropenbos-sponsored researchers, including myself. My own research focus is not primarily directed at the knowledge or use of NTFPs by the indigenous inhabitants of this area, but rather at the geopolitical and socio-economic processes that have shaped indigenous life in the Carib heartland.

One of the surprises of my research so far has been the realisation that this population has not been, either in this or the last century, strictly peripheral to the dominant colonial (later independent) society. Exposure to gold (and, later, manganese) mining has left its stamp on all facets of indigenous life, so that here, as elsewhere, the global dimensions of modern life are all-pervasive - in patterns of consumption and recreation, in the willingness of a significant number to seek out industrial labour, in some cases even bonded labour<sup>3</sup>, in preference to subsistence life, and the widespread interest in the fluctuations of the gold price on the London Stock Exchange (see the discussion of 'modernity' in, for example, Miller (1995).

The principal subsistence and commercial NTFP in the Port Kaituma/Sebai area is wildlife, including fish, a finding in line with van Andel's comprehensive study in the wider North West District (1998). At the same time, I met very few Amerindians in the Port Kaituma/Sebai area who would admit that they used 'bush medicines,' in answering one of the questions I posed to over 150 heads of household during my last period of fieldwork. In an area of endemic malaria, where most people had suffered recurring bouts of malaria annually since the upsurge in the early 1980s, still the majority insisted that they used only modern pharmaceutical preparations. 'We don't know anything about bush,' as if knowledge of herbal remedies was a yardstick to measure savagery.

There is often, of course, a chasm separating what people do from what they profess to do, and this is where the lived experience of the field worker has its justification. In the case of the

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<sup>3</sup> Bonded labour is a form of debt-peonage which exists in the North West District, in which the worker is seldom or never paid in cash for his work. Instead he is advanced goods by his employer, so that many labourers find themselves unable to free themselves from contractual obligations to the employer (*cf* the system of *aviamento* in the article of Assies (this volume) or *endeude* in the paper by Rodríguez and Van der Hammen (this volume).

Kaituma/Sebai area, the attitudes stated by Amerindians to the use of bush medicines can be understood in relation to:

- the considerable population of non-Amerindian Guyanese (and now non-Guyanese Asians) in the townships of Port Kaituma and Matthews Ridge, forming a social and ideological hegemony;
- the traditional antipathies to Amerindians expressed by the other ethnic groups;
- the establishment of well-equipped hospitals, accessible to all, in Matthews Ridge and Port Kaituma by the manganese company in the early 1950s; and
- the fact that malaria is not an indigenous disease.

It is in scenarios like this one that outsider-led research projects into NTFPs, for example, can play and have played key roles in coalescing cultural revitalisation, a reevaluation of indigenous knowledge and an awareness of the potential marketability of such knowledge to outsiders.

### **3. NTFP RESEARCH AND EXPLOITATION IN GUYANA**

Reinders' ethno-medicinal investigation in the Barabina area of the North West (1993) was probably the first of the post-1990 NTFP projects in Guyana. It was followed by the study of palm heart harvesting in the North West District made by Dennis Johnson for the Amerindian Research Unit of the University of Guyana (in Forte, 1995) and a study carried out in the Mixed Arawak village of Kurupukari (now Fair View) by Johnston and Colquhoun (1996). Then, almost simultaneously, projects were executed by van Andel and collaborators in the North West (from 1996), the Foundation for Ethno-biology in Surama (from 1995)<sup>4</sup>, GEF-UNDP<sup>5</sup>-Iwokrama, also in the North Savannahs (see Forte, 1996), and Hoffman (1997), who worked with the liana *nibi*.

