

**ETHIO-AFRICA DIASPORA UNION
MILLENNIUM COUNCIL / LIMITED.
[E.A.D.U.M.C.]**

**A Ten Years Compilation
in Pursuit of International
Human Rights for Rastafari &
African Indigenous Groups in
Jamaica, [2006 – 2016].**

The EADUMC Agitation for Rastafari and African
Intellectual Property Rights.

The Executive Directors

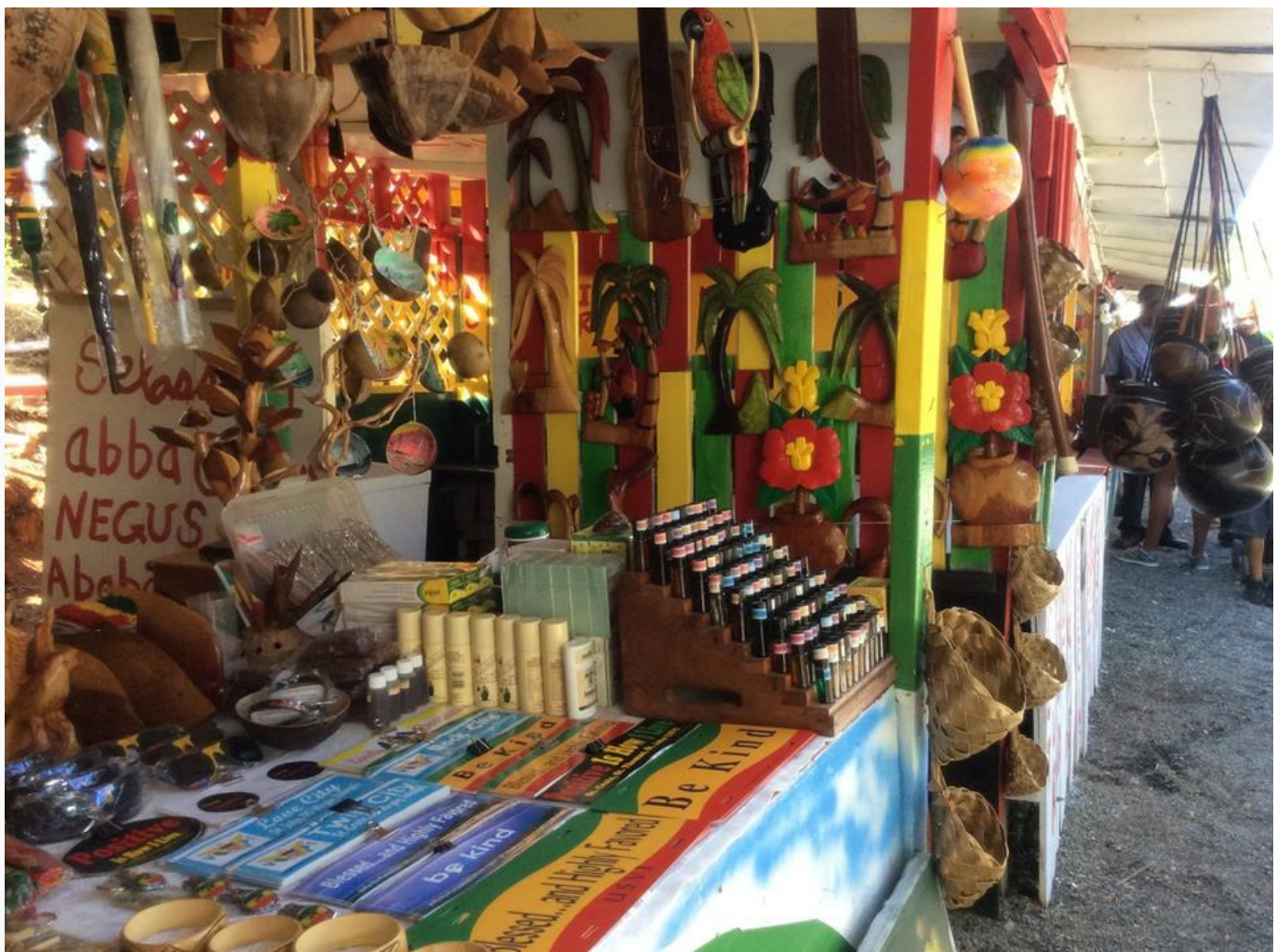
01-May-2016



**No other African Indigenous Group has set out to accomplish the enormous tasks to secure the International
Human Rights in the Restoration of Birth-Right and Ownership of Culture for a People
who were brutally abducted from Africa!**

Heritage Commodification

Heritage commodification is the process by which cultural themes and expressions come to be evaluated primarily in terms of their exchange value, specifically within the context of cultural tourism.^[1] These cultural expressions and aspects of heritage become “cultural goods”; transformed into commodities to be bought, sold and profited from in the heritage tourism industry. In the context of modern globalization, complex and often contradictory layers of meaning are produced in local societies, and the marketing of one’s cultural expressions can degrade a particular culture while simultaneously assisting in its integration into the global economy. The repatriation of profits, or “leakage”, that occurs with the influx of tourist capital into a heritage tourist site (including handicraft vendors, food vendors, basket makers, and several other items that are produced locally and rely upon tourist capital) is a crucial part of any sustainable development that can be considered beneficial to local communities.^[2] Modern heritage tourism reproduces an economic dynamic that is dependent upon capital from tourists and corporations in creating sustained viability. Tourism is often directly tied to economic development, so many populations see globalization as providing increased access to vital medical services and important commodities.^[3]



RASTAFARI CRAFT MARKETS

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1. Introduction

The Rastafari Community through the **Ethio-Africa Diaspora Union Millennium Council / Limited** aka **Rastafari Millennium Council** (RMC) has been the leading Indigenous/Local Community to advance their Human, Intellectual and Community Rights through a formal Indigenous Knowledge Holder System since the formation of the Council in 2007.

The initial Research & Development (R&D) to formulate this framework through the World Intellectual Property Organization incorporated the Maroon Community, and as we engaged the UNESCO Intangible Cultural Heritage (ICH) Inventorying workshop in 2013, the Revival Communities were engaged. The 2015 South Africa / Jamaica Bilateral Agreement was encouraged to be incorporated in the Ganja Industry developments, and all three communities were identified to establish joint Pilot Projects with South Africa to develop commercial indigenous Products And Services around Ganja and other component plants of the Nutraceutical Industry.

Indigenous Knowledge Systems (IKS) have attracted the attention of many people in both developed and developing countries. As policies and legislative frameworks are developed, the importance of both identifying and protecting Indigenous Knowledge (IK) is receiving increased attention from policy makers the world over. Countries such as South Africa, India, and Brazil have made significant strides already.

Despite the clear association with Heritage and Cultural Tradition, IK is very much at the cutting edge. For example, for the EADUMC/RMC the problem of how to define the ownership of Intellectual Property (IP) by a traditional community rather than by an individual or a company is exercising the finest legal minds nationally and internationally, and challenges the boldest policy makers. The role of IK in innovation in the pharmaceutical industry is also well-known. These complexities, together with the wide cultural range of stakeholders, have meant that the process of developing IKS policy by the agencies of the Government of Jamaica has taken longer than expected.

The RMC has over the last decade made significant negotiations with the Ministry of Industry, Trade and Commerce / IP; the Ministry of Youth & Culture through the Jamaica National Heritage Trust (JNHT) / Pinnacle - Rastafari Exhibit / Institute of Jamaica (IOJ); the Ministry of Tourism / Entertainment – TPDCO / Tourism Enhancement Fund (TEF); and the Department of Science and Technology with the Nutraceutical / Ganja Industry negotiations; Ministry of Justice - Ganja Sacramental Rights; and the University of The West Indies (UWI). These government departments and stakeholders, through the Ganja and Nutraceutical Industry will now be embarking on the definition and implementation of the policy.

Three key deliverables that will emerge from this process are the recordal system for IK, an IP System that reflects IKS, and the appropriate positioning of IK based businesses within small business development and international franchised trade and commerce.

The Cultural valuation of Indigenous IP is its recognizable contribution to the formal economy which is where Rastafari IP is the leading input. While directly connected to 'survivalist' activities in a history of hostile and marginalized societal pogroms, and understood as an 'undesirable element' that would gradually fade away, the IP of the community has become an important economic pillar and source of livelihood; and is positioned to alleviate poverty, increase employment, supply the formal sector and foster adaptation and innovation, not just in the confines of Jamaica, but globally.

For ten (10) years the EADUMC Ltd / RMC has led the way with institutional development and legal frameworks and responses to an active appropriating environment. The international footprint of this socio-economic phenomenon, having crossed international borders, is directly and philosophically connected to substantiating the spiritual and philosophical framework of Repatriation with Reparation by giving the Rastafari Community an activist trade and commerce commodity to trade with Africa, as has been envisioned from the initial Mission to Africa in 1961- 63.

While views continue to diverge because of stigmatization, whether the Rastafari Community's Repatriation agenda should be stimulated or suppressed to a 'national Brand Jamaica' identity, the issue of Caribbean Reparations inclusive of the Right of Return to Africa for those who wish to do so, makes for forthright negotiations as these rights are balanced with negotiations with the Government of Jamaica, private community members, and the private sector. For example, in Red Stripe's declared intent to use Reggae in trading in Ethiopia and Ghana; the local Ganja Industry branding vs. Marley Natural international ownership and trade; and 'Lion Pride / Lion Of Judah /Irie / Bob Marley' international rolling paper ('*RIZZLA* ') ownership that is on the major bus and bus stations – all through the metropolitan areas of Kingston and possible extending to international markets globally; All these marketing of Rastafari products, while the Rastafari Community in Jamaica has no right to even trade or sell its indigenous products as restricted by the declared Ganja Sacramental Bill.

A major Trademark opposition at the Jamaica Intellectual Property Office (JIPO) involving Snoop Dogg aka Calvin Broadus and his attempted registering of the Snoop Lion name and image that surrounds the breached agreement of the Rastafari Intellectual Property Contract designed and officiated by the RMC, using the Practice Notices instituted under JIPO that intuit the developing and use of IKS Policy, is ongoing.

The Government of Jamaica's (GOJ) continued intent on identifying 'Brand Jamaica' as the owner of 'Brand Rastafari' through its informal community and survivalist structuring has been met square on by the formalization and representation of the EADUMC Ltd. / RMC. The Indigenous imperative that informed the Council is being brought to bear by the collaboration with the South Africa Bilateral that identifies the continental and marketing value of the Rastafari Community being incorporated as a major community there and in other significant African countries. A company and PR program has already been formulated between the Rastafari Communities that has major commercial, trade and community exchange implications.

The Maroon Communities in Jamaica have also seen major international linkages with Suriname and Sierra Leone that augur well for deepening the IKS driven linkages to traditional communities and collectively, the interest of the African American and African Brazilian markets are also engaged.

This summary document of the EADUMC Ltd. / RMC is issued as a ten (10) Year overview of the activist agenda, incorporating ongoing internal and external community negotiations whilst plotting and networking a business platform using Rastafari IP in cultural products and services from a traditional community perspective. It comes also as a timely submission to the new GOJ and its agencies that have just been voted in, to spur a more compliant understanding of the value of giving the Indigenous Communities the proper placement in the national agenda by ratifying the Indigenous Rights Treaty. And, it's relevant governance mechanisms to move forward the mutual benefits for Jamaica as the leading AFRO-descendant Nation in the Western Hemisphere with the largest impact in the African spiritual, philosophical, cultural, social, political, and economic spheres on behalf of its people in particular the Rastafari Community.

The Executive Directors of the RMC.



Prime Minister – the Hon. Ralph E. Gonsalves, the EADUMC, and Jamaica’s National Commission on Reparation Reps. in Attendance at the 1st CARICOM REPARATION CONFERENCE in St. Vincent and the Grenadines – September 15th – 17th 2013.

Overview of Intellectual Property Rights – Maxine Stowe.

This is an overview of the Intellectual Property Rights for the Rastafari Community, how it evolved focusing on the general framework that it emerges from in relations to governance, ownership and collective mechanisms of administration.

It tracks the Community/State/Global administration as it maps the pattern of cultural development and dissemination of the Faith and its influences.

The last quarter of the twentieth century witnessed an unprecedented pace of activities in the area of legal protection of folklore. Developing countries considered folklore as an important component of their cultural heritage and perceived the threats posed by its improper exploitation as a matter of grave concern. Realizing the magnitude of the problem, efforts were made by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Intellectual Property Organization (WIPO) to find out a long-lasting solution through a mechanism for protection and preservation of folklore. This resulted in the formulation of Model Provisions for national laws relating to legal protection of folklore. Some national governments enacted legislation based partially on these Model Provisions adopted by UNESCO and WIPO, namely the Model Provision for National Laws on the Protection of Expressions of Folklore against Illicit Exploitation and Other Prejudicial Actions, 1982 (“the Model Provisions”).

1. Verbal expression (expression by words)

2. Musical expression

3. Expression by action

4. Expression in tangible forms

Technological developments have always had their impact on the intellectual property regime. Newer forms of exploitation facilitated by modern technologies, especially in the fields of information technology and biotechnology, posed new challenges for the protection of folklore. Realizing the sentiments of the member countries, WIPO launched certain new initiatives as reflected in its Program and Budget for the biennium (1998- 1999) for exploration of the issues relating to intellectual property rights of holders of indigenous knowledge.

The Ethio-Africa Diaspora Union Millennium Council (EADUMC) Limited integrated the Model Law Provisions for the Rastafari Community in its development and registration in 2007.

Competent Authority

Section 3 of the Model Law Provisions speaks of the utilization of the expression of folklore with the authorization granted by the ‘competent authority’ or the ‘community concerned’ leaving the option for the nations to have flexibility, as per their general legal system.

This has been the main framework of R&D and Advocacy of EADUMC aka RMC with the formation of a Community Trust (RasTafari Trust Fund - RTTF), and IP Contract and Framework (Rastafari Intellectual Property Authority - RIPA), and has sought from JIPO the designation of the ‘competent

authority’ where the national framework is to have a ‘competent authority’ designated for such purposes. Such capacity and building was inferred in the IP Application to UNESCO Partnered by JIPO in 2013.

The competent authority designation request would grant authorization as per **Section 3**, receive applications for authorization as provided for in **Section 10** (1), and fix and collect fees whenever applicable. There is provision for appeals against the decision of the competent authority in **Sections 10** and **11**. These actions are engaged in the Snoop Lion Trademark Opposition at JIPO.

With regard to the supervising authority, the Model Provisions provide that this authority shall establish or approve of the tariffs proposed by, say, the competent authority.

If the legislation of the nation concerned decides that the community concerned should deal with the authorization, fees payable, etc., the community would act as the owner of the expression of folklore. In such cases there may not be any supervisory authority. EADUMC has enacted and managed these provisions in the absence of formal recognition based on marginalized views of State organs and has built this up with the WIPO/JIPO engagement.

It is to be noted that the entity entitled to authorize utilization has been referred to as ‘competent authority’ and ‘community concerned’, as against the term used in copyright parlance, ‘owner’.

This leaves enough room for the nations to decide as to who should be designated as the owner of the expression of folklore. Ownership can be vested in the State, a local body, the community itself, through any other authority found suitable, or through other functional arrangement. Rastafari IP clearly cannot be vested in the State.

Section 10: Authorization

The modalities for the granting of authorization for utilization of expression of folklore are provided in **Section 10**. It also provides for use of the fees collected for the promotion and safeguard of the national culture/folklore. This has been the mainstay of the position with the Ganja Bill.

Those who want to utilize the expression of folklore must make an application in writing to the competent authority or the community, as the case may be. The words ‘in writing’ have been put in bracket indicating the hesitation whether oral applications should also be considered. Again, the authorization can be individual or blanket, depending upon whether the use is of an ad hoc nature by the individual or whether it is for customary uses by an organization, theatre, ballet group, etc.

This section can also accommodate provisions relating to non-voluntary licenses applicable in the case of copyright protection. The particulars to be given by the applicant.

Section 13 ensures that the protection rendered under the Model Provisions should in no way be a barrier to the normal use and development of expressions of folklore. This is to safeguard the interest of the community’s desire to use and develop its expressions of folklore. In fact, the spirit behind this provision

is that the community which has developed and maintained an expression of folklore should be free to use it, if the use has been recognized by the community as legitimate.

Every nation claiming to be a part of the civilized world is proud of its cultural heritage. Folklore is probably the most important and well-acclaimed component of the cultural heritage of a nation. It can reflect the essentials of a nation's cultural attributes as in a mirror and is recognized as a basis for its cultural and social identity. Nations all over the world are quite possessive about this valuable heritage and express very strong sentiments about the management of the rich resource.

Respect and regard for products of human creativity, ingenuity, and talent have always been part of human civilization. However, the need for protecting intellectual property as a right of the creator was unknown to the patrons of creativity. In fact, the basic cultural premise was that knowledge and the fruits of learning are God-given and should be shared for the benefit of the community. The need for protection of intellectual property (IP) arose as a direct consequence of its potential for exploitation for economic benefits.

There was no need for providing for 'neighboring rights' or 'related rights' until phonographic and broadcasting techniques caught up with the world and put at stake the economic returns of the performers and producers of phonograms. The concept of protection of folklore too has a similar history. Technological developments in the 1980's especially in the fields of sound and audiovisual recording, broadcasting, cable television and cinematography, posed a global threat to the hitherto sacrosanct world of cultural heritage. Expressions and elements of folklore were subjected to wide-scale commercial exploitation without any economic benefit flowing to the community who were the creators and preservers of the folklore. Minimal respect or regard was shown to the custodians of the folklore in the worldwide commercialization process. As a progressive marketing strategy many of the exploiters resorted to mass-scale distortion hurting the cultural and social and even religious sentiments of the communities who had preserved the elements of folklore for centuries as their precious possessions.

The revolutionary changes taking place in genetic engineering pose new threats to folk science and technology. The hitherto unexplored fields of folk medicine, folk agricultural seeds, plants, etc., are subjected to scientific analysis for the creation of new products based on biotechnology. The new products are protected under the modern IP laws based on the agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) thus lack of protection for folklore is increasingly noticed.

Commercial exploitation of folklore has been viewed as a threat to cultural heritage mainly in the developing countries. The perception of some of the developed countries in this regard is one of pragmatism and based on the notion that expressions of folklore with origins dating back to the distant past, have fallen into public domain and are outside the purview of protection.

This view is perhaps the result of a mindset more in tune with the existing laws on IP conceptualized during the industrial revolution to safeguard the interests of the commercial exploiters of new products of intellectual labor. As a result, a legal system for protection of folklore against commercial utilization was not a practical or emotional necessity for these nations. However, a totally different viewpoint was

available in the developing world which perceived commercial exploitation of folklore outside their community, without adequate recompense, as a moral, cultural and economic wrong.

Since the traditional attitude of the societies was to keep folklore as part of the common heritage of the community without individual ownership, there were no formal or informal (customary) laws in many developing countries which specifically bestowed ownership rights of folklore on any community or group of persons and prohibit its commercial exploitation without their consent. The concept of private property rights, whether collective or individual, over a common heritage is anathema to the traditional societies. This leads to the commercial exploitation of the folklore by the members outside the community even within a nation.

The strong sentiments of the developing countries on the need for a legal mechanism for the protection of folklore, found expression when many countries in the African continent made appropriate provisions within their copyright laws. An international treaty, i.e., the Bangui Agreement (March 2, 1977), which establishes the African Intellectual Property Organization (AIPO), reflected the collective thought of many of the like-minded nations.



Maxine Stowe – Director & Int. Consultant for EADUMC Ltd., commenting at the 1st CARICOM Conference on Reparation in St. Vincent and the Grenadines

THE CARIBBEAN COMMUNITY

CARICOM REGIONAL CONFERENCE ON REPARATIONS

ST. VINCENT AND THE GRENADINES

September 15th – 17th, 2013

Repatriation and Reparations

FORMAL GREETINGS & INTRODUCTION:

The Ethio-Africa Diaspora Union Millennium Council *aka* The Rastafari Millennium Council (RMC) emphatically welcomes the decision by the Caribbean Communities - CARICOM, Heads of State to pursue the agenda on Reparations through the initiation by its future Chairman - Prime Minister Ralph E. Gonsalves in accordance with the declaration at the United Nations World Conference Against Racism (UN'WCAR) held in Durban, South Africa 2001. We are equally pleased that 168 Nations had ratified the Durban Declarations and have set about establishing National Reparation Committees.

From as early as the 18th Century there was always an advocate for the repatriation of African slaves to their ancestral land. The immigration of African-American, Caribbean, and Black British slaves to Africa occurred mainly during the late 18th century to mid 19th century. In the cases of Liberia and Sierra Leone both were established by former slaves who were repatriated to Africa within a 28 year period. The repatriation of African American slaves and freed persons to Africa was first advocated by the American Colonization Society (ACS), founded in 1816 by Charles Fenton Mercer, of which Thomas Buchanan (brother to future president James Buchanan) was a member. This soon developed into the **Back-to-Africa Movement** also known as the **Colonization Movement**. Other notable members of the ACS includes Thomas Jefferson, James Monroe, Abraham Lincoln, James Madison, Daniel Webster, John Marshall, and Francis Scott Key. Noted repatriates are:

- Joseph Jenkins Roberts - first President of Liberia and founding father
- Thomas Peters (black leader) - African American Black Loyalist leader and founder of Freetown, Sierra Leone
- William Coleman - President of Liberia
- Stephen Allen Benson - President of Liberia
- David George - African American Baptist preacher
- Boston King - African American Methodist missionary
- Henry Washington - African-born slave to first U.S. President George Washington
- Daniel Coker - African American missionary to Sierra Leone
- Edward Jones (missionary) - American missionary to Sierra Leone
- Edward J. Roye - President of Liberia, and first president from the True Whig Party

What history has recorded was that all attempts for repatriation were driven by economics - a chance to make a better life on the continent. It records that those who opposed repatriation insisted that America could provide those conditions and would rather struggle to obtain

equality instead. Also Liberia leaders at that time were very cautious in receiving massive influx of repatriates with their proposed provisional governance. It was clear that the colonial industrial systems were adamant that Africa's resources must remain in their control.

The struggle to gain sovereign rights over our own continent developed into bitter confrontations. Thus Ethiopia with her sovereign His Imperial Majesty (HIM) Emperor Haile Sellassie the first (I) became the pivotal example for liberation and international morality. A clear example of how savage the opposition forces were against the Back-to-Africa movement was displayed through the persecution of Marcus Garvey – the Provisional President of Africa, and his Universal Negro Improvement Association (UNIA).

What is very important to note is that reparations for colonialism and slavery atrocities were never pursued by these Back-to-Africa movements!

It was because of these persistent interferences and destructive elements towards repatriation why the Rastafari Communities in Jamaica and worldwide have advocated for repatriation with compensation since history clearly records the persecutions Africans encountered in establishing their own economic platforms; and only by reparations can these imbalances be finally resolved.

The Rastafari Movement itself was even targeted and brutally persecuted by both the colonial and local governments from as early as 1937 for our Afro-centric principles and Back-to-Africa stance to the point that there were even directives by the governments to 'kill on sight.' The Coral Gardens massacre of 1963 is edged in Jamaica's history. It is for these reasons that one particular Mansion – The Ethiopia Africa Black International Congress founded by King Emmanuel Charles Edwards, registered its Organ within the United Nations (UN) in 1967 and championed the cause for these violations against Human Rights. Indeed, it is the first recorded protest within the UN by a group for human rights violations which was the prelude to the recognition of slavery as seen as a crime against humanity leading up to the Durban Declarations.

The major Mansions had submitted documents at the Rastafari Global Reasoning in Jamaica, 2003 which the RMC has woven into our draft Position Paper – **The Rastafari Nation Fundamental Rights for Repatriation and Reparations** which also presents a chronology of our agitations and persecutions. It essentially addresses two factors in the UN'WCAR Durban Declarations' Programme for Action as outlined in Paragraph 158:

- **Restitution of art objects, historical artifacts and documents to their countries of origin, in accordance with bilateral agreements or international instruments; Trafficking in persons, particularly women and children;**
- **Facilitation of welcomed return and resettlement of the descendants of enslaved Africans;**

Whereas other Afro-centric Groups and National Reparation Committees have indicated other factors outlined in Paragraph 158 as their primary objective, the RMC is guided by the current Laws against Human Trafficking (modern slavery) and the precedent established by the formation of the State of Israel through reparations – the Nuremburg Trials. Base on these, we insist the need for what we call the "**Parental Value**" to be emphasized within the African and its Diaspora deliberations not as an **option** but as a **prerequisite** for reparations claims. We

refer to the **Legacy Project** presented by the Africa Union (A.U.) that was drafted at the Global African Diaspora Summit (GADS), South Africa 2012 as a developing roadmap that could shape CARICOM policies to the AU:

- (a) The production of a skills database of African professionals in the Diaspora;**
- (b) The establishment of the African Diaspora Volunteer Corps;**
- (c) Establishing the African Diaspora Investment Fund;**
- (d) A program on the Development Market-place for the Diaspora as a framework for facilitating innovation and entrepreneurship among Africans and the Diaspora;**
- (e) The establishment of a Remittance Institute;**
- (f) A Diaspora Advisory Board is to be established that will address Reparations and the Right-to-Return for Africans in the Diaspora.**

We strongly believe that it is prudent before any other reparations submissions by Countries populated by Black Peoples, the restoration of Africa's holocaust must be the concurrent priority as the evidence for reparatory JUSTICE to be fully served! Without going into specifics, the Parental Value outlines three fundamental Rights that have to be addressed because of the horrific tragedy that Colonialism and Slavery created:

- (1) References to the current Laws against Human Trafficking which addresses modern slavery;**
- (2) African Cultural Heritage retentions throughout the Diaspora;**
- (3) African dual Citizenry.**

In short, Nations will have to address the Rights of Indigenous Peoples (Natives) who were invaded, murdered, and dispersed by colonial slavery and whose lands were forcibly replaced by our fore-parents. Nations will have to address how our fore-parents acquired a new nationality without acknowledgment either through **Marriage Dowry** or **Sale of Birthright** whereas Indentured Servants in the same lands maintained their identity hence their dual citizenry.

