



HCR155/HR142

**URGING THE ESTABLISHMENT OF A NATIVE HAWAIIAN INTELLECTUAL PROPERTY
TASK FORCE TO DEVELOP A SUI GENERIS LEGAL SYSTEM TO RECOGNIZE AND
PROTECT NATIVE HAWAIIAN CULTURAL INTELLECTUAL PROPERTY, TRADITIONAL
CULTURAL EXPRESSIONS, AND GENETIC RESOURCES**

House Committee on Water, Land, & Hawaiian Affairs

March 27, 2019

9:30 a.m.

Room 325

The Administration of the Office of Hawaiian Affairs (OHA) will recommend that the OHA Board of Trustees (BOT) take a position of **COMMENT** on this measure.

OHA appreciates the intent of this resolution, which seeks to protect Native Hawaiians' cultural intellectual property, traditional cultural expressions, and genetic resources. This subject is of great concern to many beneficiaries of OHA.

Native Hawaiians continue to experience harms to their 'ike kupuna (ancestral knowledge, practices, and traditions) as a result of the existing western legal system that does not protect Native Hawaiians' cultural intellectual property, traditional cultural expressions, and genetic resources. The idea to develop a sui generis (one-of-a-kind) legal system to protect the cultural interests of indigenous peoples stems from the difficulty of relying on existing Western laws for that protection. Developing a sui generis system would be complex and intellectually challenging. Accordingly, OHA appreciates the legislature's exploration of ideas to address this complicated issue.

Mahalo for the opportunity to testify on this measure.

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Submitted on: 3/22/2019 1:23:17 PM

Testimony for WLH on 3/27/2019 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl	Individual	Support	No

Comments:

We shouldn't need this resolution but with the corporate infringement on Hawaiian words, culture and traditions, we do. We probably need a law.