Also ongoing in this period has been the Conservation International (CI) work on developing a balata (*Mimusops globosa*) handicraft industry, aimed at the tourist trade and the 'fair trade' export niche, the setting up of an NGO called the Amerindian Handicraft Association and, more recently, of the Handicraft Industrial Development Agency (HIDA) and the establishment of a number of medium and small-scale factories making *nibi* and *cufa* furniture. During 1997 and 1998, CI teamed up with Hoffman to explore the possibilities of working with a regional Amerindian grouping named the Region Two Coordinating Committee on the sustainable utilisation of lianas used in the furniture and handicraft trade (see Verheij and Reinders 1997). A number of exploratory meetings were held and a two-day workshop brought together harvesters from several different areas with resource persons from CI and the Amerindian Research Unit.

The largest commercial NTFP exploited is the palm heart, on which at least three studies have been made, and an excellent monograph has been produced (van Andel *et al.*, 1998). Although it is not exhaustive, the brevity of this list underlines the point that the study and use of NTFPs in Guyana is still in its nascent stage. Nonetheless, a number of issues have already emerged, including the following:

#### **3.1 The Darwin Initiative-funded project of the Foundation for Ethno-biology in Surama**

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<sup>4</sup> Funded by the Darwin Initiative and associated with Dr Conrad Gorinsky.

<sup>5</sup> Global Environmental Facility / United Nations Development Programme.

This project began in 1995 as a partnership between the U.K.-based Foundation for Ethnobiology (FEB) and the Surama community. The 'Surama Resource Centre', called 'FEB' locally, was built in the centre of the village and stocked with some pieces of equipment, including a small generator, portable computer and printer and, for a while, a satellite telephone. The project also owned a motor cycle. The three full-time staff of the FEB were salaried, as were at least two other local principals, one in Annai and the other in Surama. Two of the full-time staff were data processors, but other persons were hired to collect and dry samples of various plants, which were shipped out of Guyana at various times.

This project was started before the Environmental Protection Agency (EPA) was set up, which might account for the dearth of knowledge at the regional and national levels of what exactly was happening in Surama. The only counterparts seemed to be a few individuals within Surama, but since they were key local leaders, the project was never subject to any scrutiny either within or outside the village.

The patenting of active ingredients of the greenheart seed, one of which he named 'rupuninine,' and of the fish poison called 'kunami' by the London-based principal, Dr. Conrad Gorinsky, eventually came to light in Guyana and was publicly condemned, at least in the capital city. Gorinsky also set up a biotechnology company named Biolink, which has at least one Surama principal. The case was also publicised internationally, which perhaps contributed to the withdrawal of funding for the project by the Darwin Foundation (see the home page of RAFI (Rural Advancement Foundation International) based in Canada: <http://www.rafi.ca>).

Even though some awareness of the controversy which had developed around the project internationally filtered down to the village level, the absence of public censure of the principal was more in keeping with Amerindian mores. The local opinions I was aware of ranged from total ignorance of the project's aims and *modus operandi*, to gratitude for some jobs and training, to the feeling that Gorinsky was being demonised by larger, ill-understood forces, perhaps because he was part Amerindian. Some people outside Surama and within the larger region were more readily critical of the Surama operation, but few seemed to know what it had entailed anyway. Locally, people did not have strong feelings at first, but over time, with increasing interest aroused on the issue, particularly as a result of the Iwokrama programme, the words 'intellectual property rights' invariably came up at every public discussion (over 20 of them, in eight communities) that I attended.

### **3.2 The Iwokrama-sponsored project on biodiversity use and ethnobotany**

During this same time period, I was coordinating a biodiversity project in this same region on behalf of Iwokrama, which involved researchers and others of the same village. At that time, the view held by key Surama leaders was that the Iwokrama-sponsored project would steal their knowledge, while the Gorinsky-led one was grounded in Surama and would benefit them. Over time, however, Gorinsky stopped visiting, some of the equipment broke down, and the FEB project lost momentum. Village interest, here as elsewhere in the North Savannahs, shifted to the collaborative management of natural resources in partnership with the Iwokrama programme (see North Rupununi District Development Board (NRDDB) and Iwokrama, 1998). Earlier local views on either project became irrelevant as against the immediate benefits derived, and as the whole issue of valuing local knowledge was more deeply explored.