Understandably, Caribbean countries are embracing their Diasporas even those born in a foreign land through Caribbean Parenthood, to broaden economic ties. So likewise our ancestry should also be re-embraced for the very same reasons. How can one embrace ones offspring and not ones ancestor; are they not the same genes? What is therefore really needed through reparations is a massive Educational Programme to sensitize the majority African populace in the Caribbean about their ancestry's grand cultures before the onslaught of colonialism and slavery to remove all stigmas on African Cultures - re connecting our umbilical heritages. The achievements of H.I.M. Emperor Haile Sellassie I - Father of the liberated Africa and the Hon. Marcus M. Garvey - Father of Pan-Africanism must be greatly emphasized and their Philosophies and Opinions becoming our blueprints!

We take note that the £20 million compensation paid to owners effecting Emancipation was addressing primarily the cost of transportation imbedded in the sales value of our fore-parents with the mark-up value representing their net worth - nothing to do with wages! Their net worth can assist in evaluating wages as well as the comparison to the indentured labour force. Prof. Sir Hillary Beckles in submitting the Caribbean's Case to Britain presented a valuation if Britain were to pay 2 million enslaved Africans at the lowest wages in the 18th & 19th Centuries including the value of trauma and loss of assets; it would amount to £7.5 trillion at 2005

reevaluation.

Several attempts were made to attain reparations after the premeditative destruction of the Pan-African movement. The most significant being the Back-to-Africa Mission of 1961 sponsored for £12,000.00 by Premier Norman Manley. A Bond proposal of £300 million to resettle the entire African population was made to the Queen by Mr. Scarlett – leader of the 1961 delegation. It was alleged that the Colonial Secretary – Mr. Ian McLeod, stated Her Majesty would repatriate Africans from her Caribbean Colonies with £140 million for resettlement if Africa wanted us. This matter needs to be thoroughly investigated!

Africa's reclaiming her children was re-emphasized by Emperor Haile Sellassie I during His visit to Jamaica in 1966 where He offered a seat within the then Organization of Africa Unity (OAU) to connect Jamaica and the Caribbean into African liberation and re-development. We thank the Right Hon. Prime Minister Portia Simpson-Miller as a mark of the O.A.U. and Jamaica's golden 50 years celebration, for appointing a representative for Jamaica within the A.U. in 2013. It is quite fitting that this is occurring under the JUBILEE celebrations as under this Law of the Land, "all servants must be returned to their families and possessions."

The countries of the world are now facing a new era for global trading described as Globalization orchestrated by the Bretton Wood Institutions. Colonialism and Slavery was driven by capitalism, and **GLOBALIZATION** now threatens a new surge of capitalism by neo-colonialism that is reshaping following the post Independence era. With the emergence of South – South viable Trading and an upsurge in the African Nations economies along with vast international investments, the very near future of Africa rising as an economic force is inevitable! CARICOM should therefore make every effort to strengthen the A.U. 6th Region Diaspora initiatives and capitalize on the framework of the Legacy Project from the GADS. Culture Tourism, Exchange Programmes, etc, even Trans-linkages – the Hub between the United States trading into Africa which is fast becoming a reality, have to also become CARICOM economic future. The Africa, Caribbean, and Pacific Group (ACP) of Nations must take advantage of these developments. The important factors in all of this are the **Bridge Builders**, and this is where THE REPATRIATES are going to, even unconsciously, become the major influence in cross-trading. Rastafari as one African Group is already shaping these realities with emerging villages on the continent.....

The European Union (E.U.) has to abandon preferential Trade Agreement with their former colonies because of new trading Laws orchestrated by the World Trade Organization (WTO). This has caused the E.U. to establish a new market field for sustainable trading in Creative Industries. It is already impacting on Indigenous Communities in the Caribbean whose Culture value have already been targeted and exploited. The RMC is countering this by creating Intellectual Property Policies endorsed by the World Intellectual Property Organization (WIPO) to develop its own Intellectual Property Authority as a means of establishing economic partnerships with governments. We have just concluded a UNESCO workshop on Intangible Cultural Heritage for African Retention mapping incorporating Rastafari Culture and our creative transmitter Reggae.

Rastafari have been the vanguard for African Liberation and now culture protection and therefore should be partnered by all the Caribbean Countries through CARICOM to be the

educational and promotional force to sensitize the peoples on Reparations, but must first be defended by this CARICOM initiative in our self-determination within this region.

Reparations for the atrocities committed against Rastafari by the State must be paid!

Caribbean leaders facing these WTO new Laws to begin from 2015 are now establishing branding mechanisms to capitalize and challenge this global market space that will show no mercy to developing countries. The Executives of the RMC are advancing within these realities to ensure that the Rastafari Communities reborn in Jamaica moving into the Caribbean with our vast Culture value, will not become assimilated within any colonial cultures because of these economic hostilities, and are determine that our policies and position papers by law re-integrate us within the foundations of our Divine Ancestors in accordance to our Divine Rights i.e. to say within the A.U.! We conclude with the prophetic utterance of H.I.M. Emperor Haile Sellassie I at the Belgrade Conference in 1961: **“If we turn to one or another of the major power groups, we risk engorgement, that gradual process of assimilation which destroys identity and personality.”** The Hon. Marcus M. Garvey emphasizes this: **“Take away INDUSTRY from a people; Take away their POLITICAL FREEDOM and you have a GROUP OF SLAVES!”** We dire not make this mistake, TWICE!

Give thanks and Praises! – (Presented by Prophet Greg)



The EADUMC Representatives – (Front, L – R) Maxine Stowe; Hon. Bunny Wailer; Prophet Greg – in Attendance at the 1st CARICOM REPARATION CONFERENCE held in St. Vincent and the Grenadines – September 15th – 17th 2013.

COLONIAL DOCUMENTS ON RASTAFARI 1937

COLONIAL DOCUMENTS ON THE RASTAFARI MOVEMENT #1

January 25th, 1937

To:-

His Excellency Sir Edward Denham G. C..M. G. K. B. E.
Captain General & Governor in Chief in and over
The Island of Jamaica & Its dependencies.

May it Please Your Excellency:

I am directed by the Officers and Members of the Kingston and saint Andrew Civic league to bring to the attention of Your Excellency as Chief Executive of this island the activities of a most pernicious and demoralising Cult operating in this Island known as the Rasta-farian Cult: and which Threatens to create in this Island a most serious and far-reaching State of affairs with very detrimental affects if steps are not immediately taken by government to stem the rising tide of this blasphemous and Indeed sacriligious movement.

Your Excellency perhaps is unaware of the teachings of the would be leaders of this movement, which has suddenly besieged this beautiful Island of our's and which threatens to resurrect the causes which led up to the unfortunate Incident of 1865 by the abominable doctrine of SKIN FOR SKIN AND COLOUR FOR COLOUR being inculcated in the minds of the Ignorant and hot-headed masses of this Colony who for the most part can be easily driven to any extremes at this present time owing to the evils of unemployment, and privations. Perhaps we may be doing a service to our Country to Enlighten Your Excellency as Chief executive of this Country by setting out in brief the principles and usages of this Organization, the leaders of which having been recently driven from the Parish of St. Thomas seeks to establish a haven in the Metropolis - the Gateway of the Island:-

- (a) The Chief teaching of this obnoxious Cult is to the effect that The Exiled emperor of Ethiopia Haile Selasie Is in himself JESUS CHRIST who has returned to earth in Mortal Form: The truth of this is further borne out by the Prayers and Hymns of adoration to this supposed Diety sung by them at their Street Corners Meeting.
- (b) The Propagation of racial hatred and prejudice having regard to the recent Italo-Ethiopian War.
- (c) The abuse of Constituted Authorities, The head of both Church and State, and the total condemnation of all Christian practices, and Worship.
- (d) The setting of Class against Class, and Colour against Colour.
- (e) Inculcating in the minds of the masses the wicked Idea that there is an unholy

conspiracy between Church and State and capitalist in the Country which is responsible for their poor condition.

These in a nutshell Your Excellency are the kind of teachings that are being disseminated at the Street Corners of this Metropolis night after Nights, accompanied with frequent disorder at these Meetings due to Interruptions from persons of other faith and belief.

your Excellency will readily realize the danger of such a teaching in a Christian Community, a teaching which indeed is as dangerous as that of Soveit Russia: Men and Women in this Community who love their Christian teachings and precepts are certainly not going to tolerate for much longer the open defiance of God, and a Campaign of Atheism as is known only to barbarians to be foisted on the Inarticulate youth of the Country whose minds are being poisoned by this blasphemous and Intolerable doctrine: We respectfully beg to bring this matter forcible to the attention of your Excellency as we can see looming in the distance a state of affairs which will not spell well for the fair and hitherto unsullied name of this Island of our's: We are afraid that these highly inflammable doctrines, particularly that of SKIN FOR SKIN AND COLOUR FOR COLOUR will do an incalculable amount of harm to the future progress and well being of the different race of people inhabiting this Island.

We desire to bring forcible to the attention of Your Excellency the Evil effects of doctrines of this kind as far as the future men and Woman of this Island are concerned: it must not be lost sight of that these boys and girls whose minds are being polluted and whose Morals are being demoralised should be protected from cults of this kind. Particularly, if this is not done then all our money spent on education is an absolute waste.

There is still another aspect of this matter which we desire to bring to the attention of Your Excellency in this connection, and that is the large number of Lunatics cared for in our Mental Institutions each year, who are great and heavy burdens to the Pockets of the Taxpayers who are being sent to prison for None payment of Taxes, a large number of our Lunatics are from this group and the adherents of other Cults in this Community, indeed the entire Island who became fanatics and mentally and Morally depraved through the teachings of this type.

We desire to bring to the attention of Your Excellency that the Leaders of these Cults are only imbued with an insatiable lust for the accumulation of easy riches, and seeks

to achieve their dreams by exploiting and preying on the Ignorance of the Masses who through sheer force of poverty are driven by every ill wind that blows: the matter could perhaps be ignored but for the fact that a large number of Children from the age of 8 to 16 are being led like sheep to the Slaughter bowing before the shrine of Ignorance and superstition, yea Idolatry of the worst type in this Civilized and enlightened era.

We pray that your Excellency will take up this matter with the Corporation and urge upon them to enact regulations whereby no Meeting can be held on the Streets unless a permit is secured from the Mayor, until proper Legislative enactments are made to Cope with the situation, if Your Excellency is not endowed with the Necessary Power in Privy Council to prohibit these Meetings and end the further exploitation of the Masses.

We have the honour:

Sir, to be

Your Excellency's most obedient

TRANSCRIBED VERBATIM FROM THE COLONIAL RASTAFARI RECORDS



EMPEROR HAILE SELASSIE PREVAILS!

FORMATION OF THE E.A.D.U.M.C.

aka RASTAFARI MILLENNIUM COUNCIL (RMC)

1. Formation of Council – Background

The formation of the EADUMC Ltd. is rooted in a history of RASTAFARI Governance mechanisms from 1958 with the formation of the African National Congress and has gone through various historical transformations related to political, social/cultural and economic changes in the status quo. The most significant economic socio-cultural economic agent has been the IP of the Community's engagement in the Jamaica popular music industry. With this industry not having a proper legal framework grounded in Jamaica and having developed this majorly in the diaspora markets, it has transmitted the culture unprotected and where the culture has become the primary agent for business growth in Festivals globally and been taken up as a 'generic descriptor' for global use in lifestyle industries. The largest community enterprise in the Bob Marley brand is itself rife in IP cultural misuse, not just of RASTAFARI but significantly also that of the group The Wailers incorporating the three individual members history.

Since 1983, in response to the death of Bob Marley and the increasing use of merchandise in lifestyle industries, the Rastafari Community focus has been on the creation of policy and enterprises to manage this. Because of the lack of IP policy in Jamaica and internal differences within the traditional and reggae communities, this was not possible.

The convergence of interests came together under 'Brand Jamaica' and the attempts to manage the music/cultural stakeholder interests IP. More precisely the Reggae Museum project and advocacy has been the major catalyst for the definition of the community IP as a major stakeholder in that industry. This resulted in research and development done by WIPO Expert Roger Chennells from South Africa and later incorporated IP Musicologist, Rob Bowman from Toronto, who was instrumental in providing R&D on Reggae Museum processes as also later incorporated as a WIPO Expert to do R&D on music/culture IP.

This created the convergence of those interests in 2007, where WIPO became directly engaged with the Rastafari Community through the formation of the Millennium Council and a dual advocacy emerged with WIPO and JIPO. This was further extended to UNESCO ICH through workshops and a IFCD Application process.

Report by Roger Chennells

Consulting with Indigenous Peoples Organizations in Jamaica

BACKGROUND

The Ethio Africa Diaspora Union Millennium Council together with the Jamaica Afro-centric Commission invited me to attend a forum from 17th to 21st July 2007 on Indigenous Intellectual Property and Collective Trademarks. The purpose of my visit was briefly to advice on intellectual property and governance aspects of indigenous or traditional knowledge holders.

18th July 2007 introductions

I met briefly at the end of the day with the organising committee and with Paul Regis, from WIPO, who had provided the initial training on the international legal context, as well as working through the practical issues (a questionnaire on establishing effective systems for protecting indigenous IP) that needed to be completed by the Rastafari and Maroon representatives as a first step towards protecting their intellectual property.

19th July 2007 WORKSHOP

I met with representatives of the Rastafari and the Maroon cultural movements for an afternoon workshop. It was agreed that I would not engage directly on issues related to the Jamaica branding, the Millennium celebrations, Repatriation and Reparations, all of which are relevant and currently being debated. My focus was agreed to be the practical steps that are required in order for an indigenous organisation to become institutionalised, and to create a centre of governance, in order to actively protect its legacy and intellectual property.

During the workshop I provided delegates with some historical and contextual background on relevant international law, the indigenous peoples movement, and in particular how the indigenous peoples of Africa had finally, after many years of helpless struggle, taken the first steps to protect their heritage. IPACC was formed in 1997 to represent and protect the indigenous peoples of Africa, with a Trust and a formal NGO based in Cape Town.¹ The San peoples had after many years of working separately, formed an international Council called WIMSA² to act for the seven totally different tribes, which was committed to inclusive representation and good governance.

Practical steps to be taken to create governance structure

It was described how WIMSA took the following practical steps

1. The founding gathering of leaders drafted and agreed on a WIMSA founding constitution dedicated to unity. The document was designed to ensure fairness and amongst the different groups (ie each group, large and small, carried equal weight on Council) with the knowledge that without unity, the entire cause would be lost.
2. WIMSA Council formed a service agreement with an NGO called SASI³, which was dedicated to advancing the cause of the San, and which was able to raise the funds to employ the necessary resources. (such as fundraisers, lawyers, anthropologists, development workers)
3. The WIMSA Council leaders received training on governance, knowing that this was a new concept to them. As part of their training they were shown how to prioritize the problems that they faced, and then to appoint subcommittees with a mandate to work on and resolve the various problems. Examples of the subcommittees used were intellectual property, tourism and business, financial and fundraising, etc.
4. WIMSA then took steps to resolve important issues in principle, to prevent possible disagreement at a later stage. For example the Council decided that heritage was indivisible, and belonged equally to all San, in every country. The Council drafted simple contracts to be used by all leaders

¹ IPACC website www.ipacc.co.za

² WIMSA (Working Group of Indigenous Peoples in Southern Africa.)

³ The South African San Institute sasi@iafrica.com www.sasi.co.za

when intellectual property was an issue, and acquired training for the leaders. A protocol was agreed in advance regarding the division of all money received from heritage, knowledge or intellectual property. In short, they prepared themselves by becoming an institution capable of asserting and reclaiming their heritage and IP rights. Continuous efforts were made to ensure that the Council members reported back to, and retained the trust of their constituencies. As the work of the Council became known, in asserting its rights, the attitude towards the San of governments and private sector turned to one of respect.

I explained to the delegates how the San then successfully challenged the rights of the CSIR and Pfizer Inc in 2001, after the CSIR had obtained a valuable appetite suppressant patent based upon knowledge stolen (without 'prior informed consent') from the San. Because the San had the right structures in place, namely a sound governance structure with active subcommittees working on different important issues, they were able to move quickly to negotiate and secure a commercially significant victory. Currently they anticipate receiving many millions of dollars as from the end of 2008.

The workshop participants all accepted the need for their Councils, both the Rastafari and the Maroons, to follow a process approximately as outlined above. The participants were then asked to provide guidance to the Council by firstly providing a list of the problems or priorities which should guide the energies of their Councils, and secondly providing a set of rules or values that should guide the Council members in their work.

It was emphasized that the formation of a Council under a newly drafted constitution was merely the first, but most important step of a long journey, which would include much education and development within the new leadership group. The four groups (one of the Maroons and three from the Rastafarians) provided very useful guidelines on these points, which are separately collated, and which provided evidence of much consensus on the issues. In principle, the assembled participants were fully supportive of the practical steps that needed to be taken, but it was accepted that it will be a long political process, and that 'buy-in' is required by all important stake-holders in each community.

Broad summary of the results of the group discussions

Question 1: Problems and Priorities

- 1 Protection of Heritage, legacy, intellectual property. Reclaim of rights, both legal and moral rights; prevention of further abuse, misrepresentation, division; create policy and take action to maximise IP
- 2 Establish sound trusted governance structure to provide leadership. This governance must create unity, must be inclusive, not divisive, and must acquire the authority to speak to all on behalf of the people
- 3 Tourism and other economic aspects of the group to be effectively managed in such a way as to provide fair benefits for all, and not to lead to jealousy and division.
- 4 Lack of respect is to be addressed by Council asserting rights to 'speak with one voice' on behalf of the people, on issues such as repatriation, reparations, tourism, sovereignty, etc.
- 5 Financial governance is a problem. A trust should be registered to ensure that all moneys received are properly accounted for.

- 6 Lack of capacity. The need for a dedicated body (NGO) which has the capacity to raise funds, employ consultants, facilitates development on behalf of the people.

Question 2: Rules or Values that should guide the Council/ Secretariat

- 1 Inclusivity should be the aim, and not exclusivity. The governing body should be a force for unity, and should be supported and respected by its members.
- 2 Collectivity is a guiding principle. As indigenous peoples the culture and legacy that we protect belongs to all. The Council must strive to emphasize that point.
- 3 Worldwide governance. The Council/ Secretariat should be seen and known as the overall body that represents and speaks for all of its community.
- 4 Elders are holders of the culture and heritage, and should be made an integral part of the Council/ secretariat governance. They should guide the council on the core spiritual and cultural values.
- 5 Governance should be professional. Accountability, Transparency of all decisions, especially financial.
- 6 Spokesperson should be clear. It should speak with one voice, and not allow the confusion resulting from many voices
- 7 Advisory committees (subcommittees) should be appointed to do urgent work such as intellectual property protection, repatriation planning, etc.

SUMMARY OF NEEDS (of the Rastafari Millennium Council and Maroon Secretariat.)

In summary both the Rastafari Millennium Council and the Maroon Secretariat seemed to be in similar positions in that

- **Each has the need for their representative governance body to be strengthened and trained, in order for it to effectively negotiate and fight for intellectual property, commercial, indigenous, cultural and other rights.**
- **Each has the need for assistance in the process of facilitating the formation of the representative Council, so that they can do the important work. (both the Rastafari and Maroon Councils have a number of different if overlapping issues and projects, which will not be mentioned here, which require immediate work.**
- **Each needs help from a professional body to write proposals for and urgently raise the funds that are needed and probably available to do the work. Significant funding should be available from the Jamaican Government, which has a clear and tangible interest in the formation and presence of credible, reliable councils representing its indigenous peoples.**
- **Each of the two groups have a range of current intellectual property issues where they need the urgent assistance of credible, trusted professionals.**

RECOMMENDATION

Formation of An Indigenous Peoples NGO in Jamaica

My initial conclusion after the workshop was that a dedicated indigenous peoples NGO should be formed urgently in Jamaica in order to carry on the work that has thus far been done by a number of committed individuals. The support NGO should be based centrally in Jamaica, and should have the following characteristics

- *The structure should be a Trust, with three or four Trustees chosen for their knowledge of governance and for their general interest in the field.*
- *Objectives of the Trust (as set out in the Trust Deed) would be to provide professional services in the fields of IP and development support to the indigenous peoples of Jamaica.*
- *Primary tasks would be to carry out the facilitation, governance support, coordination, project support and guidance functions that are self-evidently necessary for both the Rastafari and Maroon movements. To employ consultants where required. Most of these tasks are already being carried out by the working group responsible for this forum on intellectual property, including those working on the Ethio Africa Diaspora Union Millennium Council and the Jamaica Afro-centric Commission*

23rd and 24th July 2007 Nyahbinghi

A Nyahbingi ceremony was held to celebrate the birthday of Haile Selassie on 23rd July 2007, which was used as an opportunity to consult the broader Rastafari movement.

On the 24th July 2007 both Maxine Stowe and myself addressed a large gathering of assembled elders, having attended the first two nights of ceremony. Whilst Maxine's input covered broader issues of the Millennium celebrations, the timing of the election, the Jamaica Afro-centric commission (and repatriation), together with problems of intellectual property loss and the formation of the Council, all of which was well received, I was introduced as having a particular focus on the formal registration of the Rastafari Council as a first step to reclaiming and protecting IP. The gathered assembly seemed to fully appreciate that the time has come for a new beginning, for an institutionalization of what was previously informal, and the formation of an international Rastafari Council to deal with the new challenges of the times. The examples provided of the successful struggles of the indigenous peoples of Africa was well received, and I left the meeting with an impression of total consensus on the need for the Council to be formed.

25th July 2007 visit to Charlestown

A visit was arranged to meet a delegation of Maroon leaders at Charlestown. We visited the museum, and then held a meeting to discuss Maroon issues in more detail.

Some practical examples of problems faced the Maroon Secretariat were discussed, such as

1. Companies using private video film footage without payment and without permission, to make commercial advertisements.
2. Government and other bodies inviting Maroons to conferences and cultural events invited individuals with no reference to the authorised bodies
3. Anthropologists and researchers gleaning information without going through any process of application, approval etc
4. Government proceeding on Maroon cultural issues without recognising the Maroon Councils and Secretariat
5. Lack of capacity amongst certain Maroon Councils, and lack of specific support, including lack of

funding for essential development support.

6. The role, scope, nature, existence of the Maroon Secretariat was not yet fully understood by all. Division of tasks between the Secretariat and the Councils, and need for the Secretariat to play a stronger central and developmental role, all required further attention.
7. The Constitution of the Secretariat was in need of updating and formalising with the leaderships of the four Maroon Councils.

In view of the above problems, in addition to the problems that were fed in to the Indigenous Peoples workshop on the 18th and 19th July, it was recommended that the Maroon Secretariat should as a first step announce its existence and purpose to the world by means of a media Release. This was discussed, and a suggested draft release was formulated. It was also agreed that the Maroon Secretariat would fully support and endorse the formation of an NGO dedicated to assist their work. Additional actions to be taken would be the immediate application for membership of IPACC (Indigenous Peoples of Africa Coordinating Committee (ipacc@iafrica.com)) and letters to all relevant Government and international bodies (such as WIPO, and UNESCO) informing them of the role and purpose of the Maroon Secretariat.

26th July 2007 Meeting of Rastafari Council

Report of Meeting with Rastafari Collective 26 July 2007

At a meeting attended by no less than twenty representatives from the Mansions, and after much discussion, consensus was received on all of the following points.

- 1 The Rastafarian movement needs to speak with one voice. In the past, it has failed to do so. Many many attempts have been made to create unity, and all have failed.
- 2 In order to do so, a collective needs to be formed, with central authority and purpose. In fact a new structure needs to be formed.
- 3 Purpose of the new structure, is to
 - Speak with one voice and one unity
 - To protect and manage the intellectual property of the Rastafari
 - To advance repatriation, the millennium, and all other common issues.

The Purpose of the Council is NOT to rule or control or dominate or otherwise meddle in the work of individual mansions.

- 4 Name. This was initially difficult. Many organisations had different suggestions. After much heated debate, a working title was agreed upon for the Council.
 - THE RASTAFARIAN NATION.
 - The Haile Selassie Theocracy (subscript)
- 5 Components of the Council
 - All eleven mansions, who are currently listed by the organising committee.
 - Each mansion will send two representatives, but will have one vote
 - Gender balance will be maintained if possible
 - Quorum for a valid vote is two thirds, but consensus is aimed for
 - Chairperson and vice Chair and Secretary/ Treasurer will be elected in the normal manner.

CERTIFICATE OF THE INCORPORATION OF A COMPANY



I hereby certify that

**ETHIO-AFRICA DIASPORA UNION MILLENNIUM COUNCIL
LIMITED**

was Incorporated under the
Companies Act as a Limited Company

On The

TWENTY-FIRST day of NOVEMBER Two Thousand And Seven

Given under my hand at St. Andrew this

TWENTY-FIRST day of NOVEMBER Two Thousand And Seven

SHELLIE LEON
For Registrar of Companies

Company Number: 75126



\$500.00

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FORM 1B
INSTRUCTIONS ON REVERSE



JAMAICA

THE COMPANIES ACT
ARTICLES OF INCORPORATION
COMPANY LIMITED BY GUARANTEE WITHOUT SHARE CAPITAL
(Pursuant to sections 8 & 20)

1. NAME OF COMPANY

ETHIO - AFRICA DIASPORA UNION MILLENNIUM
COUNCIL LIMITED

(HEREINAFTER REFERRED TO AS THE ASSOCIATION)

1A. COMPANY FAX NUMBER

NONE

1B. TYPE OF COMPANY:

PRIVATE



PUBLIC



TERMS OF UNDERTAKING AND EXTENT OF GUARANTEE

2. Every member of the association undertakes to contribute to the assets of the association in the event of the same being wound up during the time that he is a member, or within one year afterwards, for payment of the debts and liabilities of the association contracted before the time at which he ceases to be a member, and of the costs, charges, and expenses of winding-up of the same, and for the adjustment of the rights of the contributors amongst themselves, such amount as may be required not exceeding FIFTY dollars.

