

ASSOCIATION OF HAWAIIAN CIVIC CLUBS

A RESOLUTION

URGING THE UNIVERSITY OF HAWAII TO CEASE DEVELOPMENT OF THE HAWAIIAN GENOME PROJECT OR OTHER PATENTING OR LICENSING OF NATIVE HAWAIIAN GENETIC MATERIAL UNTIL SUCH TIME AS THE NATIVE HAWAIIAN PEOPLE HAVE BEEN CONSULTED AND GIVEN THEIR FULL, PRIOR AND INFORMED CONSENT TO SUCH PROJECT

WHEREAS, the University of Hawai'i's Pacific Biomedical Research Center's Hawaiian Genome Project, proposing to license the Hawaiian genome as the intellectual property of the Hawaiian people, is modeled after a similar project, which sold the rights to the indigenous peoples of Iceland to the Roche pharmaceutical company; and

WHEREAS, the Hawaiian genome represents the genetic heritage of our ancestors and is the collective property of the Native Hawaiian people; and

WHEREAS, no entity may seek to patent or commercialize any genetic materials of Native Hawaiians, including original samples, any cell lines containing copies of the original genetic sample, and data derived from these samples; and

WHEREAS, the Native Hawaiian people have not given their consent to licensing or patenting of our genetic material by the University of Hawai'i nor any other entity; and

WHEREAS, the principle of full disclosure recognizes the importance for Native Hawaiians to have disclosed to them, in a comprehensible way, the manner in which research is to be undertaken, how information is to be gathered and the ultimate purpose for which such information is to be used and by whom it is to be used; and

WHEREAS, the principle of free prior informed consent recognizes that the prior informed consent of all peoples and their communities must be obtained before any research is undertaken; and

WHEREAS, the Native Hawaiian people have the right to veto any program, project, or study that affects them; and

WHEREAS, the principle of confidentiality recognizes that the Native Hawaiian people at their sole discretion, have the right to exclude from publication and/or to be kept confidential any information concerning their culture, traditions, mythologies or spiritual beliefs and that such confidentiality will be observed by researchers and other potential users; and

WHEREAS, the principle of compensation recognizes that communities, including the Native Hawaiian community, should be fairly, appropriately and adequately remunerated or compensated for access and use of their knowledge and information; and

WHEREAS, the principle of restitution recognizes that where as a result of research being undertaken, there are adverse consequences and disruptions to Native Hawaiians, those responsible for all undertaking of research will make appropriate restitution and compensation; and

WHEREAS, the principle of reciprocity recognizes the inherent value to Western science and humankind in general from gaining access to knowledge and genetic materials of indigenous peoples and the desirability of reciprocating that contribution; and

WHEREAS, the principle of equitable sharing recognizes the right of indigenous peoples to share in the benefits from products or publications developed from access to and use of their

knowledge and genetic material and the duty of scientists and researchers to equitably share these benefits with indigenous peoples; and

WHEREAS, other indigenous peoples globally and regionally have declared a moratorium on any further commercialization of indigenous human genetic materials until indigenous communities have developed appropriate protection mechanisms;

NOW, THEREFORE, BE IT RESOLVED, by the Association of Hawaiian Civic Clubs at its 44th Annual Convention at Nukoli'i, Kaua'i, Hawai'i, this 15th day of November 2003, that the University of Hawai'i be urged to cease development of the Hawaiian Genome Project or other patenting or licensing of Native Hawaiian genetic material until such time as the Native Hawaiian people have been consulted and given their full, prior and informed consent to such project; and also be urged to establish a Native Hawaiian board to their existing Institutional Review Board that oversees and reviews all research protocol pertaining to Native Hawaiians; and

BE IT FURTHER RESOLVED, that the Association of Hawaiian Civic Clubs support Native Hawaiian efforts to educate the community about our rights and to work with the University of Hawai'i and other Hawaiian organizations to develop a University policy to ensure the protection of Hawaiian intellectual properties, traditional knowledge and genetic resources in all University of Hawai'i research and academic projects and programs; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be transmitted to: the University of Hawai'i Board of Regents, the President of the University of Hawai'i, the University of Hawai'i Office of Technology Transfer, the Pacific Biomedical Research Center, the University of Hawai'i General Counsel, and Dr. Charles Boyd.



The undersigned hereby certifies that the foregoing Resolution was duly adopted on November 15, 2003, at the 44th Annual Convention of the Association of Hawaiian Civic Clubs at Nukoli'i, Kaua'i, Hawai'i

A handwritten signature in cursive script, appearing to read "C. Boyd", is written over a horizontal line.

President