Some time after the end of my own work with the Makushi Women's Project, Iwokrama arranged a formal consultation with the NRDDDB to discuss the issue of copyright of the information contained in the two Reports it had commissioned. Copyright belonged to the UNDP and the

Ministry of Foreign Affairs, which had jointly financed the project, but was formally transferred to the NRDDDB. The reports are to be published soon in one volume with a formal copyright claim by the NRDDDB as publisher. Iwokrama has also been extending its links and outreach beyond the NRDDDB to encompass the entire Rupununi. A two-day 'Outreach Workshop' for some 200 persons was held in Lethem, the regional centre, on January 20–21, 1999, to discuss issues of development and conservation and networking with the Iwokrama programme.

### **3.3 The COICA meeting in Georgetown**

In mid-1996, the Fifth Congress of the Coordinating Secretariat of Organisations of Indigenous People from the Amazon (COICA), held in Georgetown, Guyana, passed a resolution about the patent registered by a U.S. citizen, Loren Miller, for the processing and commercialisation of *ayahuasca*, a sacred plant from the Amazon. Miller is the owner of the International Plant Medicine Corporation, a pharmaceutical laboratory with headquarters in the United States. COICA's vigorous reaction to Mr. Miller's action led to a correspondence, strong and polemical on COICA's part, between them and the funding agency, which was widely publicised internationally. The issue received more international and local publicity in early 1998 than it did at the time, and it was and still is most certainly being publicised locally by indigenous organisations, particularly the Association for the Amerindian Peoples Association (APA), the local affiliate of COICA.

In part, both the Gorinsky-led project and the fall-out from the COICA resolution have accelerated local ventilation of the issues of biodiversity and the privatisation and commoditisation of nature and social knowledge. There certainly increasing recognition, if not understanding, of buzzwords like IPR (Intellectual Property Rights), CBD (Convention on Biological Diversity), bioprospecting and biopiracy, even in remote indigenous communities. It would not be overstating the case to say that any future project concerned with NTFPs or more general biodiversity research will be much more closely examined at the local level, whatever might be the view taken by the players in the capital city, including the Environmental Protection Agency (EPA).

Some of these future projects may well choose to ignore local responses once the necessary state permissions have been secured, but even if their primary objectives have more to do with employment opportunities for foreign-based researchers, their conduct should still take into account how they are viewed by the host community.

## **4. THE INTERNATIONAL SITUATION**

The Convention on Biological Diversity was launched at the 1992 UNCED 'Earth Summit' in Rio de Janeiro, focussing attention, both worldwide and in Guyana, on the precarious situation of the planet's remaining biodiversity. A number of authors has analysed the diverging interests of North/South, developed/developing, in what was from the start a contested arena, 'nature', and in which there is still no consensus on definitions, goals, the reasons behind the dwindling of biodiversity or how best to manage what biodiversity is left.

On this battle front, writers such as Nijar (1996), McAfee (1999), Purdue (1995), and Zerner (1996) argue that 'Northern' interests have focussed on carbon emissions that contribute to global warming, the need to preserve some tropical forests as carbon sinks (by selling carbon credits), the need to slow the rate of species extinction, and the reconceptualisation of nature as a world currency, and of biodiversity as tradable genetic resources, (see Articles 1, 15(7) and 19(2)

of the Convention on Biological Diversity). This without any reference to environmental limits to growth, the historical and spatial inequalities within and between nation states, or to any 'Southern' agenda. In McAfee's words:

'The 1990s have seen the establishment of supranational institutions designed to regulate international 'environmental investments' and the transboundary flows of natural resources, including genetic information and knowledge about nature. These structures of eco-economic governance include environmental treaties, especially the Framework Convention on Climate Change, the Convention on Biological Diversity and the Global Environment Facility, among others. These new multilateral institutions work closely with the World Bank, with United Nations agencies that have taken up green agendas and with mainstream conservationist organisations, many of which now embrace international mandates... [They] recast the popular environmentalist account of the spoiling of Eden by industrialism run amok into a parable of policy failures correctable by market solutions. The key to those market solutions, according to the theory, is the privatisation and commoditisation of nearly every aspect of nature, from molecules to mountainscapes, from human tissues to the earth's atmosphere' (1999, in press).