3. No part of the net earnings of the association shall inure to the benefit of, or be distributable to its members, directors or officers, or other private persons, except that the association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article 4 hereof. The association shall not support with its fund any purpose or object, or impose on or procure to be observed by its members or others any regulations, restrictions or conditions which if an object of the association would make it a Trade Union.

4. Where the association has applied for and been granted a Minister's licence pursuant to section 16 of the Companies Act any proposed addition, alteration or amendment of the articles shall be submitted to the Minister for his approval.

5. THIS ASSOCIATION IS FORMED EXCLUSIVELY FOR THE PROMOTION OF



COMMERCE



ART



SCIENCE



RELIGION



CHARITY

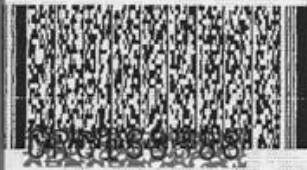


OTHER

If other, specify INDIGENOUS CULTURE

AMT. PAID: \$500.00

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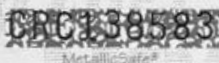
Ethio-Africa Diaspora Union Millennium Council

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LIMITED ^{HW}
SCHEDULE 2

THE WORD COPY APPEARS WHEN PHOTOCOPIED

- I. The objects for which the COUNCIL is established are:-
 - A. To ensure the long-term sustainable development of Ethio-Africa Diaspora Union Millennium Council especially as it relates to the formulation of a 20 year development action plan.
 - B. To penetrate the key institutions that caters to the needs of the elderly and the youths of the community.
 - C. To ensure that proper environmental programmes are enacted for the benefit of future generations of Jamaica.
 - D. To put systems and machinery in place that will document vast history, culture and traditions of the Jamaican people as well as other natural resources.
 - E. To conduct special promotional outreach programmes both inside and outside of Jamaica so as to raise awareness about contributing to the building of modern Jamaica.
 - F. To formulate or enter into special partnerships or memorandum of understanding with other government, non-government or private sector entities (local or overseas) that will rebound to the benefit of the Jamaican people.
 - G. To establish, operate and fund an administrative secretariat that will run or conduct on a daily basis all the affairs of the COUNCIL.
 - H. To act as a lobby group on issues of significance that may merge from time to time.
 - I. To develop and expand the physical infrastructures of Jamaica so that it will better facilitate special areas of emphasis such as community/heritage tourism, sports and skills training and/or any other area that may be identified.
 - J. To report to the directors in a timely manner the status of programmes that are in development.



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- K. To organize and promote special events, as may be required from time to time.
- L. To apply solely to the promotion of the foregoing objects all income and property of the COUNCIL from whatever source received.
2. The COUNCIL shall have the following powers which shall be exercised solely in furtherance of the abovementioned objects:-
- A. To acquire, hold, purchase, receive, possess and enjoy any lands or hereditaments, whatsoever in fee simple, for leasehold or for any other estate or interest therein and all other property, real personal or mixed.
- B. To grant, let charge, improve, develop, assign, dispose of, turn to account or otherwise deal with all or any of the property present so held or vested or any part thereof.
- C. To borrow or raise or secure the payment of money in such manner as the COUNCIL may think fit and in particular by the issue of securities.
- D. To enter into bond or give any guarantee or indemnity for the due performance of any contract, agreement, debt or other obligation and to guarantee the account of any person and to sign and execute any documents or instrument necessary in connection with the foregoing.
- E. To appoint an Attorney or Attorneys for such time and purpose with such power as may be started in the instrument of appointment and to revoke any such appointment.
- F. To appoint such officers and servants as the COUNCIL may deem fit for carrying out its objects (including honorary officers) and to define their duties and fix the amount of their emolument or compensation if any.
- G. To appoint committees for carrying out the policies of the COUNCIL and make rules governing their functions and duties.
- H. To make rules for the regulation and conduct of the affairs of the said COUNCIL including the membership and the officers thereof.
- I. To provide for the constitution and establishment of branches of the COUNCIL in any part of Jamaica and to define the power and duties of such branches.
- J. To take any gift or property whether subject to any special trust or not for any one or more of the objects of the COUNCIL and to accept donations

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(whether of real or personal estate) and bequest for all or any of the purposes aforesaid.

- K. To construct, maintain and alter any houses, buildings or works necessary or convenient for the purpose of the COUNCIL including provisions of schools, hospitals, homes for the elderly and other charitable institutions necessary for the attainment of the COUNCIL'S objects.
- L. To take steps by personal or written appeals, public meetings or otherwise as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the COUNCIL in the shape of donations, annual subscriptions or otherwise.
- M. To print and publish any newspapers, periodicals, books or leaflets that are desirable for the promotion of its objects.
- N. To invest any monies of the COUNCIL immediately required for any of its objects in such a manner as may from time to time be determined by the board of directors.
- O. To undertake and execute any trusts or other duties which are conducive to any of the objects of the COUNCIL.
- P. To subscribe to any local or other charities and to grant donations for any public purpose and to assist indigent persons in special circumstances whenever the COUNCIL considers such assistance necessary.
- Q. To establish and support and to aid establishment and support of any of the objects of this COUNCIL.
- R. To pay costs, charges and expenses incurred or sustained in or about the promotion and establishment of the COUNCIL or which are in the nature of preliminary expenses including therein the cost of printing and stationery and expenses attendant upon the formation of agencies, subcommittees and branches.
- S. To draw, accept and make and to endorse, discount and negotiate cheques, bills of exchange and promissory notes and other negotiable instruments.
- T. To protect, administer, and agitate intellectual property rights of all indigenous and afro-centric culture.

THE WORD COPY APPEARS WHEN PHOTOCOPIED

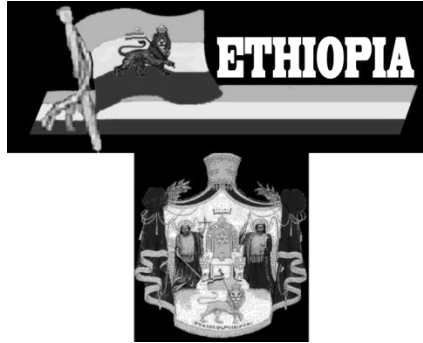
TOUCH OR BREATHE ON TOUCHSAFE® FINGERPRINT TO VALIDATE



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SCHEDULE 3

I-LAWS OF THE ETHIO-AFRICA DIASPORA UNION MILLENNIUM COUNCIL LIMITED



ARTICLE 1: OFFICERS AND COMMITTEES

80

The Ethio-Africa Diaspora Union Millennium Council (hereinafter called the Council) shall have the following Officers: Chairperson, Co/Vice-Chairperson, General Secretary, Assistant Secretary, Treasurer and Assistant Treasurer, Public Relations Officer, Assistant Public Relations Officer, and Security Officer.

81

No Officer shall hold more than one (1) Office at the same time in the Council Executive Committee.

82

Officers shall attend all meetings of the Council unless prevented by some unavoidable circumstances, in which case an oral and/or written apology shall be sent to the General Secretary. No apology will be accepted for reasons of "lack of fare". Representatives should be assisted by their respective mansion/organization to attend meetings to ensure that their sacred duties to the Ras Tafari community are upheld. All Officers must possess an active email address. All Representatives will be expected to establish an email address where necessary.

83

Any member of the Executive Committee who absents himself or herself from three (3) consecutive meetings shall be deemed to have resigned the Office, unless this has occurred through illness, or other unavoidable reason, unless the Executive Committee excuses it. The remaining members of the Committee shall fill vacancies no later than sixty (60) days; provided that the member so elected to complete the

unexpired term shall hold Office only until the next Annual General Meeting.

84

Any member of the Executive Committee of the Council may be removed at any time by resolution of a simple majority of members present at any General Meeting called for the purpose; provided that such member or Officer shall be informed in writing of the charges against him or her, at least seven (7) days before such meeting and at such meeting shall have reasonable opportunity to answer such charges.

85

An appeal against expulsion may be made to the All-Mansion Council of Ras Tafari Elders for determination. If the All-Mansion Council of Ras Tafari Elders is not yet established or operational, the appeal may be determined by the Disciplinary Committee of the Millennium Council.

86

The following Committees shall be appointed by the Executive Committee in consultation with the Committee Chairpersons, at its first Meeting following the Annual General Meeting; provided that the Chairperson(s) shall be elected at the Annual General Meeting : -

1. Fundraising/Finance
2. Projects/Events
3. Public Relations
4. Social Welfare
5. Repatriation and Reparations
6. Education and Human Rights
7. Intellectual Property Rights
8. Disciplinary
9. Any other Committees deemed necessary.

87

If no Chairperson of a particular Committee above is elected at an annual general meeting or in case of the Chairperson's absence or disability or refusal to act, the Executive Committee shall appoint an appropriate person(s) to Chair the particular Committee. The Executive Committee may also invite and appoint persons to join Committees.

88

In the election of members to the Executive Committee or to any other Committees of the Council, due regard must be had for the principle of maintaining gender balance and age balance on the Executive Committee and all other Committees, so that an appropriate balance of man and woman and elders and youth is maintained as far as possible on all Committees at all times. In particular, there must always be a gender balance between the Chairperson and Co-Chairperson of the Executive Committee.

ARTICLE 2: EXECUTIVE COMMITTEE

89

The management of the affairs of the Council shall be conducted by the Executive Committee, which shall be elected at an Annual General Meeting. The term of Office of members of the Executive Committee shall be two (2) years; provided that a member elected to complete an unexpired term of Office shall serve only until the next Annual General Meeting. No member shall serve on the Executive Committee for more than three (3) consecutive terms.

90

To be eligible to serve on the Executive Committee or as Chairperson of any of the other Committees, nominees shall possess the appropriate qualification and/or demonstrate competence and experience for positions nominated for. Nominations shall be submitted in writing to the Executive Committee and include nominees' qualifications and/or demonstrated competence and experience in the particular post which the nominee is seeking to fill. The Executive Committee may institute additional procedures to ensure free and fair elections.

91

The first meeting of the Executive Committee shall be held within twenty-one (21) days of its election. Meetings of the Executive Committee shall be held at least once per month on such days and at such times as may be determined by the Executive Committee. The Chairperson or any four (4) members of the Executive Committee may call a Special Meeting of the Committee by giving seven (7) days notice in writing to the General Secretary, but at such Special Meeting no other business than that specified in the notice, shall be taken into consideration, unless deemed necessary.

92

Every question or issue before the Executive Committee shall be decided by consensus, or if not possible, by a majority of votes, and if the votes are equal the Chairperson shall be entitled to a casting vote in addition to his vote as a member.

93

A simple majority of the Executive Committee shall constitute a quorum for the transaction of business.

94

The Executive Committee shall be empowered to co-opt at least three (3) members to augment its numbers if and when necessary. These persons will offer technical advice in areas of their expertise, however they will have no voting rights.

95

Minutes of all Executive Committee meetings shall be recorded by the General Secretary and shall be signed by the Chairperson and by the Secretary and shall contain the following particulars:

- a. The name of the members present and the date of the meeting.
- b. The name of the Chairperson.
- c. A short statement of all matters discussed and decisions made, and whether each decision was made unanimously or by a majority.

ARTICLE 3: POWER AND DUTIES OF THE EXECUTIVE COMMITTEE

96

The Executive Committee shall have the general direction and control of the affairs of the Council. It shall represent the Council before all competent authorities and in dealings and transactions with third persons, with power to institute or defend suits in the name of or against the Council. In general, it shall carry out such duties in the management of the Council as have not been specifically assigned by the Act, Regulations, or Rules. In particular, it shall be the special duty of the Committee to:

- a. take control of and protect all the assets of the Council;
- b. observe in all its transactions the Companies Act, the Regulations and these I-Laws;
- c. maintain true and accurate accounts of all monies received and expended, to keep a true account of the assets and liabilities of the Council, and to report those accounts annually to the member mansions/organizations of the Council;
- d. keep the Register of Members correct and up to date and ensure that member mansions and organizations, through their duly appointed representatives to the Council, pay dues of J\$100.00 per month towards the expenses of the Council;
- e. examine the accounts and inspect the cash balance monthly;
- f. fill vacancies on the Executive Committee;

- g. recommend amendments to the I-Laws;
- h. summon General Meetings in accordance with the Companies Act, Regulations and these I-Laws;
- i. enter into contracts on behalf of the Council;
- j. provide insurance for the moveable and immovable property of the Council;
- k. impose and recover fines authorized by these I-Laws;
- l. assist anyone authorized to inspect the books;
- m. do all acts aimed to promote the best interest of the Council, including:
 - i) visiting general meetings of member mansions/organizations at least once a year to promote unity and harmony within the community;
 - ii) identifying and encouraging new members to join and strengthen the operations of the Council to create closer ties within the community;
 - iii) disseminating news of the Council's work and activities and other information of relevance to the Ras Tafari community via any available means;
 - iv) ensuring members present a brief report at general meetings of the Council on the feedback, questions, concerns and suggestions of their mansion/ organization.

97

The Executive Committee shall keep a copy of the latest Annual Balance Sheet of the Council, Certificate of Incorporation together with the Auditor's Report in the registered office or main place of operation of the Council.

98

The Secretariat of the Council consists of the Chairperson, Co-Chairperson, General Secretary, Assistant General Secretary, Treasurer, Assistant Treasurer, Public Relations Officer and Assistant Public Relations Officer. Every password of the Council shall be in the control of the Secretariat, which must ensure the necessary security of all passwords, including whenever there is a change of Officers.

ARTICLE 4: DUTIES OF THE OFFICERS

99 – Chairperson

The duties of the Chairperson shall be to:

- a. preside over all meetings of members and of the Executive Committee;
- b. perform such other duties as customarily appertain to the Office of Chairman or as he may

be directed to perform, by resolution of the Executive Committee and not inconsistent with the Companies Act, Regulations and these I-Laws;

- c. attend other Committee Meetings as and when necessary as an ex-officio member of all Committees appointed under the Executive Committee.

100 – Co-Chairperson

The Co-Chairperson shall work jointly with the Chairperson to support the Chairperson in the carrying out of the duties above and ensuring the smooth running of the Council. In the event of the absence or disability of the Chairperson or his or her refusal to act, the Co-Chairperson shall perform the duties of the Chairperson and/or such other duties as the Executive Committee may from time to time prescribe.

101 – General Secretary

The duties of the General Secretary shall be to:

- a. have responsibility to secure all records, documents, correspondence, stationery, stamp etc. belonging to the Council;
- c. prepare and issue notices for meetings where necessary;
- c. arrange for and prepare meeting place;
- d. record accurate Minutes of meetings and present these to the succeeding meeting;
- e. receive incoming correspondence and present these to the appropriate meetings and where immediate reply is required, discuss such reply with the Chairperson;
- f. prepare and forward to the Registrar of Companies the Returns required under the Act;
- g. receive applications for membership in the Council;
- h. attend and keep a complete record of attendance at all meetings of members and of the Executive Committee;
- i. on all occasions in the execution of his Office, act under the supervision of the Executive Committee;
- j. produce all books, documents, property and monies of the Council when requested to do so by the Executive Committee.

102 – Assistant General Secretary

The Assistant General Secretary shall assist the General Secretary with such duties as may be decided upon by the Executive Committee, and shall act for the General Secretary in his or her absence, disability or upon his or her refusal to act and carry out his duties in accordance with these I-Laws.

103 - **The Treasurer**

The duties of the Treasurer shall be to:

- a. oversee the financial management and affairs of the Council including the bookkeeping forms and other obligations;
- b. keep or have kept all funds of the Council in a bank or banks designated by the Executive Committee. Also, he or she shall keep or have kept all books of accounts, supervise the accounting of the Council and perform all duties incidental to the Office of Treasurer;
- c. ensure that the Executive Committee receives Financial Statements on a monthly basis, but not less than every three (3) months, or as requested by the Executive Committee;
- d. produce all books, documents, property and monies of the Council in his or her possession when ordered to do so;
- e. Attend all meetings of the Fundraising/Finance Committee.

104 - **Assistant Treasurer**

The Assistant Treasurer shall assist the Treasurer with such duties as may be decided upon by the Executive Committee. In the event of the absence or disability of the Treasurer or his refusal to act, the Assistant Treasurer shall perform the duties of the Treasurer; provided that in the absence or disability of the Treasurer and Assistant Treasurer or their refusal to act, the Committee may appoint another member to act temporarily in their space.

105 - **Public Relations Officer**

The duties of the Public Relations Officer shall be to:

- a. promote the Council through public information programmes, corporate communications and any other public relations fora, including a regular community newsletter;
- b. determine the concerns and expectations of the Ras Tafari community and seek to facilitate those needs;
- c. develop information gathering skills through collaboration with management, members of the Council and external sources;
- d. establish systems for the dissemination of information to appropriate newspaper, broadcast, internet and general publication editors;
- e. seek at all times to promote a positive image of the Council and its activities;

- f. liaise and develop good working relationships with all media houses and personnel in promoting the Council's interests;
- g. prepare for the ratification of the General Meeting an annual programme of activities aimed at publicising and promoting the aims and objectives of the Council.
- h. Chair all meetings of the Public Relations Committee.

106 - Assistant Public Relations Officer

The Assistant Public Relations Officer shall assist the Public Relations Officer with such duties as may be decided upon by the Executive Committee. In the event of the absence or disability of the Public Relations Officer or his or her refusal to act, the Assistant Public Relations Officer shall perform the duties of the Public Relations Officer; provided that in the absence or disability of the Public Relations Officer and Assistant Public Relations Officer or their refusal to act, the Executive Committee may appoint another member to act temporarily in their space.

ARTICLE 5: FUNDRAISING/FINANCE COMMITTEE

107

The Fundraising/Finance Committee shall consist of competent members, whose Chairperson shall be elected at the Annual General Meeting. The remaining members shall be appointed by the Executive Committee at its first Meeting after the Annual General Meeting of the Council. No more than three (3) members of this Committee may be members of the Executive Committee; provided that no member of this Committee shall serve for more than four (4) consecutive terms.

108

The Chairperson of the Fundraising/Finance Committee shall at its first Meeting appoint a Secretary from among the members of this Committee to keep a record of all decisions taken by this Committee.

109

In the event of a vacancy in the membership of this Committee, the remaining members of this Committee shall fill such vacancy by appointing a member who shall hold office only until the next Annual General Meeting.

110

The Fundraising/Finance Committee shall plan and ensure implementation of all fundraising ventures on behalf of the Council, including liaising regularly and working co-operatively with the Ras Tafari Trust Fund Steering Committee or Trustees in the development, maintenance and promotion of the Ras Tafari Trust Fund.

111

This Committee shall meet at least monthly and shall submit all proposed projects and reports to the Executive Committee for approval. A simple majority of members shall form a quorum for the transaction of business.

ARTICLE 6: PROJECTS/EVENTS COMMITTEE

112

The Projects/Events Committee shall consist of competent members whose Chairperson shall be elected at the Annual General Meeting. The remaining members shall be appointed by the Executive Committee at its first Meeting after the Annual General Meeting of the Council; provided that no member of this Committee shall serve for more than four (4) consecutive terms.

113

The Chairperson of the Projects/Events Committee shall at its first meeting appoint a Secretary from among the members of this Committee to keep a record of all decisions taken by this Committee.

114

In the event of a vacancy in the membership of this Committee, the remaining members of this Committee shall fill such vacancy by appointing a member who shall hold Office only until the next Annual General Meeting.

115

This Committee shall be responsible for identifying and fostering the implementation of Community based projects, both nationally and internationally.

116

This Committee shall meet at least once per quarter and shall submit all proposed projects and reports to the Executive Committee for approval. A simple majority of members shall form a quorum for the transaction of business.

ARTICLE 7: PUBLIC RELATIONS COMMITTEE

117

The Public Relations Committee shall consist of competent members whose Chairperson shall be the Public Relations Officer. The remaining members shall be appointed by the Executive Committee at its first Meeting after the Annual General Meeting of the Council; provided that no member of this Committee shall serve for more than four (4) consecutive terms.

118

The Chairperson of the Public Relations Committee shall at its first meeting appoint a Secretary from among the members of this Committee to keep a record of all decisions taken by this Committee.

119

In the event of a vacancy in the membership of this Committee, the remaining members of this Committee shall fill such vacancy by appointing a member who shall hold Office only until the next Annual General Meeting.

120

This Committee shall be responsible for promoting the Council through public information programmes, corporate communications and any other public relations fora, including a regular community newsletter, and in general assisting the Public Relations Officer to carry out the functions of that Office.

121

This Committee shall meet at least once per quarter and shall submit all proposed projects and reports to the Executive Committee for approval. A simple majority of members shall form a quorum for the transaction of business.

ARTICLE 8: SOCIAL WELFARE COMMITTEE

122

The Social Welfare Committee shall consist of competent members whose Chairperson shall be elected at the Annual General Meeting. The remaining members shall be appointed by the Executive Committee at its first Meeting after the Annual General Meeting of the Council; provided that no member of this Committee shall serve for more than four (4) consecutive terms.

123

The Chairperson of the Social Welfare Committee shall at its first meeting appoint a Secretary from among the members of this Committee to keep a record of all decisions taken by this Committee.

124

In the event of a vacancy in the membership of this Committee, the remaining members of this Committee shall fill such vacancy by appointing a member who shall hold Office only until the next Annual General Meeting.

125

This Committee shall be responsible for identifying and fostering the health, care and welfare of the Ras Tafari community, especially of the elders and the youth.

126

This Committee shall meet at least once per quarter and shall submit all proposed projects and reports to the Executive Committee for approval. A simple majority of members shall form a quorum for the transaction of business.

ARTICLE 9: REPATRIATION AND REPARATIONS COMMITTEE

127

The Repatriation and Reparations Committee shall consist of competent members whose Chairperson shall be elected at the Annual General Meeting. The remaining members shall be appointed by the Executive Committee at its first Meeting after the Annual General Meeting of the Council; provided that no member of this Committee shall serve for more than four (4) consecutive terms.

128

The Chairperson of the Repatriation and Reparations Committee shall at its first meeting appoint a Secretary from among the members of this Committee to keep a record of all decisions taken by this Committee.

129

In the event of a vacancy in the membership of this Committee, the remaining members of this Committee shall fill such vacancy by appointing a member who shall hold Office only until the next Annual General Meeting.

130

This Committee shall be responsible for researching and preparing detailed policy and advocacy documentation for the attention of the Executive Committee, aimed at lobbying relevant governments, national, regional, international non-governmental and intergovernmental organizations and institutions, towards the pursuit and achievement of reparations for the Ras Tafari community and Africans in general and repatriation for the Ras Tafari community and those Africans who wish to repatriate to Africa.

131

This Committee shall meet at least once per quarter and shall submit all proposed projects and reports to the Executive Committee for approval. A simple majority of members shall form a quorum for the transaction of business.

ARTICLE 10: EDUCATION AND HUMAN RIGHTS COMMITTEE

132

The Education and Human Rights Committee shall consist of competent members whose Chairperson shall be elected at the Annual General Meeting. The remaining members shall be appointed by the Executive Committee at its first Meeting after the Annual General Meeting of the Council; provided that no member of this Committee shall serve for more than four (4) consecutive terms.

133

The Chairperson of the Education and Human Rights Committee shall at its first meeting appoint a Secretary from among the members of this Committee to keep a record of all decisions taken by this Committee.

134

In the event of a vacancy in the membership of this Committee, the remaining members of this Committee shall fill such vacancy by appointing a member who shall hold Office only until the next Annual General Meeting.

135

This Committee shall be responsible for identifying, advising and assisting members of the Ras Tafari community with issues affecting the right to education and other human rights violations affecting members of the Ras Tafari community, including discrimination against Ras Tafari youth in schools, discrimination against Ras Tafari members in prison, and discrimination against Ras Tafari members in society in general, nationally and internationally. This Committee shall also produce publications aimed at educating the Ras Tafari community about its rights.

136

This Committee shall meet at least once per quarter and shall submit all proposed projects and reports to the Executive Committee for approval. A simple majority of members shall form a quorum for the transaction of business.

ARTICLE 11: INTELLECTUAL PROPERTY RIGHTS COMMITTEE

137

The Intellectual Property Rights Committee shall consist of competent members whose Chairperson shall be elected at the Annual General Meeting. The remaining members shall be appointed by the Executive Committee at its first Meeting after the Annual General Meeting of the Council; provided that no member of this Committee shall serve for more than four (4) consecutive terms.

138

The Chairperson of the Intellectual Property Rights Committee shall at its first meeting appoint a Secretary from among the members of this Committee to keep a record of all decisions taken by this Committee.

139

In the event of a vacancy in the membership of this Committee, the remaining members of this Committee shall fill such vacancy by appointing a member who shall hold Office only until the next Annual General Meeting.

140

This Committee shall be responsible for identifying and fostering the protection and preservation of the moral and economic integrity of the intellectual property rights, traditional knowledge rights, traditional cultural rights and cultural heritage rights of the Ras Tafari community, nationally and internationally.

141

This Committee shall meet at least once per quarter and shall submit all proposed projects and reports to the Executive Committee for approval. A simple majority of members shall form a quorum for the transaction of business.

ARTICLE 12: DISCIPLINARY COMMITTEE

142

The Disciplinary Committee shall consist of no more than seven (7) competent members of the All-Mansion Council of Ras Tafari Elders whose Chairperson shall be elected at the Annual General Meeting. The remaining members shall be appointed by the Executive Committee at its first Meeting after the Annual General Meeting, provided that no member of this committee shall be appointed for more than four (4) consecutive terms. If the All-Mansion Council of Ras Tafari Elders is not yet established or operational, then the Disciplinary Committee shall be convened as and when necessary and shall consist of no more than seven (7) competent elders of the Ras Tafari community, who will not be permanent members of the Committee but will only preside and determine matters before it on a case-by-case basis.

143

At the first convened meeting, the Chairperson of the Disciplinary Committee shall appoint a Secretary to take notes of all proceedings of the Committee.

144

The Disciplinary Committee shall meet as often as is necessary. It shall hear and decide on all charges that may be preferred against any Officer or member of the Council. It shall have the power to enforce discipline over its members. Its findings shall be submitted in writing through the Secretary of the Committee or any other Officer acting in such capacity to the Executive Committee and shall be kept in safe custody for presentation to the members in a meeting. A simple majority shall form a quorum for the transaction of business.

