

Cradle Principles on Knowledge Governance

Origin of the Cradle Principles

A group of copyright academics, stakeholders and computational researchers gathered for a policy retreat in the Cradle of Humankind, South Africa, February 23-25, 2024. The subject of the meeting was enabling African and other Global South uses of digital research tools without promoting “data colonialism” concerns, including wrongful uses of traditional knowledge and community-held information.

The retreat produced 5 principles, known as the the Cradle Principles on Knowledge Governance.



Cradle Principles

Knowledge Governance Systems

- **are composed of governmental regulations** from domains including international and constitutional law, traditional knowledge, intellectual property, media and telecoms law, privacy, competition and biodiversity. They also comprise cultural practices and norms, including traditional systems governing the use of community-held knowledge.
- **must promote the goals of sustainable development**, social justice and human rights, including rights to produce, receive and impart information; to create, produce, participate in and benefit from culture and science and to benefit from the protection of the moral and material interests resulting from scientific, literary or artistic production.
- **must provide balanced frameworks** that protect and promote access to information for research, scientific inquiry, analysis, translation, and preservation of cultures and languages, including through cross-border collaborations. Rights of researchers should extend to access and use privately-held information needed for the exercise of any fundamental right.
- **must promote the rights and interests of Indigenous peoples** and local communities in the knowledge economy, including rights to self-determination, inclusion, cultural integrity, data sovereignty, sustainable development and participation in decision making. Indigenous peoples and local communities must be able to actively participate in innovation, wealth creation, and research, and receive equitable access to the benefits arising therefrom. Researchers have a duty to respect and promote the custodian function of traditional communities over their knowledge and innovation systems.
- **must ensure sovereignty over knowledge resources** to combat unidirectional information resource extraction and misappropriation that aggravates inequalities and injustice in the ability to access information and knowledge, including by:
 - > preventing abuse and misuse of intellectual property rights or the resort to practices that unreasonably restrain trade, promote excessive pricing, or adversely affect the transfer of technology by rights holders;
 - > Giving due accreditation to custodial communities for any traditional knowledge or traditional cultural expressions generated from them;
 - > protecting against the commodification, misappropriation, enclosure, and dispossession of information by accumulation;
 - > striving to enhance functional access to digital resources, especially in the developing and least developed countries, and not escalating the digital divide, digital colonialism and other exclusionary tendencies in the global knowledge economy.

This vertical strip from the Berlin Papyrus contains several distinct scenes and symbols. From top to bottom, it features: a standing male figure holding a staff; another standing male figure holding a staff; a stylized tree or plant; a seated female figure next to a small shrine or altar; a reclining animal, possibly a cat; a winged figure, likely a deity or demon; a kneeling male figure; a row of four circular symbols; a row of four square symbols; a seated female figure; and finally, a walking male figure carrying a large bundle on his back. To the right of these illustrations is a continuous column of hieroglyphic text.

Each column represents a spectrum from the most permitted uses (at top) to the least permitted (at bottom).

	Purpose	Use	User	Source of info used
Protect / promote the use ^ 	Consistent with cultural integrity Contributes to, values traditional forms of innovation Inquiry Public / open science values Promotes equity, inclusion, development Contributes to technology transfer Participation Reciprocity	Interpretive Analytical / computational Benefit sharing	Non-profit, Local/African Previously Invisibilized (including informal sector) Indigenous people and community Emerging researchers from Global South Windowed users	Government produced Govt funded Publicly accessible Information Monopolies Needed to enforce fundamental rights (e.g. combat bias)
 v Restrict / Exclude the use	Extraction / wealth transfer (non-reciprocity, unidirectional) Cultural misappropriation	Commodification Substitution Unfair competition Information enclosure / Dispossession	Gatekeepers Multinational monopolies / oligopoly	Community-held Genetic sequencing Sacred and secret

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The Cradle Principles were drawn up at a retreat organised by the Program on Information Justice and Intellectual Property (PIJIP) at American University and the Black Stripe Foundation with Support from the Arcadia Fund.

The participants included:

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