

The Global Economy of Dispossession: Dispossession of Natural Resources, Indigenous Knowledge and the Implementation of New (Intellectual) Property Rights

Friday 28, 15.30 – 18

the context: privatisation of natural resources

- dispossession is not a new phenomenon but deeply linked with capitalist development (the other panellists are going to deal with that);
- neoliberal hegemony means in environmental and resource politics: the market seems to be superior; market failure needs political regulation, PPP; it seems plausible for many people that the best way for the conservation of nature is the marketisation of nature;
- there is a change towards a “national competition state” whose main orientation of politics is to create competitiveness – and nature is important here (genetic resources);
- in the Northern countries this is closely linked to the process of “ecological modernisation” – the dominant understanding of sustainable development fits into this process: modernisation, top-down, experts; without questioning power structures and overall neoliberal tendencies;
- discourse matters: there is a complex process of the making of the “erosion of biodiversity” or actually of the “global water crisis” which includes science, business, state actors and NGOs (often together as epistemic communities);
- in international envt¹ and resource politics a class of “global resource managers” emerged (including many NGOs) which is more concerned with “the” world and its management from above than with specific conflicts and local/national issues; many think that knowledge is the major resource of politics; one argumentative figure is urgency and time pressure – what means: few time for reflection, formulating weaker interest etc.

the example of genetic resources / biodiversity

- GENETIC RESOURCES: important is that nature here is not used as a quantity (as oil or water) but its qualities: By genetic resources are meant those components which contain hereditary characteristics – the seeds and generally the genotypes of animals and plants;
- in the conflict field of biodiversity / genetic resources we can observe the following: dispossession started with colonialism and was intensified in the 1920s with the development of scientific plant breeding and further intensified after WW 2 (Green Revolution);
- in the 1970s the erosion of biodiversity became a problem for plant breeding itself (debates in FAO), disputes how to reduce erosion: CGIAR system, USA, foundations, World Bank;
- Genetic resources are of particular interest because they represent an input for the newer biotechnologies and genetic technologies and the industries based on them, the so-called *life sciences industries*;
- the knowledge of indigenous peoples to deal with biodiversity is incredibly useful in the screening process of potential substances of pharmaceuticals; in agriculture it's the enormous plant variety in (from markets and dominant politics) “marginalized regions” which was not destroyed by the Green Revolution and exactly this “traditional” diversity converts into a prerequisite for “modern” plant breeding;

more than marketisation: valorisation

- in the field of genetic resources (as well as in others) it is not just about a marketisation of natural resources but a much more complex *valorisation* (*Inwertsetzung*; Elmar Altvater) which includes the **constitution** of resources (through new technologies, language - resources -, interests to develop new seeds and pharmaceuticals), its **identification** (through DNA analysis and screening), **extraction** (through bio prospecting, access to GR, bio-maquilas which prepare the samples for the industry and research institutes – here ODA and capacity building becomes important) and **integration into the world market** (development of commodities, their acknowledgement through intellectual property rights, their marketisation);
- important is therefore to get the rights on intellectual property after having developed (or stolen) out of genetic resources seeds of pharmaceuticals; in agriculture this was since many years the plant breeders rights which left space for local farmers; today there is a shift to patenting which does not allow any longer exceptions (to take from the harvest the seeds for the next year but it has to be bought)
- the incredibly complex historical innovations made by local farmers or research institutes are not compensated (therefore in CBD “benefit sharing” a hot topic) – also in the CBD the topics IPR and access to GR predominate over benefit sharing and indigenous knowledge
- we do not live any more in 1989 and the years after when there was more political space for progressive proposals; this is not a cynical argument but it needs to be seen that the dominant forces are restructuring the world with much more clarity – but also that there is growing discomfort and resistance

the international political level is of utmost importance of the new forms of appropriation of nature

- emerging international political institutions are not per se for “problem solving” but in general an – even contested – politico-institutional framework for dominant (economic) actors: ex. WTO/GATS; the trend is to create a framework for private property at the international level; governments tend to fulfil international guidelines and policies in a very selective way which has to do with power and interests;
- a certain neoliberalisation of the “Rio conventions” took place in the last 10 years because dominant actors understood that they had to play on this terrain in order to shift it towards their interests or to weaken it;
- international institutions like a convention are highly selective: more open for specific issues than for others (structural selectivity);
- international institutions have a fine mechanism of “non-decisions” in order to leave certain interests out;
- if private property is crucial for the functioning of capitalism and knowledge becomes more important for capitalist development, the securing of intellectual property rights

is a centre-piece of politics; at the national level as well as at the international: it is about the internationalisation of the patent system; therefore the WTO-TRIPS agreement is crucial; and contested (Seattle failed also because many developing countries were not willing to implement it);

- int'l politics does not take place exclusively on political terrains and in accordance with rules but also through non-legalised action;
- the nation-state remains the central instance in int'l politics (because of its epistemic and material resources, its monopoly of legitimate coercion); it is the level of implementation of international politics; the US play here a specific role;
 - ➔ if political institutions are condensations of dominant neoliberal orientations and social power relations and if we see that it is even more difficult to influence them we should under the actual conditions not expect anti-privatisation or anti-commodification strategies from international conventions/politics.

resistance and alternatives are possible and existing

- first of all: there is a lot of resistance going on; many people still live not completely subjugated under capital; alternatives are lived every day – but they are threatened by the described processes and interests;
- the concrete tendencies and forms of commodification are contested and vary historically; during the post-war era forms of *de*-commodification took place: with respect to the labour force, some industries were nationalised (especially with respect to resources, the health sector, sometime banks), new branches as pension funds were organised as a public sector. – the privatisation (of nature) is not the end of history;
- one major concept for politicising dominant trends and interests in **biopiracy**, another could be in the future the concept of **commons**.
- if the nation-state is still important (in a contradictory sense), then it is one point of reference for resistance: in our case: for example to stop the implementation of TRIPS
- we should not reproduce the view that the int'l level is the most important; local and national power relations and struggles still matter; especially for anti-privatisation politics
- Walden Bello's concept of **de-globalisation** intends to condense the experiences of recent years: that international politics is especially about securing dominant interests; it tends to close space for alternatives, plurality (especially in the context of the Global South).