145

In the event of a vacancy in the membership of this Committee, the remaining members of this Committee shall fill such vacancy by appointing a member who shall hold Office only until the next Annual General Meeting.

146

This Committee shall fix the penalty to be imposed (if any) in its findings. Under no circumstances shall any decision arrived at by the Disciplinary Committee be revealed to any Officer or member of the Council or any person who is not a member, before such decision has been submitted and accepted by the Council at

a regular meeting of the Executive Committee.

ARTICLE 13: SEAL

147

The Executive Committee shall adopt for the use of the Council, a distinctive Seal having the name and/or initials and logo of the Council inscribed thereon.

148

The Seal of the Council shall, at all times, remain in the security of the General Secretary at the registered office of the Council or other location of operations of the Council.

149

The Seal of the Council shall not be affixed to any document, except by the authority of a resolution of the Executive Committee and with the acquiescence and knowledge of at least two (2) members of the Executive Committee and the General Secretary or such other persons, as the Committee may appoint for the purpose. Any two (2) Committee Members and the General Secretary or such other persons as the Committee may appoint as aforesaid, shall sign every document to which the Seal of the Council is so affixed in their presence.

ARTICLE 14: AMENDMENT TO I-LAWS

150

No new I-Law shall be made, nor shall any of the I-Laws herein contained or hereafter to be made be amended or rescinded unless with the consent of the required seventy-five percent (75%) support of those members present and voting at a General Meeting.

**DRAFT AMENDED CONSTITUTION
OF THE RAS TAFARI ALL MANSION
MILLENNIUM COUNCIL**



CONQUERING LION OF THE TRIBE OF JUDAH HAILE SELASSIE I, ELECT OF H.I.M, EMPEROR OF
ETHIOPIA

WHEREAS, at the beginning of his Reign as H.I.M . Emperor Haile Selassie I, Negus Ras Tafari granted to his faithful subjects and proclaimed a Constitution for the Empire of Ethiopia; and
WHEREAS, H.I.M. Emperor Haile Selassie I represents the physical manifestation of the AMIGHTY CREATOR⁴, THE SOURCE OF ALL BENEFITS, and has strengthened and inspired **US** to lead by following his example, during his eternal Reign, through the greatest of trials and hardships, to an era of great progress in all fields; and
WHEREAS, being desirous of consolidating the progress achieved and of laying a solid basis for the happiness and prosperity of the present and future generations of Ras Tafari families and organizations, We have prepared a Constitution for the Ras Tafari mansions and organizations after many years of searching study and reflection; and
WHEREAS, Our Ancients, and Administrative board after due examination and deliberation have submitted their approval of this Constitution;
NOW THEREFORE, WE, the Ras Tafari mansions and organizations, the sons and daughters of **H.I.M. HAILE SELASSIE I, EMPEROR OF ETHIOPIA**, and **H.I.H. EMPRESS MENEN, EMPRESS OF ETHIOPIA** do, on the occasion of the _____, hereby proclaim and place into force and effect as of today, this Constitution of the Ras Tafari movement for the benefit, welfare and progress of Ras Tafari people globally.
GIVEN in the island of exile, Jamaica, on this the ____ day of _____ 2001 (Ethiopian Calandar).

1. NAME OF THE ORGANISATION

The organisation shall be called the Ras Tafari All Mansion Millennium Council (hereinafter referred to as the “Millennium Council”).

2. STATUS OF THE ORGANISATION

The Millennium Council shall be a body corporate, acting through an appointed All Mansion Council of Elders⁵ and administrative board⁶, and an elected Executive⁷, with its

⁴ By virtue of His Imperial Blood, as well as by the anointing which He has received, the person of the Emperor is sacred, His dignity is inviolable and His Powers indisputable. He is consequently entitled to all the honors due to Him in accordance with tradition and the present Constitution. Any one so bold as to seek to injure the Emperor will be punished. ETHIOPIAN CONSTITUTION, 1955 ARTICLE 4

⁵ The elders of Our communities should bear in mind that they are the custodians of the customs and traditions of Our society, of which the students should be mindful in addition to their modern education.” *Important Utterances of His Imperial Majesty p.191.*

own legal personality and rights of perpetual succession. It shall further have the right to sue or to be sued in its own name⁸.

3. VISION AND OBJECTIVES

The Vision of the Millennium Council is ONE VOICE!⁹

To speak with one voice for all those that profess the Ras Tafari Faith, in order to protect and preserve the sacred legacy of Ras Tafari worldwide. Central to preserving the legacy of Ras Tafari is to coordinate the mission of all Ras Tafari mansions to implement and spread knowledge of the teachings and life example of His Imperial Majesty Emperor Haile Selassie I, and Her Imperial Majesty Empress Menen¹⁰.

The Objectives of the Millennium Council shall be:

3.1 To ensure effective governance and co-operation between all the Houses, organizations and Mansions that make up the Ras Tafari nation in Jamaica, as well as worldwide, in

⁶ We must design and implement methods which will, without wasteful duplication of effort, recognize proper principles of administration, maintain discipline, and respect and observe a strict division of labor". *Important Utterances of His Imperial Majesty p.93*

We have time and again stressed, rapid development cannot be realized without sound and efficient public administration which can make judicious use of available resources, time and energy. *Important Utterances of His Imperial Majesty p.167*

⁷ "Our people have been guaranteed the full exercise of their rights. They have, for the first time, directly elected their representatives to Parliament, without whose discussion and approval no taxes can be levied, no duties imposed on the people and no laws enacted." H.I.M. Emperor Haile Selassie I, March 22, 1966 (The Third Testament: The I-lect Verses of Emperor Haile Selassie I 1918-1987, pg.430)

⁸ "Obviously, the structure of the Government itself must grow in size and power. To do so We must broaden and strengthen the bases of all three of the traditional branches of government, the Executive, Legislative, and Judicial." H..I.M. Emperor Haile Selassie I, Nov. 3, 1955, Selected Speeches of his H.I.M. Emperor Haile Selassie I, pg. 403

⁹ "No nation can divide within itself and remain powerful." H.I.M, Emperor Haile Selassie I, Dec. 19 1961, *Selected Speeches p. 26*

¹⁰ To assure the progressive welfare of Our Beloved people is Our sole goal of life" H..I.M. Emperor Haile Selassie I, Nov. 3, 1955, Selected Speeches of his H.I.M. Emperor Haile Selassie I, pg. 402

order that it shall represent the Ras Tafari peoples of the world, in a united body governed by Theocratic principles with H.I.M. Emperor Haile Selassie I as the head¹¹.

- 3.2. To fulfil the Ras Tafari creed that the Hungry be fed, naked clothes, sick nourished, ignorant educated, aged protected and infants cared for.¹²
- 3.3 To take all such actions as are necessary and appropriate to prevent the further theft and abuse of the symbols, emblems, music, cultural marks, tangible and intangible heritage of the Ras Tafari community worldwide.
- 3.4 To secure, protect and manage the intellectual property of the Ras Tafari community worldwide, for the benefit of the Ras Tafari community worldwide.
- 3.5 To advocate and negotiate with appropriate bodies in order to further the interests of the Ras Tafari communities, including in matters of human rights and welfare¹³, intellectual property, repatriation¹⁴, reparations, tourism and cultural heritage projects, and the like.
- 3.6 To provide support and empowerment to all Ras Tafari and member Ras Tafari mansions and movements in the practice and furtherance of their living faith.
- 3.7 To form productive working alliances with all organisations that are able to assist the Council with the fulfilment of the above objectives.

¹¹ "Ethiopia must remain united, without dissention, like the members of a family. She must be governed by an Emperor. The force of this unity must be based on community of interests, so that the individual, without as a result suffering neglect or prejudice, may understand the power of this unity and the advantages to be drawn from it in the protection of his personal interests, whilst at the same time renouncing all personal ambition which would be to the detriment of the common goal," Selected Speeches of his H.I.M. Emperor Haile Selassie I, July 16, 1931, pg., 389

¹² The Ethiopian Family, as the source of the maintenance and development of the Empire and the primary basis of education and social harmony, is under the special protection of the law. ETHIOPIAN CONSTITUTION, 1955 ARTICLE 48

¹³ "Thus, We have provided that "no one shall be denied the equal protection of the laws" that "there shall be no discrimination amongst Ethiopian subjects with respect to the enjoyment of all civil rights" that "there shall be no interference with the exercise in accordance with the law of rites of any religion or creed by residents of the Empire", Selected Speeches of his H.I.M. Emperor Haile Selassie I, Nov. 3, 1955, pg., 406

¹⁴ There are others whose hopes for Africa are bright, who stand with faces upturned in wonder and awe at the creation of a new and happier life, who have dedicated themselves to its realization and are spurred on by the example of their brothers to whom they owe the achievements of Africa's past." Selected Speeches of his H.I.M. Emperor Haile Selassie I, May. 25, 1963, pg., 245

"Africa will no longer be known as the unknown continent, for its human and material resources are beyond measure, and this great continent now stands on the verge of an economic, political and cultural development which, when realized will be without parallel in history." Selected Speeches of his H.I.M. Emperor Haile Selassie I, April. 1, 1958, pg., 190-191

3.8 To serve as a communication, resource and information centre for all Ras Tafari Communities, in Jamaica, the Caribbean, the United States of America, Africa, Europe, worldwide¹⁵.

3.9 To mobilize the human, environmental, intellectual and financial resources for the advancement of the Ras Tafari nation. ¹⁶

3.10 To support, promote and develop Ras Tafari community schools, institutions, and support Ras Tafari organizations focusing on educational/vocational training and cultural/historical training and development¹⁷.

3.11 To raise and manage funds in order to better achieve these objectives.¹⁸

4. AREA OF OPERATION AND POWERS

Area of operation

4.1 The Millennium Council, governed by its All Mansion Elder Council and administrative board and operating through its elected Executive, shall be based in the interim in Jamaica, a the major and historical center of the Ras Tafari Community worldwide. The Council reaffirms its commitment to repatriation¹⁹ and acknowledges its intention to

¹⁵ "Communication among men facilitates the interchange of goods and ideas, and these, in their turn, provide teh stimulus for increasing the level and the rate of man's social, economic and political development." Selected Speeches of his H.I.M. Emperor Haile Selassie I, Nov, 2 1960, pg,. 560

¹⁶ "...The ultimate resource of a nation is its people. Unless this resource is employed for the benefit of the nation, unless the latent good which it represents is exploited to the maximum extent for the common good, the nation will languish, poor in spirit, lacking in achievement." Selected Speeches of his H.I.M. Emperor Haile Selassie I, Nov. 2, 1961, pg,. 460

¹⁷ The fundamental purpose of a community development movement is to teach the rural people of Our Empire that through co-operative self –help and a united approach to common problems, the vast potential for their own self-improvement which they themselves represent can be translated into effective programmes which can do much to improve their standard of living." Selected Speeches of his H.I.M. Emperor Haile Selassie I, July, 7 1964, pg, 519

¹⁸ Just as the circulation of blood gives life to the human body, so the commercial and industrial enterprises constitute the life-blood of a population." Selected Speeches of his H.I.M. Emperor Haile Selassie I, Nov, 22 1946, pg,. 496

Although Ethiopia possesses abundant natural resources, vast amounts of capital, far in excess of our present means, are needed to develop and exploit these resources for the good of Our people." H.I.M. Emperor Haile Selassie I, pg. 497, Selected Speeches, Nov 3, 1959,

¹⁹ "We are convinced that it is in our search for African Unity that we shall discover the solutions to the vexing problems which confront us," H.I.M. Emperor Haile Selassie I, pg. 266, Selected Speeches, May 25, 1963,

relocate its headquarters to the African continent²⁰ upon a time to be determined by the All Mansion Elder Council and administrative board.

4.2 The interim location for the Secretariat of the Millennium Council shall be located in Kingston, Jamaica²¹, or wherever such place as the Council may in the future decide.

4.3 The Millennium Council shall pursue its objectives across all the nations of the world.²²

Powers

4.4 The Millennium Council, acting through its Executive, shall not claim domination, power or control over any of the worldwide churches, mansions and houses of the Ras Tafari Community, but shall act in such a way as to protect the sacred legacy on behalf of all that practise the Ras Tafari faith²³.

4.5 The Executive of the Millennium Council shall have the power and mandate to do all such legal acts as shall be necessary and appropriate in order to achieve its objectives as set out above. In particular, it shall have the power and right,

- To manage and control its own affairs, including issues of membership and general good governance

“We are determined to create a union of Africans” H.I.M. Emperor Haile Selassie I, pg.246, Selected Speeches, May 25, 1963

²⁰ The people of Jamaica, by and large, have originated in Africa. This again gives us another basis upon which we can contract a healthy relation, a relation that is not only going to be useful to our respective peoples but a relation, because of the fundamental similarity between us, that will in the long run contribute to a better maintenance of international peace and security” Selected Speeches of his H.I.M. Emperor Haile Selassie I, April 21, 1966, pg. 141

²¹ “...the people of Africa in Jamaica who have identical interests should be able to augment their energies for good by the process of the establishment of greater collaboration.” H.I.M. Emperor Haile Selassie I, pg. 144, Selected Speeches, April 21, 1966,

²² “...We must become bigger than we have been, more courageous, greater in spirit, larger in outlook. We must become members of a new race, overcoming petty prejudice, owing our ultimate allegiance not to nations but to our fellow men within the human community.” H.I.M. Emperor Haile Selassie I, pg. 497, Selected Speeches, Oct 6, 1963,

²³ The Constitution contains provisions to the end that all parts of the Empire shall receive their due representation in Parliament, and that there shall be no discrimination whatsoever amongst racial or religious groups. H.I.M. Emperor Haile Selassie I, pg.404, Selected Speeches, Nov. 3, 1955

- To delegate to sub-committees and individuals and partner bodies the duty to address particular issues such as human rights, intellectual property protection, repatriation, funding and investment, tourism, national branding, government relations, and the like²⁴.
- To make public statements and to propagate the international governance functions of the Millennium Council, in whatever manner is deemed appropriate.²⁵
- To approve specific projects and programmes of action to be undertaken in collaboration with approved NGOs and other agents.²⁶
- To negotiate agreements with organisations and individuals regarding the licensing and other approved use of the intellectual property of the Ras Tafari Community.²⁷
- To authorise and if necessary carry out legal action against any instance or individual guilty of misappropriation of the intellectual property of the worldwide Ras Tafari Community.
- To approve terms of reference and to employ a co-ordinator, and any other staff required to assist and facilitate the work.²⁸
- To draft and approve funding proposals designed to further and meet its stated objectives.

²⁴ “...Henceforth, you shall work in your Ministries and Departments and administer your own programs there.” H.I.M. Emperor Haile Selassie I, pg.414, Selected Speeches, April. 14, 1961

Each Minister shall be individually responsible to the Emperor and to the State for the discharge of the duties of his respective Ministry, including the execution of laws and decrees concerning that Ministry. ETHIOPIAN CONSTITUTION, 1955
ARTICLE 68

²⁵ “This power shall not be abused for selfish and for personal ends when it has been given as a sacred trust to be exercised for the benefit of the Ethiopian people and nation.” H.I.M. Emperor Haile Selassie I, pg.414, Selected Speeches, April. 14, 1961

²⁶ With training and education and experience, Ethiopians will in the near future supply all of the needs of the nation, But today, those who are prepared to aid us in our endeavours, who are here at our request and desire, are welcome colleagues and collaborators.”

²⁷ “In the ultimate sense, it is to the people of Ethiopia that you are responsible, and it is to them that you must answer for your stewardship. That is why you are constitutionally responsible to Us and to Parliament” H.I.M. Emperor Haile Selassie I, Selected Speeches, April. 14, 1961 pg.414-415

²⁸ The government has many development programs intended to raise the standard of living of Our people. The people on their part are keen to participate in these national development programs, and it is your job to mobilize their human and natural resources in order to effectively tackle our development problems.” H.I.M. Emperor Haile Selassie I, pg.414-415, Selected Speeches, Oct. 25, 1962

- To invest, deposit and deal with monies entrusted to it (the Council) in accordance with principles of best practice, good governance, accountability and transparency, in order that all stakeholders shall at all times have total faith in the integrity of the financial affairs of the Millennium Council.²⁹
- To open and operate any form of account with any financial institution, and to pay all necessary expenses incurred in the process of carrying out the administration of the Millennium Council.
- To determine all policies, rules and regulations required for the proper administration of the affairs of the Council. These policies will include the manner of utilisation of any income received in the course of the Council's work, in such a way as to benefit the Ras Tafari Community worldwide.
- To keep a proper set of financial accounts, managed according to principles of best practice, which shall be audited annually by a registered auditor. An audited balance sheet and statement of revenue and expenditure shall be prepared each year for the Annual General Meeting.
- To delegate interim authority and power (between annual general meetings) to an Executive, consisting of at least but not limited to the Chairperson, Vice or Co-Chairperson, Secretary, Treasurer, Public Relations Officer, Administrator. This Executive Committee will have all the powers of the Council, subject to approval by the Council at its next meeting.

5. MEMBERSHIP OF THE COUNCIL

5.1 Eligibility for membership of the Council is as follows

In principle, membership of the Council is open to all mansions, organisations and individuals that profess and practise the Ras Tafari faith as founded upon the personality and teachings of His Imperial Majesty Emperor Haile Selassie I.

5.1.2 Criteria for membership. A member of the Council must meet the following criteria. It must be an organisation, mansion or individual:

- Mansions and organizations must have a clearly defined leadership structure and a body of people that is represented by that leadership. .

²⁹ "None of the public revenues shall be expended except as authorized by law". ETHIOPIAN CONSTITUTION 1955 ARTICLE 114

"No loan, or pledge, guaranty or collateral therefore may be contracted for, within or without the Empire, by any governmental organization within the Empire, except as authorized by law." ETHIOPIAN CONSTITUTION 1955 ARTICLE 119

- Mansions or organizations must have a Constitution or guidelines that are in compliance with the teachings and objectives of His Imperial Majesty Emperor Haile Selassie I and approved by the Council.
- Mansions, organizations and individuals must subscribe to and support the objectives of the Millennium Council as set out in this Constitution, especially the role of the Millennium Council to speak, represent and act with “one voice” for and on behalf of the global Ras Tafari Community.
- Individuals (Ras Tafari not affiliated to any mansion or organization) members must have the recommendation of a member of the All Mansion Elder Council or administrative board and be approved by the Millennium council on a case by case basis. The Administrative board may appoint a special committee for this purpose. Individuals may be elected to serve in any capacity in the executive. Individuals must organize themselves and elect two (2) representatives to represent their interest on the administrative board.³⁰ Representative shall be one male and one female persons of the Ras Tafari community.ari
- Mansions or organizations that do not qualify for representation on the administrative board as Mansions or organizations may join as part of the general membership until such time that they qualify for representation on the administrative board.

5.1.3 _ By virtue of their initiative in the founding of this Millennium Council the Mansions and Organizations listed below shall be deemed to have satisfied their requirement for membership.

The founding member Mansions/Organizations of the Council shall be the following:

- (1) Theocracy Reign First Order of The Nyahbinghi
- (2) The Twelve Tribes of Israel
- (3) Ethiopian World Federation
- (4) Rastafari Centralization Organization
- (5) Royal Ethiopian Judah Coptic Church
- (6) Haile Selassie School of Vision
- (7) Haile Selassie Theocracy Government

³⁰ “What is, however, perhaps even more important, is that, for the Chamber of Deputies, We have provided for direct elections, by secret ballot, throughout the Empire upon the basis of universal suffrage.” H.I.M. Emperor Haile Selassie I, pg.404 Selected Speeches Nov. 3 1955

- (8) Leonard Howell Foundation
- (9) International Peacemakers
- (10) Dreaded Nyahbinghi
- (11) Camp David

Membership of the Council shall be open to any other Ras Tafari organisations that meet the above criteria. In order to apply for membership, such organisation shall be required to address a letter of application to the Council, providing the relevant details. The Council shall have the discretion whether or not to appoint and admit such new members.

Special consultative status is hereby recognized for the E.A.B.I.C as one of the mansions of Ras Tafari.

5.2 Rights of Council members

Subject to proper fulfilment of their duties as members, Council members shall have the following rights:

5.2.1 To receive regular information regarding all of the Council's activities³¹

5.2.2. To elect the members of the executive council.

5.2.3 To nominate representatives to the Administratvie board.

5.3 Obligations of Council members

Every member organisation of the Council shall have the following obligations:

5.3.1 To comply with and actively support the aims and policies of the Millennium Council regarding the protection and preservation of the sacred legacy of HIM Haile Selassie I and the Ras Tafari Faith.³²

³¹ "A nation cannot prosper unless it has overcome the problems of communications. Without communications, agriculture cannot develop, nor can commerce or industry thrive. It is communications that relates and binds people together by ties of friendship" H.I.M.Emperor Haile Selassie I, pg.559, Selected Speeches, Nov. 2, 1960

³² The Ras Tafari faith stands for the full manifestation of peace and moral prosperity on earth - "But in terms of the enormous resources squandered in wars or in the amassing of weapons of destruction or even devoted to the enthralling conquest of space, the amount which has been allotted to bettering the existence of the individual in the developing world is little indeed." H.I.M.Emperor Haile Selassie I, pg.108, Selected Speeches, Dec. 29, 1965

- To not take any action or make any public utterance which might contravene, weaken or diminish the dignity and effectiveness of Ras Tafari or the Millennium Council (that is, to always seek to speak and act co-operatively with the Millennium Council, so as to have “One Voice!”³³
- To conduct its own private affairs with utmost integrity, in such a way as to contribute towards unity and strength of Ras Tafari and the Millennium Council and shall have due regard for the principle of maintaining a gender and youth balance amongst its elected officers.³⁴

5.4 Termination of membership

Membership of the Millennium Council shall cease:

- by a decision of two thirds of the Millennium Council, following a member’s clear breach of or non-compliance with a material policy of the Millennium Council, or following such member acting contrary to the interests of Ras Tafari or the Millennium Council;³⁵
- by a member’s voluntary withdrawal; or
- by a member’s failure to attend meetings of the Council for one year, without written apologies, followed by a decision of the Council as in paragraph i) above.³⁶

6. STRUCTURE OF THE ORGANISATION

“Poverty, fear, ignorance, disease are not problems vanquished in the wake of scientific progress; they are the problems with which we struggle from day to day.” H.I.M.Emperor Haile Selassie I, pg.108, Selected Speeches, Dec. 29, 1965

³³ Above all, we must avoid the pitfalls of tribalism. If we are divided among ourselves on tribal lines, we open our doors to foreign intervention and its potentially harmful consequences.” H.I.M.Emperor Haile Selassie I, pg.352, Important Utterances, May. 25, 1963

“In these circumstances it is neither fair nor legitimate for the interest of one group of this great family to be promoted at the expense of another.” H.I.M.Emperor Haile Selassie I, pg.304, Important Utterances, Nov. 3, 1971

³⁴ “You must, in particular, refrain from attempting to promote narrow regional interests but work diligently to promote the national purpose and national interest.” H.I.M.Emperor Haile Selassie I, pg.303, Important Utterances, Nov. 3, 1971

³⁵ No one shall be punished for any offence which has not been declared by law to be punishable before the commission of such offence, or shall suffer any punishment. ETHIOPIAN CONSTITUTION 1955 ARTICLE 55

³⁶ If you prove yourself incapable or incompetent, you shall be removed and replaced by another.” H.I.M.Emperor Haile Selassie I, pg.414, Selected Speeches, April. 14, 1961

6.1. Administrative Board

6.1 The Millennium Council Administrative Board, in consultation with the

Council of Elders, shall be the highest decision-making body, nominated by its members to promote and strive to achieve the objectives set out in this Constitution. It shall be the duty of the Administrative board to set the overall policy for the Millennium Council.

- Each member mansion shall annually nominate TWO representatives to the Council,³⁷ which nomination must be made in writing, at the Annual General Meeting of the Council. In keeping with the balance represented by the crowning of H.I.M. Emperor Haile Selassie I and Empress Menen, each mansion shall nominate a male and female representative.³⁸ Each approved organization that qualifies with the requirement for representation on the Administrative Board shall nominate ONE (1) representative, which nomination must be made in writing, at the Annual General Meeting of the Council. The non-affiliated Ras Tafari members may elect TWO (2) representatives (one male, one female) to represent their interest on the Administrative board. All representatives are subject to the approval of the All Mansion Elder Council. These representatives will constitute the Ras Tafari Administrative Board.
- Criteria for membership. In addition to the all the requirements of general membership, each Mansion or organization who is represented on the Administrative Board should have a minimum of seven (7) years of history of organizing within the Ras Tafari movement and have a membership of at least 50 members. This does not apply to the TWO (2) representatives elected to represent the non-affiliated Ras Tafari. Organizations which do not meet the criteria may still be able to apply for membership subject to the approval of the Administrative board and the all mansion council elders.
- Term. Each representative on the Administrative board shall serve for a term of three (3) years.

6.1.4 Founding Members. The founding members of the Administrative board shall be nominated by the founding member mansions and organizations of the Millennium Council named in 5.1.3.

³⁷ Each electoral district shall be represented by two Deputies ETHIOPIAN CONSTITUTION 1955 ARTICLE 94

³⁸ "African civilization in its potential magnitude must be able to command fortitude, patience, tolerance and diligence. To sustain us in all our tasks we count on the women of Africa." H.I.M. Emperor Haile Selassie I, pg.414, Selected Speeches, Dec. 14, 1960

6.2. Ras Tafari Executive Committee

6.2.1 The individual (non-affiliated) Ras Tafari Council members shall elect a Chairperson, Vice or Co-Chairperson, Secretary, Treasurer, Public Relations Officer and Administrator, who shall comprise the Executive Committee. Also nothing in this provision shall prevent individual members of the Mansions, or organizations from being nominated for consideration for the Executive. Each individual Mansion and organization may also nominate persons for consideration. Elections to the Executive Committee shall have due regard for the principle of maintaining a gender and youth balance on the Executive at all times.³⁹ The selection of the Executive committee shall be subject to approval of the majority of the All Mansion Elder Council and Administrative board respectively.

