

V . Future Plans

CACSARC-kg is planning to collaborate with KYRGYZPATENT on a two-year project, *Intellectual Property in Business Based on Traditional Handicrafts*.

Project Purpose

To protect rights of all players in the handicraft business field (traditional community, bearers of traditional craft skills and knowledge, custodians, creators, producers, artisans, designers, promoters, and traders) and to create rules for the legal collaboration among them

Project Vision

Kyrgyz community should recognise the value and importance of its ICH, which should be protected, and legal regulations should be accepted by all players of the craft sector and beyond.

Project Objectives

To protect ICH and participate in creating regulations for IP rights based on ICH information building and sharing in the craft sphere of Kyrgyzstan

To create a fair legal space in the craft sector, to empower specialists by increasing their knowledge on ICH intellectual property rights, to protect their IP rights at the national and international levels.

CACSARC-kg will function as a supporting agency to provide information and services concerning ICH and IP rights in the craft sphere.

Project Procedures

The project should consist of several stages:

1. Research and collect information.
2. Discuss ICH and IP issues among the players of the handicraft sector (representatives of the local communities, artisans, designers, traders, etc.), lawyers, local IP specialists, international consultants, and the media

3. Work out the regulations for protecting ICH and IP-related rights in the process of information building and sharing.
4. Draft legislation and promote it at the parliamentary level

Anticipated Procedures

1. Identifying project participants
2. Inviting specialists
3. Organising research
4. Organising round tables with the participation of the main players of the craft sector
5. Organising wide public discussions through the media (TV, radio, and newspapers)

Recommendations

As issues of IP rights related to ICH are not much developed in Kyrgyzstan, we think that any activities concerning ICH information building, sharing and utilizing are very important.

1. First of all it should be organized national wide research on needs of IP rights belong to ICH: planning activities, selecting ICH objects to be investigated, undergoing prior consultation on an activity, conducting field surveys (interviews, recording, filming, etc.), purchasing data, receiving donations, etc.
2. As CACSARC-kg is most developed institution in Kyrgyzstan in terms of ICH information collecting and utilizing, we would like to be ready to provide our human and informative resources, in case if such research will be planned and financed by UNESCO.
3. National wide long term discussion should be organized with participation of the related institutions and Media. The topic of discussion should be all stages of IP rights in ICH building and sharing, as issues of: ownership; an approval or an agreement related to collecting ICH information; unauthorized adaptations; secondary utilization of information (such as broadcasting, advertising, publicity, etc.); intellectual property of the secondarily used information; secrecy, sacredness, or confidentiality under customary laws and practices of ICH material collected and problems regarding disclosure of secret information; bearers' Moral Rights; distributing commercially, and utilizing existing information for broadcasting, advertising, publicity, Sharing of Benefits etc.
4. Based on the research and discussion it should be worked up the policy of IP rights in all ICH Building and Sharing stages.
5. After analyzing the data, team of the specialists should be invited to develop guideline on protection of IP rights related to ICH, including access, control, and use Communities' Involvement, bearers' moral and

economical rights, terms of use of ICH Material; unfair use or misuse of ICH and infringement of rights and responsibilities, terms of licensing etc.

In terms of NGOs' activities, question of the use of ICH information for promotion or educational purposes is very important. For craftspeople and entrepreneurs it would be important to be able to use ICH as trademark, geographical indication, or Domain name.

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