#### **4.1 World Trade Organisation/Trade-Related Intellectual Property Rights (TRIPS)**

Even before the CBD was opened for signing in Rio, the commoditisation of nature was underway in the TRIPS negotiations. Although the 'South' argued that intellectual property rights were not a trade issue at all and was already covered by an existing UN organisation, the World Intellectual Property Organisation (WIPO), key Northern interests were able to shift Intellectual Property Rights negotiations to the General Agreement on Tariffs and Trade (GATT), which led to the establishment of the World Trade Organisation in 1995. Article 27 of the WTO/TRIPS (GATT: 379–80) obliges member states to enact IPR legislation within a prescribed time.

'In summary, countries are obliged to enact legislation which (1) reproduces the IPR regime of industrialised countries, in particular the USA; (2) extends patenting to micro-organisms and 'modified' life forms; and (3) obliges nations to provide patents or other forms of protection to plant varieties' (Nijar, Paper 2: 8).

These clauses in Article 27 allow biotechnology to patent any genetically modified organism, since DNA is not considered to be an essentially biological process. At this point, enter the bio-pirates, recently featured on the cover of TIME magazine (November 30, 1998). In TIME's words [Gene Piracy]:

'The confrontation between industrialised countries and resource-rich emerging nations is heating up. Drug companies have been methodically testing animals and medicinal plants for decades. But now, innovations in genetic research are enabling scientists to cast a far wider net - covering entire rain forests... in their search for cures. 'We see a tremendous battle shaping up', says Andrew Kimbrell, director of the International Center for Technology Assessment in Washington. The fight, he says, will be fought in part over how to revise world trade laws. Some Western countries want to exempt plants and animals from being covered by international property rights. 'Third World countries', says Kimbrell, 'are certain to object.' The Convention on Biodiversity, drafted in 1992, is the closest the world community has come to tackling the dispute. But there is no consensus. The U.S., which has the greatest number of biological research labs, refuses to ratify the convention. 'Congress blocked it', Kimbrell says, 'because there's a certain

element opposed to all international environmental efforts. They feel it limits U.S. options.’ (McGirk, 1998).

Few knowledgeable writers foresee any benefits for indigenous peoples from global trends in IPR legislation (Daly, 1996; Patel, 1996). The economist Herman Daly, at a public lecture at the Institute for Social Studies in The Netherlands in September 1996, argued against free trade and capital mobility (this went unheeded, since Brazil is even now in free fall), and the myth (also stated in the CBD) that natural resources can simultaneously be ‘conserved’ and ‘sustainably used’. According to Daly:

1. Many nations have grown to the point that the limiting factor in their further growth or development is no longer man-made capital but remaining natural capital... [and] therefore seek to appropriate whatever natural capital remains in the international commons, and to trade for natural capital with those less-developed countries still willing and able to supply it... But of course all countries cannot be net importers of natural capital... For the aggregate of all countries net imports of anything, including natural capital, are zero (p. 4).
2. Free trade tends to push the world economy to grow beyond its optimal scale relative to the containing ecosystem... creates the illusion that by making natural capital more available to some nations, trade is capable of making it more available to the aggregate of nations (p. 4).
3. To avoid wars, nations must consume less and become more self-sufficient. Yet free traders say we should become less self-sufficient and more globally integrated as part of the overriding quest to consume ever more. It is the worst advice I can think of (p. 13).