☐ Criteria. To be eligible to serve on the Ras Tafari executive committee nominees shall possess the appropriate qualification, and/or demonstrate competence and experience for positions nominated for. Application for nomination shall be submitted in writing to the Administrative Board and include nominees qualifications and/or demonstrated competence and experience in the particular post for which the nominee seeking to fill.

☐ The Executive Council shall meet at least once every month and on further occasions as and when required. Special Council meetings or General Meetings, as the case may be, may be called at the request of one third of the member organisations or by decision of the Chairperson, and depending on sufficient finances.⁴⁰

6.2.3 At least two weeks' notice of Council meetings shall be given by the Executive to members, unless an emergency or special meeting is called, in which case one week's notice shall be sufficient. Executive meetings may be called upon one week's notice or, in the case of emergency or special Executive meetings, as the Chairperson deems necessary.⁴¹

³⁹ "The Executive is that part which enforces all law, decrees and proclamations legislated. It plans and executes development projects, exercises direction of international relations and political affairs, directs under its responsibility the methods to ensure the integrity, freedom and well-being of the nation." H.I.M. Emperor Haile Selassie I, pg.188, Important Utterances, July. 16, 1969

⁴⁰ "Rapid communication between African countries is one of the most important tools by which we can promote development in Africa. It is to be remembered that we have discussed this problem several times, but the anticipated progress of intra-African communications has not been achieved." H.I.M. Emperor Haile Selassie I, March 8, 1966. (The Third Testament: The I-lect Verses of Emperor Haile Selassie I 1918-1987, pg.575)

⁴¹ "...We know that the zeal and vigor with which all Our people labor to preserve their lives and increase their standard of living can bear fruit only when adequate communications facilities are afforded them, and We have accordingly given special priority to this subject." H.I.M. Emperor Haile Selassie I, November 2, 1960 (The Third Testament: The I-lect Verses of Emperor Haile Selassie I 1918-1987, pg. 559)

6.2.4 At all meetings of the Council and of the Executive, a quorum shall be formed by a simple majority of members being present.

6.2.5 Term. Each executive shall serve for a term of three (3) year.

6.3 The All Mansion Ras Tafari Council of Elders

The Council undertakes and is committed to show particular respect to the Ancients and Elders in the Ras Tafari Community who are the holders and carriers of the ancient knowledge.⁴² The Council of Elders shall be consulted for spiritual and practical guidance in all matters, and shall be appointed as follows:-

□The Ras Tafari Council of Elders will consist of no less than ten and no more than thirty, and each member mansion shall be entitled to nominate three Elders. In keeping with the balance represented by the crowning of H.I.M. Emperor Haile Selassie I and Empress Menen, each mansion shall nominate at least one male and female representative.

□The Elders will be nominated by the member mansions/organizations of the Millennium Council, based upon their integrity, spirituality, livity and knowledge of the Ras Tafari faith, who are over the age of fifty (50) and have been members of the Ras Tafari faith for over forty (40) years or who are upward of sixty (60) years old.

☑Term. Each member of the All Mansion Ras Tafari Council of Elders shall serve for a term of three (3) years. Each Elder shall serve subject only to disqualification by a majority vote of All Mansion Ras Tafari Council of Elders for misconduct or other inappropriate behaviour as determined by the All Mansion Ras Tafari Council of Elders.

□The Ras Tafari Council of Elders will be convened by the Millennium Council no less than once every year, and as often as is possible and feasible, in order to provide considered guidance and input on all matters affecting the Ras Tafari faith, including matters of ethics and conduct of Millennium Council members, Executive Committee members, member mansions/organizations and associates, which the Council by simple majority vote refer to the Council of Elders for possible disciplinary advice and action.⁴³

⁴² The elders of Our communities should bear in mind that they are the custodians of the customs and traditions of Our society, of which the students should be mindful in addition to their modern education.” H.I.M. Emperor Haile Selassie I, Important Utterances of His Imperial Majesty p.191.

⁴³ Ethiopia is an ancient land and her civilization is the result of the harmonious alchemy of the past and the present, upon which we confidently build for the future. This heritage is the bedrock of modern Ethiopia. In it the people have chosen to distil from the past that which is useful and enduring, to adapt those worthwhile attributes of our present day

6.4 The Annual General Meeting

The Executive will call an Annual General Meeting (AGM) once every year, within two months after the close of the financial year, at which the matters of the Millennium Council can be shared and discussed with the Ras Tafari Council of Elders Administrative board, Executive and the broader membership. The Executive Council may also call a General Meeting in order to discuss matters of great importance at which a broader representation of members is required. The AGM will be held as follows:-

6.4.1 Every three years each Mansion shall be entitled to send two (2) voting representatives to the AGM, and as many non-voting representatives as is practical under the circumstances. Each organization shall be entitled to send one (1) voting representative and as many non-voting representatives as is practical under the circumstances. Individual members will be represented by two (2) voting representatives. These representatives will constitute the Administrative Board and shall vote to approve the nominations to the executive positions. The full administrative board along with the full All Mansion Elder Council are required to attend the AGM.

6.4.2. Every three years at the AGM the non-affiliated Ras Tafari shall vote to elect the members of the executive for the next three year term. Each non-affiliated Ras Tafari shall have one vote.

6.4.3 All normal decisions of the AGM, (with the exception of an amendment of the Constitution), shall be made on a simple majority from the All Mansion Elder Council and of eligible voting representatives from the Administrative Board. Decisions relating to amendment of the Constitution, or to termination of membership, shall require a two thirds majority vote.

6.4.4 The business of the AGM shall be as follows:-

a) To receive and approve the report of the Executive on activities for the past year,⁴⁴

world, and to fashion this modern Ethiopianism – the foundation of our social order that has served so admirably the purpose of the nation’s steady advance. H.I.M. Emperor Haile Selassie I Important Utterances of His Imperial Majesty p. 57

⁴⁴ “It is the duty of all government officials, religious leaders and local dignitaries who enjoy the trust and confidence of the public to promote, continue and improve all that is healthy in Our community life and discourage harmful practices and attitudes. They should guide, support, and assist the local community workers. Modern governmental activity must transcend old ideas of Law and Order and embrace and extend welfare to all sections of the people. We Hope and trust that Governors and community leaders will become friends, philosophers and guides of community development and eventually themselves become model social workers in the community”.
Important Utterances of His Imperial Majesty P.49

- b) To receive and approve the financial report of the Executive on all income and expenditure over the past year.⁴⁵
- c) To receive and approve proposals for the activities and work plans of the Millennium Council for the year ahead⁴⁶
- d) To receive, consider, and approve proposals for amendments to this Constitution. Any amendment to this Constitution requires a two thirds approval of authorised delegates in order to be valid.⁴⁷
- e) To receive the nominations (in writing preferably) by the individual council members for representatives for the Executive, to confirm the members of the Executive for the next year. Mansions and organizations can also nominate persons for the executive subject to the vote of the individual non-affiliated council members.⁴⁸

7 SHARING OF BENEFITS

Should the Millennium Council be successful in securing a flow of income resulting from its activities, such as in protecting the traditional knowledge, or traditional cultural expressions and intellectual property of the Ras Tafari community, it is committed to a fair and transparent sharing of the benefits with its members, and in addition with the broader Ras

⁴⁵ "One should realize that thriftiness is the basis for the accumulation of wealth and economic growth of a nation...One seldom minimizes the value of money earned by the sweat of the brow however small it may be, but for the extravagant even a huge amount of money is worthless" H.I.M. Emperor Haile Selassie I, August 29, 1959 (The Third Testament: The I-lect Verses of Emperor Haile Selassie I 1918-1987, pg. 455)

⁴⁶ We must design and implement methods which will, without wasteful duplication of effort, recognize proper principles of administration, maintain discipline, and respect and observe a strict division of labor". H.I.M, Emperor Haile Selassie I, [*Important Utterances of His Imperial Majesty p.93*] We have time and again stressed, rapid development cannot be realized without sound and efficient public administration which can make judicious use of available resources, time and energy. *Important Utterances of His Imperial Majesty p.167*

⁴⁷ "It is also axiomatic that change begets change, that each step forward leads logically and inexorably to the next, and the next. Once unleashed, the forces of history cannot be contained or restrained, and he is naïve indeed who says "thus far will I go and no farther." This principle, too, We have recognized and followed." H.I.M. Emperor Haile Selassie I, The Third Testament: The I-lect Verses of Emperor Haile Selassie I 1918-1987, pg. 410

⁴⁸ "Council members will be chosen in formal elections. The judgment and discretion of the Ethiopian people will be tested as never before, as a large portion of the decisions shaping their economic and social life become their responsibility." H.I.M. Emperor Haile Selassie I, (*The Third Testament: The I-lect Verses of Emperor Haile Selassie I 1918-1987, pg. 438*)

Tafari Community in Jamaica and worldwide.⁴⁹

The Millennium Council shall from time to time create new policies in order to share the benefits that will flow from its success, in the most equitable and fair manner possible. It is committed to not allow dissatisfaction or claims of unfairness to disturb the unity and cohesion of the Council.⁵⁰

Decisions as to how benefits are to be shared shall be made on a simple majority of eligible voting representatives at any meeting or AGM in respect of which notice of such a vote has been given at least two weeks in advance.⁵¹

8. RESOLUTION OF CONFLICT

The Millennium Council is comprised of members representing various Ras Tafari mansions/organizations, and individuals, who are committed to the Ras Tafari faith, and as such, intend to promote love, peace, brotherhood and sisterhood amongst mankind.⁵²

If differences of opinion occur between the representatives on the Millennium Council, such representatives commit themselves to a process of humble love and respect each towards the other, and to listening carefully to the other, and to a spirit of compromise, so that agreement will be reached and the work of the Millennium Council will not be hindered.⁵³

⁴⁹ Our concern is with the many and not the few. The benefit of education must be enjoyed by every Ethiopian. Health facilities must be made available to all who require them. The ownership of a plot of land must be brought within the capacity of everyone who so desires. The benefit of an expanding economy must be enjoyed by all. H.I.M, Emperor Haile Selassie I, *Important Utterances of His Imperial Majesty p. 106-107*

⁴⁷ "...We know that the zeal and vigour with which all Our people labor to preserve their lives and increase their standard of living can bear fruit only when adequate communication facilities are afforded them, and We have accordingly given special priority to this subject." H..I.M. Emperor Haile Selassie I, Nov. 2, 1960, Selected Speeches of his H.I.M. Emperor Haile Selassie I, pg. 558-559

⁵⁰

⁵¹ We have time and again stressed, rapid development cannot be realized without sound and efficient public administration which can make judicious use of available resources, time and energy. H.I.M. Emperor Haile Selassie I, *Important Utterances of His Imperial Majesty p.167*

⁵² What is needed above all, is patience which accepts delays while striving to overcome them and tolerance which comprehends our weaknesses, our selfish ambitions, and our narrow self-interest, while seeking to strengthen our will and stiffen our moral fibre and devotion to principle and international morality: which can alone arm and shield and support us in the daily strife which is our fate as we toil to better the lot of Africa and men everywhere." H.I.M. Emperor Haile Selassie I, July 21, 1964, Selected Speeches p. 272

⁵³ WE are convinced that it is in our search for African unity that we shall discover the solutions to the vexing problems which confront us." H.I.M. Emperor Haile Selassie I, July 21, 1963, Selected Speeches p. 266

In the event that conflict or deadlock cannot be amicably settled by the Council and/or Executive, the Executive may refer the matter to the Council of Elders for resolution, whose decision shall be final.⁵⁴

9 DISSOLUTION OF THE ORGANISATION

The Millennium Council may be dissolved only by a resolution at a properly constituted AGM, which is carried by no less than a two-thirds majority of all representatives entitled to vote, not just those representatives present and voting. In the event of such a valid decision to dissolve the Millennium Council, this will be an indication that the members of the Millennium Council no longer wish the continuation of the Millennium Council in its existing form. In that event a decision will be made, also by a two thirds majority of the voting delegates at a specially called General Meeting, that the assets of the Millennium Council shall be distributed to an identified organisation or organisations which share the aims and objectives of the Millennium Council.⁵⁵

10 FORMALITIES.

10.1 The address of the Millennium Council shall be at the secretariat appointed by the Millennium Council from time to time, which secretariat shall be responsible for communications between members. Any change in address is to be communicated to members.⁵⁶

The initial address of the Millennium Council is _____

⁵⁴ Procedures must be established for the peaceful settlement of disputes, in order that the threat or use of force may no longer endanger the peace of our continent." H.I.M. Emperor Haile Selassie I, May 25, 1963, Selected Speeches p. 251

⁵⁵ "We entreat the Almighty to enable US to witness the successful completion of this project which We hope will serve in full measure the very objectives it is set to accomplish." H.I.M. Emperor Haile Selassie I, November 20, 1970, Important Utterances p. 257

⁵⁶ "The rapid advancement of science and technology in our present day and age has brought our world closer and closer together. Today what happens in one part of the world is heard in a matter of minutes far and near. This development has helped to create a sense of oneness among members of the human race and hence the joys and tragedies of one nation are shared by peoples of other nations the world over. This feeling of solidarity and the trend in thinking in terms of global problems have today more than ever before induced nations and peoples to collaborate in various fields of endeavor and in particular in matters which are of paramount importance to the development and wellbeing of man. Such cooperation definitely helps in reducing world tensions and in promoting universal understanding and the cause of peace in the world. H.I.M. Emperor Haile Selassie I, *Important Utterances of His Imperial Majesty* p. 327.

10.2 The founding members of the Millennium Council are those members signing this Constitution, who by their signature to the document attached hereto, adopt the Constitution, and assume responsibility for the further conduct of the Millennium Council according to this document and any Rules, Regulations and/or By-laws duly made in accordance and pursuant to this Constitution.

.....
CHAIRPERSON
(of the Founding Council)

.....
Date

Annexure to constitution

Founding Millennium Council Representatives

We the undersigned, duly authorised by our respective mansions, do hereby authorise and adopt the Constitution of the Millennium Council, and commit ourselves to act in accordance with the Constitution as the founding Millennium Council Representatives.

| Name Signature | Date | Mansion |
|---------------------------------|-------------|----------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

CONSTITUTIONAL ISSUES TO BE RESOLVED
Prepared by Marcus Goffe for Millennium Council General Meeting
November 28, 2010

Proposed Name Change of Organization:

Ras Tafari All Mansion Millennium Council

Proposed Membership of the Council (Article 5 of the Constitution):

5.1 Eligibility for membership of the Council is as follows:

In principle, membership of the Council is open to all mansions, organisations and individuals that profess and practise the Ras Tafari faith as founded upon the personality and teachings of His Imperial Majesty Emperor Haile Selassie I.

5.1.2 Criteria for membership. A member of the Council must meet the following criteria. It must be an organisation, mansion or individual :

- Mansions and organizations must have a clearly defined leadership structure and a body of people that is represented by that leadership.
- Mansions or organizations must have a Constitution or guidelines that are in compliance with the teachings and objectives of His Imperial Majesty Emperor Haile Selassie I and approved by the Council.
- Mansions, organizations and individuals must subscribe to and support the objectives of the Millennium Council as set out in this Constitution, especially the role of the Millennium Council to speak, represent and act with “one voice” for and on behalf of the global Ras Tafari Community.
- Individuals (Ras Tafari not affiliated to any mansion or organization) members must have the recommendation of a member of the All Mansion Elder Council or administrative board and be approved by the Millennium council on a case by case basis. The Administrative board may appoint a special committee for this purpose. Individuals may be elected to serve in any capacity in the executive. Individuals must organize themselves and elect two (2) representatives to represent their interest on the administrative board. Representative shall be one male and one female persons of the Ras Tafari community.
- Mansions or organizations that do not qualify for representation on the administrative board as Mansions or organizations may join as part of the general membership until such time that they qualify for representation on the administrative board.

5.1.3 _ By virtue of their initiative in the founding of this Millennium Council the Mansions and Organizations listed below shall be deemed to have satisfied their requirement for membership.

The founding member Mansions/Organizations of the Council shall be the following:

- (1) Theocracy Reign First Order of The Nyahbinghi
- (2) The Twelve Tribes of Israel
- (3) Ethiopian World Federation
- (4) Rastafari Centralization Organization
- (5) Royal Ethiopian Judah Coptic Church
- (6) Haile Selassie School of Vision
- (7) Haile Selassie Theocracy Government
- (8) Leonard Howell Foundation
- (9) International Peacemakers
- (10) Dreaded Nyahbinghi
- (11) Camp David

Membership of the Council shall be open to any other Ras Tafari organisations that meet the above criteria. In order to apply for membership, such organisation shall be required to address a letter of application to the Council, providing the relevant details. The Council shall have the discretion whether or not to appoint and admit such new members.

Special consultative status is hereby recognized for the E.A.B.I.C as one of the Mansions of Ras Tafari.

Proposed Constitutional Structure of Organization (Article 6):

- (1) All Mansion Council of Elders
- (2) Administrative Board
- (3) Executive

6.1 The Millennium Council Administrative Board, in consultation with the Council of Elders, shall be the highest decision-making body, nominated by its members to promote and strive to achieve the objectives set out in this Constitution. It shall be the duty of the Administrative board to set the overall policy for the Millennium Council.

SELECTION TO ADMINISTRATIVE BOARD

- Each member mansion shall annually nominate TWO representatives to the Council, which nomination must be made in writing, at the Annual General Meeting of the Council. In keeping with the balance represented by the crowning of H.I.M. Emperor Haile Selassie I and Empress Menen, each mansion shall nominate a male and female representative. Each approved organization that qualifies with the requirement for representation on the Administrative Board shall nominate ONE (1) representative, which nomination must be made in writing, at the Annual General Meeting of the Council. The non-affiliated Ras Tafari members may elect TWO (2) representatives (one male, one female) to represent their interest on the Administrative board. All

representatives are subject to the approval of the All Mansion Elder Council. These representatives will constitute the Ras Tafari Administrative Board.

CRITERIA FOR ADMINISTRATIVE BOARD MEMBERSHIP

6.1.2 Criteria for membership. In addition to the all the requirements of general membership, each Mansion or organization who is represented on the Administrative Board should have a minimum of seven (7) years of history of organizing within the Ras Tafari movement and have a membership of at least 50 members. This does not apply to the TWO (2) representatives elected to represent the non-affiliated Ras Tafari. Organizations which do not meet the criteria may still be able to apply for membership subject to the approval of the Administrative board and the all mansion council elders.

6.1.3 Term. Each representative on the Administrative board shall serve for a term of three (3) years.

6.1.4 Founding Members. The founding members of the Administrative board shall be nominated by the founding member mansions and organizations of the Millennium Council named in 5.1.3.

ELECTION TO EXECUTIVE

6.2. Ras Tafari Executive Committee

6.2.1 The individual (non-affiliated) Ras Tafari Council members shall elect a Chairperson, Vice or Co-Chairperson, Secretary, Treasurer, Public Relations Officer and Administrator, who shall comprise the Executive Committee. Also nothing in this provision shall prevent individual members of the Mansions, or organizations from being nominated for consideration for the Executive. Each individual Mansion and organization may also nominate persons for consideration. Elections to the Executive Committee shall have due regard for the principle of maintaining a gender and youth balance on the Executive at all times. The selection of the Executive committee shall be subject to approval of the majority of the All Mansion Elder Council and Administrative board respectively.

CRITERIA FOR ELECTION TO EXECUTIVE

☐Criteria. To be eligible to serve on the Ras Tafari executive committee nominees shall possess the appropriate qualification, and/or demonstrate competence and experience for positions nominated for. Application for nomination shall be submitted in writing to the Administrative Board and include nominees qualifications and/or demonstrated competence and experience in the particular post for which the nominee seeking to fill.

6.2.5 Term. Each executive shall serve for a term of three (3) years.

ELECTION TO COUNCIL OF ELDERS

6.3 The All Mansion Ras Tafari Council of Elders

The Council undertakes and is committed to show particular respect to the Ancients and Elders in the Ras Tafari Community who are the holders and carriers of the ancient knowledge. The Council of Elders shall be consulted for spiritual and practical guidance in all matters, and shall be appointed as follows:-

- The Ras Tafari Council of Elders will consist of no less than ten and no more than thirty, and each member mansion shall be entitled to nominate three Elders. In keeping with the balance represented by the crowning of H.I.M. Emperor Haile Selassie I and Empress Menen, each mansion shall nominate at least one male and female representative.
- The Elders will be nominated by the member mansions/organizations of the Millennium Council, based upon their integrity, spirituality, livity and knowledge of the Ras Tafari faith, who are over the age of fifty (50) and have been members of the Ras Tafari faith for over forty (40) years or who are upward of sixty (60) years old.
- Term. Each member of the All Mansion Ras Tafari Council of Elders shall serve for a term of three (3) years. Each Elder shall serve subject only to disqualification by a majority vote of All Mansion Ras Tafari Council of Elders for misconduct or other inappropriate behaviour as determined by the All Mansion Ras Tafari Council of Elders.
- The Ras Tafari Council of Elders will be convened by the Millennium Council no less than once every year, and as often as is possible and feasible, in order to provide considered guidance and input on all matters affecting the Ras Tafari faith, including matters of ethics and conduct of Millennium Council members, Executive Committee members, member mansions/organizations and associates, which the Council by simple majority vote refer to the Council of Elders for possible disciplinary advice and action.

ANNUAL GENERAL MEETINGS

6.4.1 Every three years each Mansion shall be entitled to send two (2) voting representatives to the AGM, and as many non-voting representatives as is practical under the circumstances. Each organization shall be entitled to send one (1) voting representative and as many non-voting representatives as is practical under the circumstances. Individual members will be represented by two (2) voting representatives. These representatives will constitute the Administrative Board and shall vote to approve the nominations to the executive positions. The full administrative board along with the full All Mansion Elder Council are required to attend the AGM.

6.4.2. Every three years at the AGM the non-affiliated Ras Tafari shall vote to elect the members of the executive for the next three year term. Each non-affiliated Ras Tafari shall have one vote.

6.4.3 All normal decisions of the AGM, (with the exception of an amendment of the Constitution), shall be made on a simple majority from the All Mansion Elder Council and of eligible voting representatives from the Administrative Board.

Decisions relating to amendment of the Constitution, or to termination of membership, shall require a two thirds majority vote.

FORMALITIES (Article 10)

10.2 The founding members of the Millennium Council are those members signing this Constitution, who by their signature to the document attached hereto, adopt the Constitution, and assume responsibility for the further conduct of the Millennium Council according to this document and any Rules, Regulations and/or By-laws duly made in accordance and pursuant to this Constitution.

SUMMARY OF CONSTITUTIONAL ISSUES

Each of the following Issues should be discussed and decisions made by the existing members of the MC, either by consensus or majority vote (of existing MC members):

1. Name of Organization

2. Reconfirm the membership of organizations and their representatives

3. Admission of new member Organizations/Individuals

4. Procedures to establish the Rastafari Council of Elders

5. Procedures for Executive Nominations and Elections

➤ ***Evolving Executive into Administrative Board AND allowing Ras Tafari individuals to be MC members and eligible to be elected to the Executive***

OR

➤ ***Retain existing election procedures AND allow Ras Tafari individuals to be MC members and eligible to be elected OR selected to Executive Committees of the MC***

General Meeting January 2nd 2011

Ras Tafari <ethioafricamillennium2000@gmail.com>

2/11/10

to Junior, organicblackso., RYIC, rasnyabingy, Youth, platl_talibah, ras.andrew, adugo, Afrika, Afrika, alpha, Bobo, Becky, boyd, Bro, Michael, Ras, Ras, originalwailers, carlos, cflifeline, casa, Cecile, Iyahna, Jamilia

Blessed Greetings Rastafari;

This is just a reminder to Members of our next General Meeting re email dd November 29th 2010. The Executives will be meeting on Thursday December 16th and more information will be forth coming afterwards. Please be advised:

We the Executives of EADUMC give heartfull thanks to all who attended yesterday's General Meeting and look forward to ALL MEMBERS for continued support and full-ticipation as we prepare for our next General Meeting on January 2nd 2011 at the King Ital Restaurant!

We have attached some documents that will be relevant for our next meeting, and will be submitting others shortly after the corrections/adjustments have been made. At yesterday's sitting, Delegates have proposed two (2) Committees to be added unto the current list of seven (7): INTELLECTUAL PROPERTY RIGHTS COMMITTEE; HEALTH & NUTRITION COMMITTEE.

We hope that all current Members of the Millennium Council will complete and return the MEMBERSHIP FORM (as attached) to our next General Meeting on January 2nd.

We will be updating all our Members and potentially new Ones in preparation for the next General Meeting.

One Perfect Love!
Prophet Greg
General Secretary

PROPOSED COMMITTEES

Finance Committee

Public Relations Committee

Project Committee

Council of Elders

Repatriation Committee

Reparations Committee

Education Committee

(1) A Finance Committee. The Finances is so important that I think it requires more than a Treasurer. This Committee would be responsible for accounts, banking and investments.

(2) A Public Relations Committee - responsible for communications internally, with the different mansions/organizations within the Rastafari nation, as well as for official communications and correspondence with the outside organizations, via print, internet and other multimedia.

(3) A Project Committee - responsible for the organization and execution of traditional Rastafari celebrations/events and other community based projects.

(4) Council of Elders should have certain powers of or to recommend disciplinary action against all members including Executive, Committee and general members.

(5) Repatriation Committee. Repatriation though in meaning should be the International recourse in returning Africans to their natural homeland by the Colonial Powers, the concept of self-repatriation and its recognition by the A.U. re Returning Residents Status must be investigated to implement and/or enshrine existing realities e.g. Shashemmanne Grant.

(6) Reparations Committee is to finalize the Millennium Council's Draft Document and pursue the Durban Declaration re UN'WCAR along with the domestic claims from other committed atrocities e.g. Coral Gardens.

(7) Education Committee is to be established as the vehicle to necessarily create the means for public dissemination on Agendas that the Millennium Council is / will be embarking upon.

