

# CONTENTS

<i>List of Tables, Figures and Boxes</i>	ii
<i>Abbreviations and acronyms</i>	iii
<i>Acknowledgements and Dedication</i>	iv
<i>Executive Summary</i>	v
<b>1. INTRODUCTION</b>	1
<b>2. INTERNATIONAL DEVELOPMENTS, AGREEMENTS AND FORA</b>	6
2.1 Historical Developments	6
2.2 Consultative Group on International Agricultural Research	8
2.3 International Undertaking on Plant Genetic Resources for Food and Agriculture	10
2.4 Convention on Biological Diversity	10
2.5 The Agreement on Trade Related Aspects of Intellectual Property Rights	15
2.6 World Intellectual Property Organisation	18
2.7 International Convention for the Protection of New Varieties of Plants	20
2.8 International Treaty on Plant Genetic Resources for Food and Agriculture	22
2.9 Aspects of International Human Rights Law and International Laws on Indigenous Peoples	23
2.10 Draft ASEAN Regional Agreement on Access and Benefit Sharing	25
2.11 US Pressures and Interventions	26
2.12 Summary	31
<b>3. GOVERNANCE IN THAILAND</b>	32
3.1 Agriculture, Economic Development and Rural Political Economy	32
3.2 Science and Technology	35
3.3 Biological Resources and Bioprospecting in Thailand	37
3.4 Alleged Biopiracy Episodes and Misappropriations	46
3.5 Legislation and Bureaucratic Micropolitics	58
3.5.1 <i>The Constitution of the Kingdom of Thailand</i>	58
3.5.2 <i>Intellectual Property Laws</i>	59
3.5.3 <i>The Plant Variety Protection Act</i>	61
3.5.4 <i>Act on Protection and Promotion of Traditional Thai Medicinal Intelligence</i>	66
3.5.5 <i>Community Forests Bill</i>	68
3.6 Other Relevant Policies	71
3.7 Traditional Knowledge Discourse in the Bureaucracy	71
3.8 The Role of Civil Society, NGOs and Academics	74
3.9 Summary: Participation, Implementation, Transparency and Broader Promotion.	76
<b>4. THE KNOWLEDGE AND RESOURCES OF INDIGENOUS AND LOCAL PEOPLE</b>	77
4.1 Identity of Indigenous and Local Communities	77
4.2 Traditional Knowledge and Local Practice	88
4.3 Understanding Community Land Tenure and Related Customary Law	93
4.4 Summary: Developing Appropriate National Norms, Local Strategies and Activities	96
<b>5. DISCUSSIONS AND CONCLUSIONS</b>	98
5.1 Strategic Considerations for Traditional Knowledge	99
<b>REFERENCES</b>	101
<b>APPENDIX ONE</b>	<b>Chronology of the Community Forests Bill</b>
<b>APPENDIX TWO</b>	<b>Proposed Model Guidelines of Prior Informed Consent</b>
<b>APPENDIX THREE</b>	<b>List of Relevant Websites</b>