## **5. THE NATIONAL SITUATION**

In the post-CBD period, the Guyanese State, with financial and other support from the Global Environmental Facility and other multilateral agencies, passed the Environmental Protection Act (6 May 1996), and subsequently established the Environmental Protection Agency (EPA), charged among other things with regulating research in NTFPs. All of the NTFP projects mentioned above were carried out before the formation of the EPA, although the majority had to be approved by various Government agencies, including the Office of the President.

Legal summaries of the status of IPR in Guyana (Scotland, 1996; Khan, 1998) concur that IPR-related legislation in Guyana is hopelessly outdated and that the current situation affecting trade mark and patent applications is in crisis. According to Khan:

‘To illustrate the extent of this crisis, my firm has quite a large amount of trade mark and patent applications which have been filed since 1992 (some even earlier) which have not been processed. In terms of numbers, we have - as at the end of 1996 - approximately 1,140 outstanding applications to register Trade Marks in Part A of the Register; approximately 112 Part C Trade Mark applications; and approximately 1,068 miscellaneous applications, such as assignments, mergers, changes of names and addresses, searches and renewals. We also have approximately 45 Patent applications pending... In the face of this disastrous situation... we sign treaties, we become members of international intellectual property organisations, we hold various internationally attended workshops, symposia and conferences pontificating on the virtues of and respect for intellectual property rights, while those of us who do daily battle in the proverbial trenches of the Trade Marks and Patents Registry cannot even get a single trade mark or patent registered (43–44).’ (Khan, 1998:43-44).

If top legal firms based in the capital are frustrated with the non-functioning of the Deeds Registry, poor and powerless indigenous groups located in the distant hinterlands areas of Guyana who might be thinking of approaching the national bodies charged with regulating IPR-related issues, would probably fare worse. The crisis in the Deeds Registry of Guyana, however, is irrelevant to Gorinsky-type bioprospectors who move directly to the Patent Offices of developed countries to register their finds.

Few of the knowledgeable people working in this area, however, are sanguine about the chances of secure IPR reversing the poverty of indigenous and other people who still possess valuable local knowledge. McAfee points out that no nation has become developed from the sale of primary commodities, that such groups/nations start out from a weak base anyway, and that 'meanwhile, the international 'market price' of genetic resources is falling from its already low level, and biotech firms are patenting far more molecules than they have any idea of whether or how they'll ever 'develop' ('drift net patenting'). So IPR claims and market deals won't do a whole lot for most local/indigenous groups' (pers. comm.).

## **6. CONCLUSION**

The link between NTFP development and biodiversity conservation/equity in the pre-CBD era rose to prominence with the extractive reserves associated with the anthropologist Mary Allegretti and local leader Chico Mendes in the late 1980s. Throughout these years, activists and others have argued bitterly over the wisdom of this course, those against arguing that drawing poor people even closer into market relations would only lead to their further long-term impoverishment, while diverting scarce resources from the struggle for land and other fundamental rights. This debate was perhaps most sharply drawn in the exchange between Survival International's Stephen Corry versus Cultural Survival's Jason Clay, the former arguing that a focus on marketing products like Rainforest Crunch, or extracting products for 'The Body Shop' furthered the underdevelopment of traditional peoples (Corry, 1993).

Prominent organisations in this field, like the Malaysian-based Third World Network, incline more to Corry's view, but take the realistic position that since they probably cannot change the terms of the exchange in the short run, they might as well draw up draft contracts which can be used by governments and/or indigenous peoples *vis à vis* collectors of biological resources (Nijar, Paper 1). Certainly the people themselves - in Sebai, the Rupununi, and elsewhere - want information on tradable items, including NTFPs, now (see statement of the Chairman of the NRDDDB in Iwokrama 1998: 4). Increasingly, however, they will insist on partnership arrangements, and on the drawing up of contracts for sharing profits generated as a result of their knowledge. From their position of relative powerlessness, they probably will have to rely more on goodwill than the acuity of their lawyers. However, Tropenbos researchers can be guided by the growing consensus that the best way to save what remains of biological diversity is to work alongside the remaining pockets of cultural diversity, the world's traditional peoples.



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