EADUMC MEMBERSHIP FORM AS AT JANUARY 2nd 2011



The Ethio-Africa Diaspora Union Millennium Council Membership Form

| CURRENT EXECUTIVES | CURRENT MEMBERS | NEW REPRESENTATIVES |
|--|--|----------------------------|
| CHAIRMAN RAS HOWARD WRIGHT | Royal Ethio-Judah Coptic Church - DANIEL BARRET - RADCLIFFE FLETCHER - ORLANDO MILLER | |
| GENERAL SECRETARY PROPHET GREG | Leonard P. Howell Foundation Inc. - CATHRINE HOWELL - MICHAEL BOYD - LINFORD H. WHYTE | |
| TREASURERS DERMONT FAGAN COLLEEN MILLER | Ethiopian World Federation Inc. - GERALD BRISSETT - ALEXANDER SEATON - WINSTON BOWEN | |
| PUBLIC RELATIONS ANTHONY DAVIS | Haile Sellassie Theocracy 1st Gov. - HOWARD WRIGHT - CHARAKA YOUNG - TREVOR MCKAY | |
| EXEC. ADMINISTRATION PATRICK BECKFORD WINSTON BOWEN MARLON D'AGUILAR | H.I.M. Haile Selassie I School of Vision. - DERMONT FAGAN - CRAIG GORDON - LOWANA LAING | |
| AMBASSADOR-AT-LARGE MONTGOMERY HOLMES | Theo. Reign Order. of the Nyahbinghi - CARL FISHER - FITZROY FLOYD - GARTH RAMSAY | |
| SECURITY RUDOLPH BAILEY | Twelve Tribes of Israel - ANTHONY DAVIS - PATRICK BECKFORD | |
| | Rastafari Youth Initiative Council - IYANNA HOLMES - AFRIKA THOMPSON - ORAL TAYLOR | |
| | Empress of Zion - MOAGISI MOGALAKWE - MARCIA STEWART - RUKAYAH STEWART | |
| | 1st Order of the Dreaded N'binghi - CLINTON CAMPBELL - RUDOLPH BAILEY - BYRON BARTLEY | |
| | Camp David - CLEMENT DAWES - D'RAY RICKETS - ALBERT GORDON | |
| | C. F. Lifeline Inc. - MARLON D'AGUILAR - MENNEN LAWSON - CECILIA LOGAN | |
| INT. CONSULTANT MAXINE STOWE | Rastafari Alliance in Panama - ANGELA BRAITHWAITE - CARLOS SEALES | |
| LEGAL COUNSELOR MARCUS GOFFE | House of Dread Youth Foundation - R. MONTOCK - B. XIMMINIES - P. MCKENZIE | |
| OBSERVER STATUS | Ethiopia Africa Black Int.Congress - EMPRESS ESTER - PRIEST BROWN - PROPHET GREG | |
| CO-OPTED MEMBERS | Rastafari Indigenous Village - EDI WRAY - ION KAYNAKI | |
| INDIVIDUALS EXECUTIVE ADMINISTRATION | - TZEDNE ISHIGYHD - MARCIA ELLIOTT - MITZIE WILLIAMS | |

2. RASTAFARI INDIGENOUS CULTURE AND INTELLECTUAL PROPERTY RIGHTS AGENDA 2012 - 2013

Introduction

Background to the problem

IP law

Non-IP/Moral law

Examples of commercialization

Reggae

WIPO-JIPO-EADUMC Co-operation

WIPO IGC

WIPO Caribbean Traditional Knowledge Working Group

EADUMC Rastafari Global Fora

Creative Heritage Project

New JIPO Practice Direction

Rastafari trade marks

Rastafari Intellectual Property Authority

Rastafari Indigenous Culture Expo

Rastafari Village Franchise Concept

CONCLUSION

APPENDIX 1: Ethio-Africa Diaspora Union Millennium Council, Rastafari Cultural, and Intellectual Property Rights Policy

Introduction

Over the past five decades, successive governments, anthropologists, music producers, film-makers, artists, tourism operators, entrepreneurs, academic researchers and many other individuals and organizations, from Jamaica and around the globe, have dealt informally with various individuals and groups amongst the Rastafari peoples, for cultural and financial gain, with no benefit accruing to the Rastafari community as a collective. Rastafari words, symbols, music, art and designs have been appropriated by many, with no acknowledgement or benefit for the Rastafari. This has resulted in moral and economic harm to the Rastafari, as well as to much confusion between what is genuinely Rastafari and what is not, and has influenced the decision by the Rastafari leadership to take active steps to manage and control all aspects of their legacy and heritage.

The Ethio-Africa Diaspora Union Millennium Council (EADUMC) also known as the Rastafari Millennium Council (RMC) asserts the right of Rastafari to own, manage and control its culture, cultural heritage, traditional cultural expressions and traditional knowledge. This includes the name and image of Rastafari, traditional Rastafari symbols, words, music, art and craft designs. The Rastafari Millennium Council's purpose is to act as a collective and pro-active defender of the cultural sovereignty and intellectual property rights of the Rastafari, for the benefit of the collective Rastafari community. The Council is therefore committed to the full recognition and enforcement of Rastafari traditional cultural and intellectual property rights, so as to maintain the moral integrity and foster a means of sustainable economic development, of the Rastafari community.

Background to the problem

Rastafari intellectual property refers to Rastafari imagery, symbols, words and culture. Over the 82 years of Rastafari manifestation in Jamaica, Rastafari imagery, symbols, words and culture have been popularized and commercialized globally, to immense proportion, by both Rastafari and mostly by non-Rastafari individuals. This has been largely due to reggae, but also to an increase in culture tourism, increased international research about Rastafari, and of course, the internet. These have had both positive and negative effects on the global Rastafari community. As the recent issue of the Rastafari colours being used as a carpet at the launch of the Marley film at Emancipation Park shows, there is an urgent need for the Rastafari community's indigenous cultural and intellectual property rights policy and

protocols to be officially recognized and respected.

The positive effects include an ever-increasing international Rastafari community, greater recognition and respect for Rastafari and, for some, commercial wealth as a result of branding Rastafari on various goods and services. Among the negative effects are derogatory and disrespectful commercial associations and depictions of Rastafari, and the diminishing of the market access and value of genuine Rastafari goods and services, including arts and crafts, jewellery, tams, belts, shoes, clothes and food, as well as services provided by Rastafari, usually in reggae music or ital food. The result includes continued economic weakness of the Rastafari community.

Solutions must therefore be based on the objectives to (1) put a stop to disrespectful imagery of Rastafari, (2) put a stop to the unauthorized, unregulated, free-for-all commercialization of Rastafari imagery, symbols, words and culture, (3) ensure that not only should commercialization be authorized, but also that there exist legal agreements for a share of proceeds of any commercialization, to benefit the Rastafari community, (4) strengthen the global Rastafari community's ability to continue making, marketing and selling genuine Rastafari goods and services.

IP law

Intellectual Property law has increasingly been used internationally to protect the culture and traditions of communities which are the subject of unauthorized commercialization. (See http://www.wipo.int/freepublications/en/tk/913/wipo_pub_913.pdf especially pages 7-23.) In relation to Rastafari culture and traditions, copyright, trademark and design law would be applicable. Ways of taking positive action to strengthen and protect Rastafari IP would include:

(1) encouraging the recording of nyahbinghi chanting and drumming and the copyright protection of same in the name of a Rastafari collective, with agreements to benefit the individuals as well as the community;

(2) registering collective and certification trademarks, to provide genuine Rastafari goods and services with a stamp of authenticity, to distinguish them from the fakes; and

(3) digitally compiling and archiving Rastafari ephemerals and other historical literary and audiovisual material, for use by national and international universities, schools and researchers, upon subscription or for a fee. This was suggested by Dr. Jakes Homiak to the Rastafari community subsequent to the launch of the Smithsonian Exhibit and is being organized by the EADUMC. It will need copyright clearances and agreements with copyright owners, if any, and a considerable sum of money to digitize the archival material.

For now, IP law is the most tangible and practical way to protect community culture and traditions in most countries.

Non-IP/Moral law

It has however been also recognized that intellectual property law is inadequate to properly protect cultures and traditions which may not qualify for IP protection, or for which IP law offers only limited protection. A WIPO Inter-governmental Committee continues to deliberate on the pros and cons of establishing a new international regime (still based on IP but amended) to provide adequate protection in the future.

(http://www.wipo.int/export/sites/www/tk/en/consultations/draft_provisions/pdf/tce_provisions_summary.pdf).

Nonetheless, the use of moral law (moral argument) and the threat of public disclosure of unethical, unauthorized commercialization, has been successfully used by several communities to enforce their objections and demands within their countries. Moral law was successfully used by the San people of South Africa and Botswana who, with the assistance of Mr. Roger Chennells, South African Attorney-at-Law, forced a pharmaceutical company to compensate them for using their traditional medicinal knowledge concerning the Hoodia cactus plant, to patent and market a drug made from it.

Though to fully be able to litigate claims on behalf of the Rastafari community would take a large pool of resources, which is not available as yet, there is work to be done by writing the numerous individuals and companies which have commercialized the Rastafari culture, inviting them to formally discuss the issue, with a view to formalizing consent or non-consent, and any share of profits. There is also need to write cease and desist letters to individuals and companies which use Rastafari imagery in a demeaning or disrespectful way, including several organizations in Jamaica. Recently the Rastafari community was

very concerned over the disrespectful portrayal of Rastafari in a theatrical that was playing in Jamaica. In order for the moral force of argument to succeed, i.e. for Rastafari authority to be respected, the Rastafari community needs to be organized and centralized, and to be represented professionally. This is the experience from Roger Chennells, who was with us the Rastafari community in Jamaica in July 2007, and who left with us a blueprint and recommendations as to how best to proceed.

Examples of commercialization

A search on the internet reveals hundreds of examples of commercialization of Rastafari. One example is: <http://rastafariv.com/> . This actually is a case of cyber squatting, as the site is not necessarily themed Rastafari, but the registered owners of the domain name have registered it hoping to make a money off of the sale of the domain, due to the popularity and value of the name “Rastafari”. Another example is <http://rastaroots.com/shop/> . This is a typical Rastafari-styled clothing business on the internet. <http://rastatacoholding.com/> is another site which is promoting and offering “Rasta Taco” as a franchise.

The issue of how to address the commercialization by Rastafari as well as non-Rastafari will have to be addressed. Based on the moral principle that the Rastafari community should have a say in the commercialization of its name and culture, then both Rastafari and non-Rastafari enterprises should be approached in good faith. A differential percentage of profits however should be negotiated so as to encourage genuine Rastafari goods and services.

Reggae

A similarly conciliatory approach should be adopted regarding the reggae fraternity. No doubt, Rastafari has contributed to the popularity and commercial success of many in the reggae industry, from promoters, record companies, reggae magazines and other paraphernalia, and reggae artistes. Generally, the reggae fraternity in Jamaica has been quite willing to donate their money or talent to various Rastafari community fundraising projects. The moral principle has been recognized. However, the arrangements for a systematic share of proceeds need to be organized, whereby a Rastafari Trust Fund can be established along lines of transparency and accountability, and the donations and profits from projects and fundraisers can be deposited and channeled to common community objectives.

WIPO-JIPO-EADUMC Co-operation

WIPO IGC

As a result of a Fact-Finding Mission to Jamaica in 1999 to assess the needs and expectations of traditional knowledge holders, the indigenous communities in Jamaica have maintained a good working relationship with WIPO and JIPO. In 2000 WIPO established an Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) to discuss at an international level the need for legal protection of indigenous and traditional knowledge and culture. The EADUMC has been an active observer member at the IGC since 2008. Representatives from the EADUMC have represented the Rastafari community at WIPO in Geneva, Switzerland on several occasions and will continue to do so.

WIPO Caribbean Traditional Knowledge Working Group

In 2008 WIPO established in Jamaica the Caribbean Traditional Knowledge Working Group. The aim of the Group is to arrive at a regional Caribbean approach to the preservation and protection of traditional knowledge (TK) and traditional cultural expressions (TCEs). The Group did consultations with the public and private sector as well as with several indigenous communities across the Caribbean, including with the Maroon and Rastafari communities in Jamaica. The EADUMC has been very involved in that process. A full report with recommendations is being prepared. The RMC has recently submitted our Rastafari Policy recommendations that is the basis for our Rastafari IP Policy to be implemented through RIPA which currently requires legal representation.

EADUMC Rastafari Global Fora

In August 2010 the EADUMC in collaboration with WIPO and JIPO hosted Rastafari Global For a 2010. The aim was to sensitize the communities in Jamaica and the general populace as to the principles, best practices and protocols that are applicable to indigenous intellectual property rights. The Fora consisted

of several lectures, seminars, workshops and panel discussions featuring speakers from the Maroon and Rastafari communities as well as from the Government of Jamaica, JIPO and WIPO. We hope to do another Rastafari Global Fora along with the Rastafari Indigenous Culture Expo to strengthen the awareness of the Rastafari community and the awareness of public and private sector entities, to the fact of Rastafari cultural heritage and intellectual property rights. The RMC has just concluded the second tri-annual Rastafari Conference in partnership with the Rastafari Studies Initiatives, UWI through a recently concluded MOU that is need of legal explication.

Creative Heritage Project

At the request of the EADUMC, WIPO and JIPO implemented the Creative Heritage Project for Indigenous and Local Communities in Jamaica in December 2011. The aim of the project is to train young members of the Maroon and Rastafari communities in interviewing, digital recording, archiving and preserving of community cultural heritage, as well as in the relevant intellectual property principles and protocols to legally protect community culture and intellectual property. As a result, there will be additional training and projects which are being developed by the EADUMC, WIPO and JIPO through this mechanism. An Memorandum of Understanding (MOU) is currently being negotiated with JIPO and the RMC.

New JIPO Practice Notice

In April 2012 JIPO issued a new Practice Notice addressing the rights of indigenous and local communities over their traditional knowledge and traditional cultural expressions that seek to prevent the registration of trademarks which have any aspects or elements of Rastafari TK or TCEs. This is an important step in the legal protection of Rastafari indigenous culture. (See JIPO website - www.jipo.gov.jm) This is to be expanded and auctioned through RIPA that has been registered as a business name.

Rastafari Trade marks

In the first phase, this initiative will see the actualization of Rastafari trademarks, including collective and/or certification marks through JIPO in Jamaica, which will be able to be applied to genuine Rastafari products and services, thereby boosting the market for such genuine products and decreasing the instances of fake Rastafari products being proliferated in local and international market places. The plan is to host a Rastafari trademarks competition to enhance awareness among the Rastafari community and the wider Jamaican society of the importance of Rastafari intellectual property rights, as well as to give Rastafarians a chance to design trademarks which can serve the interest of the Rastafari community. The RMC has recently registered our first Community marks associated with the *Rastafari: Unconquerable* Exhibition.

Rastafari Intellectual Property Authority

This will eventually require a proposed Rastafari Intellectual Property Authority (RIPA) as a certifying body for the successful operation of the Rastafari certification marks. Further WIPO and JIPO co-operation in Jamaica will sensitize private and public sector entities that they cannot just use Rastafari words and images without authorization from the Rastafari community and appropriate agreements in place to ensure the wider Rastafari community benefits economically from any such authorized commercial use of Rastafari words and imagery. We have active cases related to Snoop Dogg/Lion, Adidas Rasta Life Style Brand and several Jamaican Liquor Companies in need of legal representation.

Rastafari Village Franchise Concept

Pinnacle is the site of the first Rastafari community. The reclamation of Pinnacle in Jamaica as a Rastafari Heritage Site would facilitate a Rastafari Cultural Heritage Centre being established there in the future. The Restoration of Pinnacle is central to the establishment of a Rastafari Cultural Heritage Centre where the Rastafari Community will be able to house our Rastafari archives, including those presently housed at the Smithsonian Institute in Washington DC, as well as in other museums around the world. This will represent the first such Rastafari Cultural Heritage Centre in Jamaica.

The Rastafari Indigenous Village recently promoted in Montego Bay is also another of the ventures supported by the Rastafari Millennium Council. It represents a prototype of the Rastafari Village

Franchise Concept which, in this new paradigm shift to heritage and ecotourism, has real possibility for sustainable economic development of the Rastafari community. "Rastafari... are the most ecological aware, philosophically, in the island." The Jamaican state needs to find a way to shift its reliance on mass tourism given "the global trend in tourism is not in the direction of sea and sand tourism, but more attraction, cultural, heritage, and green tourism" (Boxill 2004, p. 271). More importantly, it is a commonly known fact that the Rastafari "image and culture are used to sell Jamaica abroad but they are not there as owners and shapers of the product." (Nangwaya 2007).

Our vision therefore for an appropriate role for the Rastafari community to have in Jamaica's tourism industry is to develop, organically from within the experience of several Rastafari communities, a franchise of Rastafari Villages which will not only provide a market for genuine Rastafari goods and services, but more so contribute to the economic and ecological sustainability of the Rastafari community, while creating tourist revenue for Jamaica in the process. The Rastafari Village Franchise Concept will also involve substantially the use and protection of Rastafari intellectual property strategies to authenticate the goods and services being displayed and sold, with part proceeds reverting to the Rastafari collective through a Rastafari Trust Fund. [Refer the Rastafari Economic Village Proposal.]

As has been recently noted however:

"The challenge that faces the Rastafarian community in effecting a self-reliant, sectorally-linked ecotourism and to mobilize a historic bloc is that it has yet to advance an organizational economic form to counter the labour-exploiting ways of the capitalist firm."

"Rastafari need to embrace the worker co-operative organizational form that privileges labour/people over capital. Worker co-operatives are economic organizations wherein the workers as members own, control and govern their place of work."

"Rastafari's worldview on working for a slave wage and the command and control ethos of the workplace makes them today's catalyst to lead the worker self-management charge. However, the state and civil society actors such as universities and universities, non-governmental organizations and existing co-operatives will need to assist in providing and/or financing adult co-operative entrepreneurship classes and technical assistance in tourism."

"The government of Jamaica needs to put land reform and land redistribution to the peasantry, other agriculturally-inclined and landless citizens and Rastas on the public agenda. Right now "with three percent of the landowners controlling percent of the best agricultural land in plantation estates averaging 900 [hectares], and more than half of the island with slopes greater than 20 degrees" African peasants are forces unto small, steep lands (Weis 2001, p. 89). These small producers with the unfavourable lands are the ones who are responsible for producing local food, but the plantations gets the attention and resources of local policy-makers and development agencies. A sustainable tourism policy cannot continue to ignore the need for land reform, so as to unleash the potential of agriculture to feed the people and supply the Hospitality and Tourism sector."

"Rastas are Jamaica's culture bearers in the tourists' imagination and the success of the Reggae Sunsplash franchise which was created in 1978 to co-opt the Rastafari movement, while reaping the benefits of the foreign currencies generated by the musical extravaganza (King 1999, p. 86). As part of the attempt at the co-optation of the Rastafarian culture and creative contribution (while downplaying its African liberation thrust) the "reggae aesthetic in the Jamaican tourism product [was and] is demonstrated at its highest level through the legacy of Bob Marley" (Niaah & Niaah 2007, p. 7). Rastafari and the new *historic bloc* could use reggae and other indigenous musical forms and our dance traditions as part of creative arts festivals to attract domestic and domestic vacationers to the ecotourism facilities."

"At this point in the ideational development and manifestation of Rastafari the writer believes that they are ready to be the catalysts for an egalitarian approach to economic and social development... through Rasta informed and controlled political formations."

"The firms operating with the movement need to be part of a network that would create the supporting structures and organizations to provide finance, research and development, education, lobbying, and technical assistance."

Ajamu Nangwaya, *Rastafari as a Catalytic Force in Ecotourism Development in Jamaica: Development as Economic and Social Justice*, The Sir Arthur Lewis Institute of Social & Economic Studies (SALISES) 8th Annual Conference: *Crisis, chaos and change: Caribbean Development Challenges in the 21st Century*, UWI, St. Augustine, March 2007
<http://sta.uwi.edu/conferences/salises/documents/Nangwaya%20%20A%20.pdf>

Rastafari Indigenous Culture Expo

The EADUMC would like to partner with the Ministry of Culture, through its agencies of JCDC, Institute of Jamaica, National Art Gallery, TPDCo, National Heritage Trust, and with the Ministry of Industry and Commerce and its agencies JIPO, JTI and the JBDC, to stage an annual Rastafari Indigenous Culture Expo.

The objective of the Rastafari Expo is to promote and support the African Union 6th Region objectives and to further the aims and objectives of the Rastafari Community in its definition and promotion of its Indigenous Culture, Moral and Intellectual Property Rights. This Rastafari Expo would be a welcome and necessary next step to put in a practical and visible format to the public and various stakeholders, the intent as well as the community protocols in respect of these rights.

CONCLUSION

The Rastafari community therefore requests the Government of Jamaica to:

- (1) Officially recognize and respect the Rastafari Indigenous Culture and Intellectual Property Policy and related Protocols and facilitate and engender the recognition and respect for the policy and protocols by all GOJ Ministries, Agencies, the public and private sector.**
- (2) Support the establishment of the Rastafari Intellectual Property Authority (RIPA) and the Rastafari Indigenous Culture Expo.**
- (3) Facilitate the Rastafari community's inclusion and participation in the Government of Jamaica's official cultural and diplomatic missions to the African Union.**
- (4) Assist the Rastafari community to develop co-operative economic organizations aimed primarily at empowering Rastafari entrepreneurship and collective ownership and development of our indigenous industries and cultural heritage ventures.**
- (5) Provide and/or facilitate technical assistance and capacity building in eco/heritage tourism, and access to funding to assist the Rastafari community's ownership, development and management of the Rastafari Village Franchise.**
- (6) Facilitate a network of organizations, both public and private, that would create the supporting structures and organizations to provide finance, research and development, education, lobbying and technical assistance to the Rastafari community, to enhance the community's social and economic sustainability.**

APPENDIX 1

ETHIO-AFRICA DIASPORA UNION MILLENNIUM COUNCIL RASTAFARI CULTURAL AND INTELLECTUAL PROPERTY RIGHTS POLICY

The Rastafari Millennium Council has implemented the following processes and protocols to ensure due recognition and protection of Rastafari cultural and intellectual property rights and to facilitate beneficial access to Rastafari cultural and intellectual property, whether for non-profit or for commercial purposes. The Rastafari Millennium Council advises public and private institutions that wish to engage the Rastafari, to have in place appropriate funding in their projects to ensure Rastafari co-operation and

benefit. The Rastafari Millennium Council will charge a fee for the review and administrative process, as well as a fee for the collective benefit and maintenance of the Rastafari communities. The fee will vary depending on the nature and extent of the access required.

NON-PROFIT CULTURAL, EDUCATIONAL OR SCIENTIFIC PURPOSES

The Rastafari Millennium Council will review requests for the proposed use of Rastafari cultural and intellectual property to ensure that they will be used for cultural, educational or scientific purposes, in keeping with the principles of Rastafari integrity and morality. If the cultural and intellectual property or knowledge is deemed to be appropriate for public cultural, educational or scientific use, the Rastafari Millennium Council or the appropriate Rastafari Mansion will allow the use of it, provided that the use is accompanied with a statement that acknowledges that the information is the cultural and intellectual property of the Rastafari Community and/or the appropriate Mansion and provided the researcher agrees that the Rastafari Millennium Council will be able to review the study or report prior to its publication and that the study will incorporate a Rastafari Millennium Council statement should the Council have a different perception of facts or analysis than that of the author. The Council and each person interviewed or filmed is to be given a copy of the final report or study. Permission may be refused if the Rastafari Millennium Council does not deem the use educational or scholarly, or if the context appears to misrepresent the Rastafari community, culture or heritage.

FOR PROFIT RESEARCH AND RECORDINGS

Any individual, organization or company wishing to engage in still photography, videography or audio recordings of aspects of Rastafari culture and heritage, for broadcast or public news dissemination by any means, must obtain express permission by registering in advance with the Rastafari Millennium Council and signing the appropriate contract. By registering, individuals, organizations or companies agree not to use the material obtained in any way other than as expressly approved by the Rastafari Millennium Council and further not to engage in any further commercialization other than as approved, without the prior informed consent of and agreed share of benefits with the Rastafari Millennium Council on behalf of the Rastafari community.

NON-RASTAFARI AS WELL AS RASTAFARI INDIVIDUALS AND ORGANISATIONS THAT EXPLOIT RASTAFARI CULTURE, WORDS, SYMBOLS, MUSIC, ART AND CRAFT AND FAIL TO ENTER INTO MUTUALLY BENEFICIAL RELATIONSHIPS WITH THE COLLECTIVE RASTAFARI COMMUNITY, WILL BE REGARDED AS HOSTILE TO THE RASTAFARI COMMUNITY AND WILL BE TREATED ACCORDINGLY.



RASTAFARI CREED ANALYZED [EXODUS! Chapter 20; Psalms 68.]

Prince and Princess shall come out of **Egypt [House of bondage, Repatriation!]**; Ethiopians shall stretch forth InI hands and heart unto JAH [**Ethiopia Liberation Day, May 5th 1941**]. O JAH of Ethiopia His own Divine Majesty, Thy Spirit comes to all dwelling paths of righteousness. Lead InI; Help InI to forgive that InI must be forgiven. Teach InI love, loyalty on earth as it is in Zion. Endure InI with Thy Wisdom, Knowledge and Iverstanding to do Thy will. Thy blessing to InI: the humble be fed, the naked clothed, sick nourished, aged protected, and infants cared for [**RasTafari Trust Fund!**]. Deliver InI from the hands of InI enemies that InI shall be fruitful in these last days; when InI enemies have passed and decayed in the depths of the seas, in the depths of the earth, in the bowels of the beast. O give InI a place in Thy Kingdom forever. So InI hail our JAH, Emperor Haile Sellassie I, JAH RASTAFARI; The Almighty, JAH RASTAFARI; Great and terrible, JAH RASTAFARI is the Almighty!

“This, then, is the ultimate challenge. Where are we to look for our survival, for the answers to questions which have never before been posed? We must look first to Almighty God, who has raised man above the animals and endowed him with intelligence and reason. We must put our faith in Him, that He will not desert us or permit us to destroy humanity which He created in His Image. And we must look into ourselves, into the depths of our Souls. We must become something we have never been and for which our education and experience and environment have ill prepared us. We must become bigger than we have ever been: more courageous, greater in spirit, larger in outlook. We must become members of a new race, overcoming petty prejudice, owing our ultimate allegiance not to nations but to our fellow men within the human community.” Emperor Haile Sellassie I (United Nations Oct. 6, 1963).

The impact from colonialism and slavery will demand the NEED to be RE - EDUCATED;

drawing on NEW EXPERIENCES learnt from our re-birth and NEW BEING; thus creating the necessary New ENVIRONMENT - A VILLAGE to final overcome the ILL PREPARATIONS that the white world left in its wake in uprooting Indigenous Systems and settings.

Traditional Healers were the Priests and /or the Medicine Man and so the Indigenous Systems has to be replenished by these recognitions. For them to exist in today's world, they must become economically viable through their practicing and sale of products. This is where our Sacramental Rights must be addressed to be able to Trade internationally between Indigenous Groups.

A holistic approach in remedying colonialism and slavery that caused the pharmaceutical industry has to become mandatory i.e. the 'Back - to - Eden' approach - Nutraceutical, between Man and Nature to eliminate hard chemicals and pesticides replacing them with the REAL ORGANIC materials from Nature - Organic fertilizers, natural growth cycles in farming, etc. must return to the norm.

And MOST IMPORTANTLY! In the ancient tradition, it is NOT the duty of the Priests to carryout day-to-day economic matters but rather the Commune / Community that provides their requirements hence paying TITHES. This is what is being interpreted as Intellectual Property for the Culture that was created from SPIRITUALITY / Faith by (re)connecting with the HIGHER BEING - "LOOKING FIRST TO THE ALMIGHTY, to be paid into the RasTafari Trust Fund!"



THE EMPEROR & EMPRESS

3. WIPO Creative Heritage Project

WIPO Accreditation - Relationship with JIPO - Creative Heritage Project - Rob Bowman/WIPO

The advocacy and incorporation of the Creative Heritage Project in 2010, was a significant indicator/outcome of the EADUMC/WIPO/JIPO working relationship and recognized the need and ownership of the recording of the knowledge of the Community Elders and processes. There is some amount of angst in this relationship where Civil Society and Govt. to Govt. protocols are concerned with UN Agencies in relation to Indigenous Rights for Rastafari. This moreso as the Indigenous IP Rights through WIPO were directly engaged between 1999 and 2007, between GOJ/WIPO/JIPO Maroon interest. Rastafari was independently acknowledged by WIPO as a Indigenous culture and acceded the protocols of group. The independent engagement and advocacy of the Rastafari Community was to be further complicated when legal advisor to the EADUMC, Marcus Goffe entered as a contracted worker to JIPO in the area of IP, while seeking to retain his position with EADUMC.

Rastafari IP Defined - WIPO - TK/TCE/GR - Crown Council

In developing relationship with WIPO, various questionnaires and inputs to the Caribbean Regional model was engaged. The traditional conflicts between Jamaica and the rest of the Caribbean emerged in this process based on cultural dominance particularly enhanced by Rastafari/Reggae's influence in the Caribbean. The UNESCO ICH and Cultural mapping process was seen as an important process to define IP governance to the Rastafari Community in Jamaica, vis a vis the influential growth of the Community in the Caribbean/Diaspora/International Communities in Africa, USA, Europe, Asia.

WIPO MAGAZINE

http://www.wipo.int/wipo_magazine/en/2011/02/article_0008.html

Exploring Ras Tafari Culture

April 2011

Jamaican attorney, **Marcus Goffe**, Legal Advisor to the **Ethio-Africa Diaspora Union Millennium Council**, introduces the Ras Tafari culture and explores what the community is doing to protect and preserve its cultural identity.

Ras Tafari is a unique and distinctive community and culture comprising mainly Africans and descendants of the African Diaspora. Its formation was inspired by the coronation, on November 2, 1930, of a black African named Ras Tafari Makonnen as Emperor Haile Selassie I of Ethiopia¹. His followers, known as Rastafarians, believe that, according to Christian biblical prophecy² the Emperor was the manifestation of God or "Jah" on earth. The Ras Tafari community seeks to preserve its African ancestry and the traditions it has inherited and sustained in the face of slavery and colonialism. The community has always strongly affirmed its desire for repatriation to Africa, the physical and spiritual homeland of its ancestors, millions of whom were forcibly displaced during the 400-year transatlantic slave trade.



“Nyahbinghi” is a fusion of earlier African-Jamaican forms. Ras Sarge seated before a three drum ensemble (repeater, bass and funde). (Photos: Jake Homiak, International Rastafari Archives Project, Smithsonian Institution, USA)

Although a relatively young community, Ras Tafari culture has a broad reach, permeating popular culture globally. This is in large part due to its influence on reggae music and the success of musicians like Bob Marley, whose work has spread Ras Tafari philosophy far and wide. Migration has also expanded the culture’s reach with communities established most notably in Africa, the Caribbean, the United States, the United Kingdom and other European countries, as well as in countries of Central and South America. The Ras Tafari community is trans-boundary, physically rooted in Jamaica, but spiritually rooted in Africa generally and Ethiopia in particular.

Although considered indigenous to Jamaica, in the non-legal sense, the Ras Tafari community does not qualify as an indigenous community under prevailing international norms, because it did not exist prior to colonization. The Ras Tafari community emerged against a backdrop of poverty and oppression and identifies its members as descendants of indigenous Africans forcibly displaced to Jamaica by slavery and colonialism.

The Ras Tafari culture is a unique fusion of African cultural traditions and Caribbean cultural influences. Having adopted the red, gold and green colors of Africa, Rastafarians can be easily identified by their traditional hand-knitted tams (“crowns”), scarves and other adornments, as well as by the traditional dreadlocks worn by many.

With the broad appeal of the Ras Tafari worldview and the global standing of reggae music, traditional Ras Tafari symbols and imagery have been popularized and used extensively in commercial products ranging from T-shirts, jewelry, arts and crafts items, smoking paraphernalia, hats, clothes, bags and shoes. Very few of these products are made by Rastafarians, and none of the monies accrued from their sale benefits the Ras Tafari community.

The Ras Tafari community is most often associated with creating and popularizing reggae. At the root of this distinctive music are the oral testimonies relating the Ras Tafari’s struggle to preserve their religious and cultural identity in Jamaica. Originally inspired by their experience as marginalized Africans in Jamaica, reggae music evolved from traditional Ras Tafari drumming patterns and the community’s spiritual ideology.

Although much has been written about the Ras Tafari over the past 80 years, to date it has largely come from secondary sources. Little has been based on anthropological research involving first-hand interviews of community members. This has often led to the Ras Tafari being misunderstood and misrepresented, in turn fuelling prejudice and discrimination against the community. Empowering the Ras Tafari to tell their own history and define their identity themselves can help to overcome such misrepresentation, misappropriation, and discrimination, thereby safeguarding the interests of the community. With a diminishing number of community elders, there is a growing urgency to document their testimony as a legacy for future generations.

Similarly, there is a need to further explore and record the evolution of traditional drumming techniques, chanting and ceremonial rituals, with a view to their preservation and protection. These ceremonies form the basis of Ras Tafari traditional cultural expressions (TCEs) and community continuity, enabling them to bond and interact as a cohesive whole. Many of these ceremonies – so-called “grounations” or “nyahbinghis” – have been featured in

documentaries made by those outside the community, but little research has been undertaken by the community itself.



I-tal garden

The Ras Tafari believe that “word, sound is power!” according great importance and significance to the community’s distinctive chants and rhythmic drumming. The ceremonial beating of decorative Ras Tafari drums, handmade from goatskin or cow-hide, along with the spiritual cleanliness of community members, is believed to evoke protective as well as offensive powers. Allowing the community’s traditions to be recorded and preserved and its cultural products to be produced by outsiders heightens the risks of misinterpreting their symbolism and meaning. If the community itself does not record its cultural expressions and interpret their meaning its core identity and cohesion is weakened, and outsiders’ interpretations become the primary reference.

Unlike its TCEs, little is known about the wealth of Ras Tafari traditional knowledge (TK). As strong advocates and adherents of a natural (“i-tal”) lifestyle, the Ras Tafari are, for the most part, vegetarians. I-tal signifies the unity of the individual with nature and includes a diet of natural foods that increases life energy or “livity”. Many Ras Tafari are agriculturalists and, along with others in Jamaica, continue the traditional agricultural and farming practices and methodologies passed on by previous generations. Traditional Ras Tafari land-based cottage industries include the production of artistic works, sculpture, jewelry, and clothing from coconut, banana, calabash and other natural fibers. These typically bear the distinctive Ras Tafari images, colors and symbols.

The community’s TK also includes know-how in relation to preparing and using herbal medicines in the treatment of a range of ailments and illnesses. The community is well known for its root wines or tonics, which are widely produced in Jamaica and the Caribbean. As holders of a rich heritage of TK and TCEs, the Ras Tafari community can be understandably upset, frustrated and at times angered by the misappropriation of their cultural assets by outsiders. Today, thousands of products and services are being passed off as affiliated with, or representative of, the Ras Tafari community – a problem that has been magnified by the Internet and the expanding online market place. Protecting the rights of the Ras Tafari community and regulating the sale of authentic Ras Tafari products is no easy task.

With the assistance of the World Intellectual Property Organization (WIPO) and the Jamaica Intellectual Property Office (JIPO), the Ras Tafari community has embarked on several initiatives aimed at protecting the community’s rights over its TK and TCEs. In June 2007, the leaders of several branches or “mansions” and organizations of Ras Tafari met to establish the Ethio-Africa Diaspora Union Millennium Council (the Rastafari Millennium Council), an umbrella organization seeking to advance the common interests of the Ras Tafari community, particularly in relation to cultural heritage and intellectual property (IP) rights.

In July 2007, the Rastafari Millennium Council invited South African lawyer Roger Chennells to Jamaica. Mr. Chennells is well known for having represented the San people of southern Africa in their efforts to protect their TK of the appetite-suppressing “hoodia” plant. Together with WIPO, Mr. Chennells led a series of seminars in Jamaica on TK and TCEs. These events were well attended by members of the Ras Tafari community as well as those of the Maroon⁴ community. The seminars were especially important because, although cultural misappropriation had been a hot topic for many years, this was the community’s first opportunity to formally consider how IP, among other tools, could be used to empower them to do something about the misuse.

In 2008, the Rastafari Millennium Council became an *ad hoc* observer to the WIPO Intergovernmental Committee on Intellectual Property, Genetic Resources, Traditional Knowledge and Folklore (IGC) and has since actively participated in its international deliberations. The Council also works closely with WIPO and JIPO to develop and implement a range of tools to protect Ras Tafari cultural traditions.

The Council has developed a model IP contract for use when researchers, filmmakers and others visit Ras Tafari communities to make audio or visual recordings. It has also drawn up an Intellectual Property and Cultural Heritage Policy, outlining the procedures outsiders must follow in order to access the community’s TK or use its TCEs. The JIPO fully supports these community initiatives and is working with the community to implement and enforce them.



Unauthorized commodification trivializes Ras Tafari cultural practices.

The setting up, in 2008, of a WIPO Working Group for the establishment of a framework for protection of TK, TCEs and genetic resources in CARICOM⁵ countries is further evidence of positive progress. The Ras Tafari community actively participates in these consultations and looks forward to the creation of an effective regional legal framework to protect the TK, TCEs and genetic resources of indigenous, local and other cultural communities in the Caribbean.

In August 2010, the Rastafari Millennium Council organized, in cooperation with WIPO and the JIPO, the Ras Tafari Global Fora in Kingston, Jamaica, on the theme of “Traditional Knowledge and Community Rights”. The various forums focused on identifying and clarifying the rights of communities, in particular in relation to human rights, cultural laws, IP laws and TK norms. This provided an ideal opportunity for the Ras Tafari and other communities to better learn how to use the IP system to protect their cultural and commercial interests. The Rastafari Millennium Council, through JIPO, has also requested WIPO to assist with an audit of Ras Tafari IP assets, TK, TCEs and genetic resources. Plans are also in place for the community to identify and register collective trademarks to protect authentic and original Ras Tafari assets.

The Ras Tafari hope that, in 2011, Jamaica and the Caribbean will be able to take part in WIPO’s successful Creative Heritage Project. This would go a long way to empowering certain communities in Jamaica, including the Ras Tafari, to document and archive their living heritage and culture. With the assistance of WIPO, the JIPO and others, the Ras Tafari community in Jamaica will continue to work to preserve, protect and manage its cultural assets and to realize its collective right to cultural self-determination and development.

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- 1 Revered as the King of Kings, Conquering Lion of the Tribe of Judah
 - 2 Christian Bible - Revelation 5:5 and Revelation 19:16
 - 3 These include Bobo Shanti, the Nyabinghi, the Twelve Tribes of Israel and others. The term is taken from the Christian bible, verse John 14:2, "In my Father's house are many mansions."
 - 4 Communities of runaway slaves were established in Jamaica in the 17th century. The term, "maroon", is derived from the Spanish word "cimarrón", meaning fugitive or runaway.
 - 5 The Caribbean Community

REPORT ON MEETING THE PRIME MINISTER REPORT ON THE RMC/RASTAFARI COMMUNITY MEETING AT THE OFFICE OF THE PRIME MINISTER MONDAY, MAY 20TH 2013 @ 3:15 PM

The meeting with the Office of the Prime Minister took place on Monday, May 20th 2013 at the Jamaica House and began at about 3:15 pm. Mr. Burchell Whiteman chaired the briefing meeting in the absence of Ms. Deborah Hickling who had to attend an urgent matter. (Ms. Deborah Hickling subsequently joined the meeting.) He stated that the Right Hon. Prime Minister (PM) Portia Simpson-Miller will be leaving on Wednesday May 22nd, 2013 to attend the Organization of Africa Union (OAU) Jubilee Celebration on Saturday May 25th, 2013. Prime Minister had initially asked for this briefing, based on her schedule at Parliament possible not allowing her to officially attend, which she has eventually upgraded through the Ministry Of Culture. He then gave a brief introduction on proceedings.

- 1) A review of the reason for calling the meeting from the RMC and the OPM was stated based on the initial interest in possible participating in a delegation of this nature and incorporating the Ethio-Africa Diaspora Union Millennium Council a.k.a. Rastafari Millennium Council (RMC) and its Agenda in the proposed proceedings. The RMC was not advised that the trip would have been so soon, but had thought that this initial briefing would be followed up by other actions related to having participation in the delegation.
- 2) The process of the RMC formation with particular focus on the accreditation with the World Intellectual Property-Rights Organization (WIPO) in 2007 and the Councils aims and objectives to secure the misappropriations of the Rastafari Indigenous Culture and establish its authority was outlined. This 'authority' was not only necessary for socio-economic reasons but to upgrade the Rastafari Community governmental negotiations that are necessary based on the checkered history of Rastafari Community relations.
- 3) It was then outlined how the Rastafari Community is a major stakeholder in Jamaica's Creative Industry, National and International branding, most notable through the Culture's uptake and dispersion through Reggae Music. With the many national actions on this front taking place with regards to asserting rights related to economic returns, it made this a necessary action in collaboration with other stakeholders for the collective interest in securing the various Intellectual Property and economic assets related directly to the Rastafari Community that have been informally established nationally and internationally through the Creative Industry.
- 4) The Jamaica Intellectual Property-Rights Office (JIPO) having been in their own consultations with WIPO since 1999 leading to the establishment of the national and regional committees in 2008, where the RMC became nationally engaged, to align policies re Indigenous Rights Protocol and the integrated Human

Rights proposals / conditions being negotiated internationally through WIPO. A Practice Note regarding Rastafari IP within Trademarks for JIPO, was created in 2012 encouraged by the strengthened collaboration with the RMC with the next stage being the establishing of the Rastafari Intellectual Property Authority (RIPA) to complement national and international settings.

- 5) It was stated that the Jamaican Government ability to appreciate the Ethiopia-centric cultural formation as a distinctive and distinguishing asset and to not any more seek to 'rehabilitate' or Marginalize the Rastafari Community would be a mutually beneficial step towards nation building and identity relative to the current imperative of building trade and linkages with Africa. The Indigenous Intellectual Property Rights of the Rastafari Community are directly intertwined with the Human Rights related to Repatriation and Reparation. This is a basic factor in the cultural rights of Indigenous communities, especially in the context of the African Diaspora.
- 6) The opportunity of the Exhibition – 'RASTAFARI' at the Institute of Jamaica, was described, where the collaborative partnership is with the RMC and National Museums of Jamaica was one started with the Ministry of Culture since 2007 around the Smithsonian Exhibit, in Washington DC. JAMPRO has been contacted by Exhibit's Public Relations Committee in regards to the national and international promotion and offered an excellent space for reasoning on the way forward for the Government of Jamaica and the Rastafari Community.
- 7) The RMC was highlighted about Jamaica's role in the 50th O.A.U. celebration in Ethiopia and the PM's participation in the OAU celebration was brought to light which lead to discussions on matters of her travelling delegation, becoming one of the reasons for the meeting being held. The example set by the St. Vincent PM was then suggested as a best practice example to emulate, which was the aim and objective of seeking the meeting. The Rastafari Community conditions in Ethiopia as well as the snubbing of Emperor Haile Sellassie I in relation to His forming of the OAU was of imminent importance to the Rastafari Community for the PM's representation, where in the prior 2 weeks now was also actively being addressed by Ethiopia's current sitting President.
- 8) The current trends in the world economy with the shift and increasing marketing in South - South Trading Africa-centric trade and investment and its potential effects on the African, Caribbean, and Pacific (ACP) trading block that were beneficial to the Rastafari Agenda were discussed. Brazil as the largest market in South America for the Rastafari Culture incorporating Reggae Music, being the next great genre to Samba was highlighted with the eminent approach of both the World Cup in 2014 and the Olympic in 2016 in Brazil. This was done in the context of the RMC being very concerned about the approach by Sports and Lifestyle Companies e.g. Adidas who are branding our Culture without any authority hence our increased approach to the Government of Jamaica to address these mounting issues. For these reasons, the RMC has approached the Jamaica Intellectual Property Office (JIPO) to coordinates with WIPO to seek the necessary directives on how to gain the necessary authority to act in these instances.
- 9) It was outlined how Jamaica will greatly benefit from Authentic Rastafari IP Authority as a host Nation which will be able to capitalize on the Jamaica Branding as a direct spinoff of trade in the South - South context. It is without any doubt that Rastafari Commodities commands a significant market brand internationally. With the knowledge that Creative Industries are the fastest growing Markets worldwide and the new incentives been driven by the European Union, Indigenous Communities like Rastafari whose economies are heavily imbedded in these Industries are left vulnerable to large national or multinational corporations that are already easily monopolizing these markets.
- 10) A briefing on the RMC approach towards the Global African Diaspora Summit in submitting Project proposals that can incorporate the Diaspora into Africa via an Economic platform was presented as a Repatriation outline against the 1960-61 Trade Mission on behalf of the Rastafari Community. It was requested that the practical step forward for focusing on these issues on a governmental level would be through a Pan-African Commission aligning with the Africa Union 6th Region Agenda noting the recent announcement of a Jamaican Observer Status with the AU.

- 11) The Hon. Neville Livingston O.J.; C.D. (Ras Bunny Wailers) then express his disappointment of not being previously invited or informed by the Prime Minister's Office towards the Government approach to the Golden Jubilee Celebrations in Ethiopia for the forming of the Organization of Africa Union (O.A.U.) on May 25th 1963. He stated an event of this magnitude should have afforded a representative from the Rastafari Community as vanguards towards African Liberation. His contribution to the Jamaican economy through Reggae Music is well documented and he is now embarking on a 50 Track CD Album in celebrating the Wailers Golden Jubilee of 50 years within the Music Industry and wants to market and imprint his legacy in Africa as the final frontier.
- 12) The role of the Rastafari Community in Africa's Liberation was reiterated. Ethiopians refer to the town of Shashemanne as a 'Jamaican' province. It was stated that Jamaica could learn from Prime Minister Gonzales of St. Vincent and the Grenadines who established bi-lateral Trade Agreements with Ethiopia allowing no Visa restriction of entry to both countries. Prime Minister Gonzales visit to Ethiopia had 4 Rastafari in his delegation and established this bi-lateral accord with only 2 St. Vincentians living in Shashemanne by comparison to Jamaica's population still unable to attain citizenry.
- 13) The appointment of Mr. Masters by the Prime Minister in March to be the Africa Union (A.U.) representatives to Jamaica under Observer Status was questioned with a desire to know how the RMC could have direct contact with him, which was affirmed. Acknowledgement of the presence of the RMC Ambassador-at-Large Binghi Irie Lions for the role he played in Africa during his visit in 2009 to 3 Countries – Ghana, South Africa, and Ethiopia indicating that the Repatriation Agenda now includes countries of South Africa, with the largest community of Rastafari in Africa, and Ghana which passed a Rights to Return and Indefinite Stay Law in 2007.
- 14) Mr. Whiteman stress that it is not only the Rastafari repatriation intent and economic value but also the cultural and psychic value to Jamaica that is important to address. It's going to take time to beneficially develop this process and the need to develop different steps to help. He expressed gratitude for this meeting and being updated on the current shape of events. He also reiterated the necessary for advocacy with the various Ministries dealing with the various responsibilities.
- 15) Mrs. Deborah Hickling entered the meeting eventually and chaired at the exit of Mr. Whiteman. She made notes of our requests for future agenda items for Prime Minister Portia Simpson-Miller meeting with the Rastafari representatives, where she would be travelling as an adviser. She acknowledged the great potential of the Rastafari commodities international Markets as a bridge for our Repatriation efforts and commended the RMC on our efforts. She also gave an outline to the appointment of Minister Hilton's Wife – Mrs. Yodit Hylton as the Ethiopian Honorary Consul to Jamaica in response to a request for a meeting with her to discuss Rastafari IP Rights and potential trading with Ethiopia as means of deepening Repatriation ties. It was also state that Ethiopia, like the Nigerians, are trying to establish direct flights to Jamaica to boost Trade and Investments.
- 16) The 1961 Trade Mission to Africa/Ethiopia was again brought forward in the context of the current globalized situation with its renewed focus on the resources of Africa and it was stated that a Pan African Commission must be instituted to allow for comprehensive Rastafari Community along with other Pan African representatives input in the necessary Government to Government negotiations with the AU, the United Nations Durban process, CARICOM and other international related governmental institutions to advance the process of Repatriation, where in the context of the 21st Century significant Rastafari Communities and trade now existed in Africa and trans-national countries like Brazil, that could more forthrightly accommodate the recommendations and blueprint of the reports. Similarly the Pan African Commission would access the kind of legal framework that would have to be in place to support the new dispensation and realities of the Rastafari Community in various African Countries. This in the context that a new layer and basis of Repatriation has been factored in through the AU 6th Region Agenda and millions of Africans migrating like Jamaicans to the metropole cities globally.

Prime Minister Portia Simpson-Miller then entered the meeting with the Minister of Culture – Lisa Hanna along with Director of Culture, Syd Bartley and Marissa Benet.

Clarification was made of her Parliamentary schedule, and the timing to meet with the Rastafari Community leading to the day's meeting being added to the initial briefing that had been planned. She then gave thanks for the opportunity to meet with the Rastafari Community before departing to Ethiopia on Wednesday for the O.A.U. 50th celebrations. She expressed the pride she felt to be able to do this as someone who is very proud of her African Heritage and as the only Head of State who will be presenting from the region. She then saw herself as the voice of all African people in the Diaspora. She elaborated on the Slavery experience and the importance of us reconnecting with and re-establishing strong ties with the Continent. She realizes that Rastafari has been that consistent voice that has kept Africa and African pride in the hearts and minds of the people especially through music and culture. She noted the harsh treatment that the Rastafari Community had encountered by the State. She indicated that she wanted to include a visit to Shashemane in her itinerary.

All attendees greeted the Prime Minister and Minister of Culture honorably then raised several issues incorporating those presented in the briefing:

- 1) It was expressed that Rastafari is not just sentimentally and historically connected to the Continent, but that our greatest agitation at every level, is with Repatriation being a Right of ours, hence the pioneering efforts of ones in Shashemane, the land grant.
- 2) The difficulty of obtaining an Ethiopian visa was described as having to send passports to New York or Washington D.C. to apply for a visa. In this context we raised the mission led by Prime Minister of St. Vincent and the Grenadines with a Rastafari delegation in 2005, to have meetings at Government level in relation to community issues and concerns re: Repatriation etc. This representation led to the abolition of the visa requirement for citizens of both countries to enter the respective countries. It was also expressed that the community has been slighted by respective administrations in Jamaica as far as this level of representation is concerned, especially following on missions in the 60's. Mention was also made of the fact that South Africa has abolished the visa requirement.
- 3) Highlight was made of the situation of children born in Ethiopia being denied citizenship and not having access to services reserved for Ethiopian citizens. The immigration status of ones who have repatriated to Ethiopia for decades and still not able to have their status formalized, some having trouble re-entering Ethiopia, whenever they left.
- 4) The importance of Jamaica having an Embassy in Addis Ababa, especially since Shashemane has the largest number of Jamaicans and others from the Diaspora, who have repatriated/ re-settled in Africa. It was emphasized that although there was a Jamaican Honorary Consul represented by an Ethiopian, there is presently inadequate Jamaican consular and diplomatic presence there.

The Prime Minister expressed a level of reservation, stating that this would need bi-lateral diplomatic discussions, with agreement by both countries. There was also the question of Jamaica's ability to afford this.

She spoke of Ethiopia now appointing Yodit Hylton as Honorary Consul, a position and presence that will no doubt strengthen the Historic bridges and bonds that already exist Jamaica and Ethiopia. She encouraged us to meet with her and open and broaden discussions to do with trade, investment and advice in relation to diplomatic approaches.

She also spoke of the appointment of Ambassador Carlton Masters as the first ever representative to the African Union whose responsibility is to strengthen relationships and partnerships with African countries and organizations and strengthening dialogue for greater opportunities for trade and investment and other bilateral relationships.

- 5) She was reminded of the 2005 Diaspora Conference at U.W.I. where a lot of these issues were raised in relation to the importance of strengthening the relationship between the Diaspora and the Continent and fostering stronger ties to encourage people of African origin who are willing to contribute to the building of the Continent, by removing unnecessary barriers to bi-lateral relationships through policies, procedures and incentives, exchange programs at different levels was also encouraged and were initiated.
- 6) She was reminded of the historic Global African Diaspora Summit that convened in South Africa in 2012 that had great significance for relations between Africa and her sons and daughters cut off from the Motherland through Slavery and Colonialism. The Rastafari community through representation at the Summit level and civil society had represented the position of their Right to Return and Resettle via Repatriation and stated ways this could happen and that all barriers be removed to facilitate this.
- 7) The question was asked as to what is the justification demanding this and it was stated first of all that as exiled Africans it is our Birthright.
 - a. H.I.M. Haile Sellassie on his historic visit to Jamaica in 1966 had declared to Parliament that Jamaicans and Ethiopians are 'blood brothers'.
 - b. H.I.M. Haile Sellassie in encouraging the return of Africans to Ethiopia had offered the land grant of 500 gashas of land in Shashemane for re-settlement.
 - c. With over 500 Jamaicans living in Shashemane and over 200 children born there, Jamaicans had made significant contributions to Ethiopia and Shashemane by infrastructural development and institutional building and cultural development.
 - d. The point was made of the Repatriation organization called the JAMAICA Rastafari Development Community that actually consisted of repatriates for across the Diaspora. They had actually established a school through the need and effort of the early pioneers and settlers who were concerned about the education of their children in an environment of language and cultural barriers. This school now served the Ethiopian community as well.
 - e. Jamaicans have also added cultural value to Ethiopia.
- 8) The pioneers and repatriates since then have been asking for greater representation of Jamaicans residing there and constantly made the case for Jamaican diplomatic presence there.

The Prime Minister also acknowledged that she was aware of the atrocities, indignities and persecution meted out to Rastafari over the decades in Jamaica and although she did not offer an official apology for this, commended the community for maintaining their dignity and making outstanding contribution to the culture of Jamaica. She also made mention of Coral Gardens. She also said she was told about meetings with the Ministry of Culture in relation to the welfare of our elders and said Lisa Hanna should continue these discussions to see whatever assistance can be offered at any level.

She said we should continue the discussions started with the M.O.C. and to have them connect us with other relevant Ministries. (When Minister of Agriculture, Roger Clarke had stepped into the room earlier she told him that The community should be having discussions with him in relation to acquiring land in Jamaica)

She hinted of legislation on the horizon in relation to the de-criminalization of herb but said this should not be mentioned publicly.

She assured us of a follow up meeting on her return from Ethiopia and said that as long as we are here in Jamaica she is our Prime Minister and that we have the right to meet with her on request.

- 9) The issue of Reparations in light of these circumstances was brought forward where the Minister of Culture outlined the scope of the National Reparations Commission. The RMC highlighted to Minister Hanna the importance of Pinnacle being declared a Heritage Site as this was the mission by our Ambassador-at-Large to have the birth site of Emperor Haile Sellassie I in Harar twinned to Pinnacle in St. Catherine for the deepening of the Jamaica-Ethiopia cultural and bi-lateral ties.

- 10) The issue of the potential for maximizing South-South trade was re-presented post the initial briefing, looking at Brazil and the importance of establishing a Rastafari Authority to address the matter of Rastafari Branding and IP Rights. The Community merchandizing being heavily pirated in the context of the upcoming World Cup Soccer 2014 and Olympics 2016.
- 11) Hon. Bunny Wailers greeted the Prime Minister as one be-known by him from House Of Dread days, which she acknowledged including his great contribution within the Music Industry. Hon. Bunny Wailers stated that as the surviving member of The Wailers, he should be accompanying her to this grand occasion. He told the Prime Minister that he would be launching his 50 tracks CD Album very soon in Africa to celebrate the 50th Anniversary of the history of the Rastafari Movement into the continent through The Wailers music. He stated that he look forward to meet with the Prime Minister on her return to Jamaica to potentially plan something significant within the year of OAU celebrations.
- 12) It was hoped the Prime Minister based on her hectic schedule would get to visit our Jamaican Province in Ethiopia and meet with the Rastafari Community and that she will return with some wonderful news from her visit.
- 13) Binghi Irie Lions gave thanks for the opportunity to meet both the Prime Minister and the Minister of Culture and hopes that this will be the start of many more meetings. He then gave an overview on his visit to Africa and that the recent stance that the President of Ethiopia took in honoring Emperor Haile Sellassie I at this O.A.U. meeting will argue well for her visit in light of the Rastafari Communities agitations both at home and abroad. He highlighted the plight of the Rastafari Movement and demanded a platform to articulate the culture more profoundly. More recognition by the Government is demanded.
- 14) The development of the Pan-African Commission was highly recommended as a means of advancing the communication and follow through of the Rastafari Community on a Governmental level.

The Minister of Culture recognized the need to meet with the RMC to further discuss the points raised and suggested an early date towards it.

The Prime Minister concluded the meeting by expressing her gratitude to have been able to meet with Rastafari Community members before her departure. She stated she will be preparing to meet with representatives on her return to give a briefing on her visit and to address the matters raised appropriately.

ATTENDEES

HON. PRIME MINISTER PORTIA SIMPSON MILLER
 HON. MINISTER LISA HANNA- MOC
 HON. BURCHELL WHITEMAN - OPM
 SYD BARTLEY- MOC
 DEBORAH HICKLING – OPM

RMC/RASTAFARI COMMUNITY

HON. NEVILLE O. LIVINGSTON OJ.CD. PKA BUNNY WAILER
 SISTER LORRAINE MITZIE WILLIAMS – CHAIR RMC
 PROPHET GREG – GREG MOGG - GENERAL SECRETARY
 BROTHER PATRICK BECKFORD – EXEC ADMIN – RMC
 BINGHI IRIE LIONS – GLOBAL AMBASSADOR – RMC
 RAS GARTH – TREASURER –RMC
 RAS RUDOLPH ‘KREMLIN’ BAILEY – PRO RMC
 RAS ROCKY – RMC
 SISTER AFRIKA THOMPSON – RASTAFARI YOUTH INITIATIVE
 RAS HOWARD JAH LA LA ‘ LOVE – Ethiopia National Front
 JAHLAHNI NIAH – UWI

ARTHUR NEWLAND – UWI
SISTER MAXINE STOWE – INTL. CONSULTANT – RMC



**HON. NEVILLE O. LIVINGSTON OJ.CD. PKA BUNNY WAILER
AND HON. MINISTER LISA HANNA- MOC AT I.O.J. EXHIBITION OPENING**

4. Rastafari Economic Village Project

Pinnacle Project - Rastafari Indigenous Village/Heritage Negotiations/TPDCO/JNHT.

The Community Heritage Rights has been activated through the negotiations with the Smithsonian Exhibit 'Discovering Rastafari' that was also launched in 2007 with the Council. This Exhibit was the first of the Rastafari Culture and was engaged through consultation with the Rastafari Community Advisory. The Council upgraded the Advisory status to Ownership of the Exhibit and a range of negotiations were ensued with the Smithsonian. As the Ownership involved the mounting of what would be the first Exhibit in Jamaica, these negotiations converged with the ongoing Pinnacle negotiations, that also became the remit of the Council in 2007. The past Late Chairman, Ras Howie Wright, was a leader in the Pinnacle negotiations since 1999 with the Nyahbinghi Spanish Town House, and current Acting Chair Ras Kremlin. This brought together the convergence of the Pinnacle Negotiations and the IP Heritage Negotiations of the Community into the Pinnacle Project. These Heritage negotiations took into consideration all the Rastafari Community sites across the Island for a specific foundation for Heritage and Community development. There developed a conflict of interest with the registration of RASTAFARI Indigenous Village (RIV) in Montego Bay by a Community member, Ras Edi Wray, as the name is a descriptor developed by the Council and had IP and governance issues related to its private registration. It is understood that the (RIV) cannot be established outside of this initial enterprise and may at some later date have to be reverted based on the negotiations and incorporation of the legal framework of RIPA. This is an indicator of the ongoing and futuristic internal Community negotiations and edification as to the contours and protection of RASTAFARI IP from both an internal as well as external framework.



(REVP) PROPOSAL OUTLINE

H.I.M.

ETHIOPIA SHALL STRETCH FORTH HER HANDS

November 2nd, 2008

PROJECT OVERVIEW

Title: Ethio-Africa Diaspora Union Millennium Council (EADUMC)
RASTAFARI ECONOMIC VILLAGE PROJECT

Type of Project: Cultural Heritage/Entrepreneurship/Business Development & Capacity Building

Partner Organizations: Ministry of Culture/Tourism/Industry & Commerce
TPDCo, JBDC, JIPO, JTI, JNHT, JCAN

Objectives:

1. To formalize institutional frameworks to support the contribution of Rastafari Culture to the development of Jamaica's local economy and her international niche markets.
2. To promote heritage tourism, creative industries and agribusiness in such a way as to foster Rastafari entrepreneurship and business development.
3. To manage the proliferation of unregistered Rastafari products and services globally.

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1. Background

Over the past 10 years, the Rastafari Community has organized nationwide and global consultations as part of the process of developing a Rastafari Cultural Development policy. The outcomes of these consultations were presented in the Global Reasoning 2003 held at the University of the West Indies and the South Africa/African Union/Jamaica 2005 Forum, at the Jamaica Conference Center, Kingston, and has resulted in the formalization of the **Ethio-Africa Diaspora Union Millennium Council (EADUMC)**, a collective grouping of all major Rastafari organizations focusing on *Rastafari Socio-Economic Empowerment* to achieve longstanding aims and objectives of the Movement.

Through a series of follow-up meetings, it was agreed that a national and international joint private sector/public sector approach should be used in implementing some of the recommendations made in the consultations and embodied in the national cultural/creative industry policy. It was further agreed that some of the recommendations to facilitate Rastafari economic empowerment could be embodied in a project entitled: **The “Rastafari Economic Village Project” (REVP)**.

The REVP project seeks to build on current initiatives being undertaken by the government through the *Ministry of Culture, Youth, Sports and Information and Ministry of Tourism, The Ministry of Industry & Commerce & the Ministry of Agriculture*, on the one hand, and by the private sector through a *Rastafari Economic Village Project*, a grouping of more than twenty (20) Community and Business Associations comprising Rastafari micro, small and medium-sized enterprises (MSMEs), on the other hand.

2. Objectives

1. To formalize the contribution of Rastafari Culture to the development of Jamaica's local economy; and
2. To promote heritage & health tourism, creative industry and agribusiness in such a way as to foster Rastafari entrepreneurship and business development, strengthening the self reliant, global aims and objectives of the Rastafari Agenda.

3. Project Justification/Description

To achieve the above objectives, the project seeks to integrate three major sets of activities:

- (i) Undertaking capacity building projects for Rastafari MSMEs to enable the creation of viable "Rastafari Villages" linked to the Rastafari Heritage Developments and the North Coast Tourism landscape. Negotiations with the Rastafari Indigenous Village & Rastafari Africa Hall Benevolent Society in Montego Bay & the PSDP Cluster initiatives IDB with regards to the trademarking & franchising of this concept & have had ongoing discussions & meetings with JIPO, TPDCO & JNHT on this issue.
- (ii) The development of Indigenous Intellectual Property and Collective Trademarks to counter the international piracy of Rastafari products and services through a Rastafari Intellectual Property Authority (RIPA).
- (iii) **The development of a Rastafari Trust Fund & Cooperative Bank to manage, hold & support the projects developments.**

The REVP project seeks to complement the decision of the **Tourism Product Development Company (TPDCo) and the Jamaica National Heritage Trust (JNHT)** to support the development of Heritage Tourism sites and attractions where Rastafari themed Villages at Pinnacle/Sligoville, Scotts Pass/Manchester, Bull Bay/St. Thomas, Ocho Rios, Falmouth and Montego Bay have been identified, to support the local and international interests in Rastafari culture, products and services.

- **Spanish Town/Sligoville/Pinnacle** - The establishment of a **Rastafari Monument** at Pinnacle in St. Catherine dedicated: *"To H.I.M. & Empress MENEN, the First Rasta, Leonard P. Howell, The first Rastafari Village and all the other Rastafari who were forcefully removed from Pinnacle and relocated across Jamaica."* This monument would seek to complement a wider plan for a Rastafari African Diaspora Institute at Pinnacle which would enshrine & support the concept of the Rastafari Village as a socio-economic unit for education, governance & social welfare with a specific focus on the African Heritage & its implications for future development in Jamaica.
- The monument being proposed for Sligoville/St. Catherine was chosen to be supported by this project as it hosts one of the most historic Rastafari communities in Jamaica, the home of Leonard P. Howell, considered to be the First Rasta. Its linkage to Spanish Town also offers many development options.
- **Kingston** is home to the Country Farm Lifeline project that is a 20 year agri-business enterprise with major business investments in education, manufacturing, product development & agricultural networks with all indigenous to Jamaica agricultural inputs & the Mystic Revelation of Rastafari Cooperative & The Trench Town Culture Yard.

- **Clarendon** - The Scotts Pass site is the central home base of the Nyahbinghi Order, the oldest Rastafari formation and the seat of its community of Elders.
- **Bull Bay/St. Thomas** represents the home of the Bobo Shanti, a long established Rastafari Community with various craft enterprises.
- **Ocho Rios** region includes a site of the Nyahbinghi Order as well as a joint venture proposal by a private developer to build a village at White River.
- **Montego Bay** has multiple Rastafari initiatives in the Rastafari Indigenous Village, Rastafari Africa Hall Benevolent Society & several traditional Villages & several craft & visual arts entities & representing a major nexus of Rastafari Community and the North Coast Tourism landscape. .
- **Falmouth**, based on the objectives of a Rastafari Entrepreneur, Astor Black, to develop a village construct on beach front property, is highly suitable too for this endeavor.

During the formalization of Jamaica's pre-independence institutions, Rastafari and other Afro-centric organizations formed the back-bone of the cultural and nationalist force that led to political independence. Rastafari contributed to the development of the local economy through their focus on environmentally friendly craft and natural based products and services in the local market and the evolution of the popular music, Reggae, that spurred major international focus on Jamaica as a tourist destination, along with a variety of related brands, products and services. Their economic activities provided the foundation for a sophisticated, self-reliant framework for survival outside of the formal system, which today provides a significant source of income for both the "informal" and "formal" sectors of the economy.

The REVP project seeks to highlight the contributions of Rastafari to building this local self-reliant economy that is anchored on our traditional heritage and utilizes our local culture and knowledge. The best homage that can be paid to Rastafari is to empower their culture by building their capacity to enable them to adequately provide for their families and communities and, in turn, contribute to the sustainable development of the Jamaican economy. This can be achieved by undertaking a range of activities that can empower Rastafari MSMEs in various sectors and communities across Jamaica. Following consultations held at OPM on March 5, 2007, representatives of several Rastafari Community Organizations and individual business strategists agreed that these activities could include:

1. Various **Capacity Building Projects** undertaken by Rastafari individuals and MSMEs through sector-based or community-based Business Associations to which they belong. This includes the development of a Rastafari Trust Fund and other Co-operative financial institutions to increase and improve access to financial resources by Rastafari individuals and MSMEs, especially for working capital and fixed (tangible and intangible) assets, by minimizing default risks and improving business competitiveness. It is proposed that these capacity building projects will enable Rastafari individuals and MSMEs to effectively participate in the various Rastafari Village concepts to be developed in the heritage tourism area. These Villages will effectively provide a consolidated/cluster marketing outlet for a range of genuine goods and services produced by Rastafari individuals and MSMEs across Jamaica and globally. These include the sale of food, juices, maps of Jamaica showing the historiography of Rastafari, tour guiding services, community tourism services, books on Jamaica's indigenous and Afro-centric history, souvenirs and craft items (such as what is currently available across numerous markets but will be authenticated through the Genuine Rastafari Trademark and associated marketing platforms) and much more.
2. Using the recently opened "Discovering Rastafari!" Exhibit at the Smithsonian Institute/Natural History Museum, Washington DC, USA, as a catalyst for a Rastafari Museum/Cultural Center
3. A **Rastafari/CARICOM/OECS/African Union Commission involving socio-economic actions from the Rastafari Community Associations and other Afro-centric organizations regionally &**

globally. This process would be geared towards raising international funding towards the development of a **Rastafari Africa Diaspora Institute** to promote the natural scholarship that has formally & informally flowered out of the Diaspora, looking at the programming of the UNISA African Renaissance Institute as a template. This would be the most consistent following up on Community discussions with the former South African President, Thabo Mbeki & expected discussions with Senegalese, Libyan & North American interests, that have been highlighted in the ongoing South Africa/African Union/Jamaica forums that have been extended to the **CARICOM**, with expected meetings in August 2007 and a Grand Heads of State Summit in South Africa in 2008. Suggestions currently being explored include:

- a. Formalizing the Community aims and objectives with current CARICOM/OECS/African Union Diaspora objectives.
- b. Drawing down on financial grants from relevant multi-lateral organizations like **UNESCO, UNDP, EU, CHASE to support Export & licensing strategy to impact major international markets.**
- c. Drawing down on financial/technical commitments of support from South Africa and the Africa Union for capacity building of NGOs representing the Rastafari Community's socio-economic agenda, especially relevant to Rastafari Communities that have been established in various countries in Africa.
- d. Cultural exchanges, Trade Expos or technical assistance in media, publishing and craft production.
- e. Creating a database of Rastafari/Jamaican businesses and associations currently active internationally along with major private sector entities that are using Rastafari IP to brand their businesses, products & services.
- f. Links with the Human Rights and Traditional Knowledge development sectors as has been engaged through WIPO, Howard University Intellectual Property Institute, International Intellectual Property Institute and Human Rights Consultants.

The REVP project will be undertaken in three (3) phases:

Phase 1 – The Preparatory Phase (January 2009-December 2009)

The main activities in **Phase 1** will be undertaken by the EADUMC through the REVP as follows:

Rastafari Economic Village Project (REVP)

- 3.1 Conclude negotiations with PSDP, IDB & CHASE for REVP project development that impact the first tier of organizations/projects being
 - EADUMC (Rastafari Millennium Council),
 - RIPA (Rastafari Intellectual Property Holding Company),
 - RAHBS (Rastafari Africa Hall Benevolent Society/Cooperative Bank/Trust Fund),
 - RIV – Rastafari Indigenous Village/Iion Station project
 - PINNACLE Heritage Site

- 3.2 Continue the development and formalization of the Intellectual Property framework for the Rastafari Cultural Assets through a Rastafari Intellectual Property Holding Company in collaboration with **WIPO/JIPO/UNESCO**.
- 3.3 Acquire funding for development of REVP Website with integrated project & Virtual GPS Mapping of sites
- 3.4 Negotiate with the Ministry of Culture for the development of an annual Rastafari Expo within the annual Emancipation Day/Independence Day week of activities for 2009 & for a public education campaign attached to Reggae Month/February 2009.
- 3.5 Unveil the Plan for the establishment of Genuine Rastafari Trademarks, Rastafari Museum, and Franchised “Rastafari Villages” and other plans to the public.
- 3.6 Launch of the **Rastafari/CARICOM/OECS/African Union Commission**.

Rastafari MSME Alliance

- 3.7 Building the administrative capacity of the EADUMC to allow for the organization of an All Island and International public education and fundraising campaign whose focus is to organize the skill base in the Community towards participation in the products and services of the Rastafari Villages nationally and globally and creating a Community network and Value Chain to facilitate the overall aims and objectives of the Rastafari Agenda. Special attention will be given to the various media outlets and International Festivals that, through the use of Reggae Music, offer a major negotiating platform for international market penetration of Rastafari goods and services.
- 3.8 Engage in dialogue/consultations with Rastafari individuals and MSMEs through their Business Associations and/or Community Groups to sensitize them about the REVP project, determine their capacity building needs, assist them in drafting project proposals/Business Plans and sourcing funding.
- 3.9 Prepare a Business Plan including strategies to establish a ‘franchise’ approach to the development of “Rastafari Entrepreneurial Villages and Cafes” with a particular market focus on integrating the site of the Pinnacle Monument, and other related projects, most notably the Rastafari Indigenous Village franchise & the Rastafari Museum and Cultural Centre.

Phase 2 – The Construction Phase (January 2010-December 2010)

- 3.10 Organize an international monument design competition for Pinnacle with the relevant **GOJ** and multi-lateral cultural agencies through which the public can be sensitized to the development of a website & virtual design of **REVP** that will be considered in its completion the ‘Mecca’ for this globally significant and recognized indigenous culture. This should be undertaken in collaboration with the **OPM, JNHT and TPDCo**
- 3.11 Introduce the Franchise construct of the REVP and identify projects that have come on stream.
- 3.12 Continue the dialogue/consultations with Rastafari MSMEs through their Business Associations and/or Community Groups to sensitize them about the Rastafari Economic Village Project and to

determine their capacity building needs. This will be achieved through the development of a Rastafari Expo to coincide with the annual Emancipation Day/Independence activities.

- 3.13 Execute capacity building projects submitted by Rastafari MSMEs through their Business Associations and/or their Community-Based organizations.
- 3.14 Unveil the Pinnacle Monument and officially open the Rastafari Villages that would have come on stream, locally and internationally that formalizes various Repatriation objectives.
- 3.15 Introduce the business plan and architectural designs that have been completed.

Phase 3 – The Establishment Phase (January 2011-December 2012)

- 3.16 Establish a franchise of heritage tourism sites and implement the Business Plan for the operation of REVP projects locally and internationally in various stages of development.
- 3.17 Market the Pinnacle as a heritage tourism destination and promote the franchise of “Rastafari Villages.”
- 3.18 Inform & highlight the development of a consistent & formalized approach & acceptance by the government & the society as to the central role of Africa’s heritage & future socio-economic & trade partnerships to the 50th Anniversary of Jamaica’s Independence in 2012.

4. Expected Benefits

The expected results are:

1. An increased capacity of Rastafari individuals, community organizations and MSMEs to compete, nationally, regionally and globally and create ‘One Voice’ to their paramount aims and objectives.
2. Economic growth and development of communities surrounding the Rastafari Village Franchises, in turn contributing to economic growth in Jamaica, particularly the current need to focus on self-reliance in Agriculture & things indigenous to Jamaica.
3. Strengthened Business Associations representing Rastafari MSMEs in the national and global markets.
4. Increased motivation, self-confidence and self-reliance of Rastafari, especially Rastafari MSMEs contributing to the Culture’s positive impact on ethics and morality.
5. Increased credibility and voice for Rastafari Community Organizations and the MSME sector.



5. Desired GOJ Assistance

1. Support the presentation of the Rastafari Economic Village Project to the various governmental agencies as a national prioritized economic objective.
2. Support the development of a Rastafari Trust Fund by conferring an initial Endowment to be negotiated for its formalization


3. Support the development of A **Rastafari/CARICOM/OECS/African Union Commission involving socio-economic actions from the Rastafari Community Associations and other Afro-centric organizations regionally & globally**
4. Support the negotiations with registered owners of the existing Pinnacle site and participate in negotiations with the registered owners towards the demarcation and acquisition of *approximately fifty (50) acres* of land around and including the existing Pinnacle site for the erection of the Pinnacle Monument and the associated Museum/Cultural Center, Rastafari Africa Diaspora Institute & Rastafari Village.
 - (a) Ideally and eventually, the Rastafari Community through the EADUMC would like to own the 50 acres in a Community Trust, rather than merely having it declared a national heritage site, but recognizes that it having declared as such may be an important interim step in the process of reclaiming and preserving the site as a Rastafari cultural heritage site.
 - (b) The negotiated settlement may involve the prospect of the Rastafari community's discounted purchase of the land over time, with the help of **GOJ** and international sponsors and some limited benefit sharing arrangement with the registered owners in the subsequent investment and development thereof.
 - (c) The desired result would also be to remove the fate of the site out of the present adversarial court proceedings towards an amicable out of court settlement. In this regard, time is of the essence.
5. Assist the Community in seeking financial and other sponsorship locally and internationally for the acquisition and development of the site.
6. Support an application by the Community to **CHASE** for the funding of experts to conduct a Feasibility Study and prepare a Business Plan, including architectural drawings and construction estimates, for the building and development of the REVP.
7. Support the capacity building of the REVP, particularly the EADUMC Executive, Administration and Youth Council, to enhance leadership and business skills of the members of the Community, to be able to fully participate as business managers, administrators, tour guides, art and culture entrepreneurs, etc. in the proposed management and operation of REVP projects and elsewhere.

Support for the Rastafari Expo scheduled for July/August 2009.

RASTAFARI YOUTH INITIATIVE COUNCIL
PRESENTS

A SPECIAL GENERAL MEETING
IN HONOUR OF ONE OF THE FOUNDING FATHERS OF THE RASTAFARI MOVEMENT
BLESSED EARTHLIGHT TO THE ORIGINAL GONG
LEONARD HOWELL
SUNDAY JUNE 16, 2013 @THE PINNACLE
UP IN THE HILLS OF ST. CATHERINE, JAMAICA



"Black People, Black People arise and shine for the light has come and the glory of the King of Kings is now risen upon thee. Let not the preachers of the white man's doctrine persuade you to turn your back against H.I.M. Ras Tafari... Woe be unto the preacher of the white man's doctrine of hypocrisy or devil worship. There are millions of persons of good will who see the cruel unjust and wicked things done in the Church organizations in the name of God."
Gong Guru (Leonard Percival Howell)

RYIC bus leaves Kingston from Halfway Tree at 9am! BE THERE!
RasTafari Youth gathering at the site of the first independent RasTafari Community ever established!

I-Story! I-nity! Nation Builders Welcome!

All interested in making the trod Call 570-8102 or 443-0495 for more info
E-mail: rastafariyouthcouncil@yahoo.com
Link In! on Facebook: <https://www.facebook.com/rastafariyouthcouncil>

Tourism Product Development Company Limited

Product Quality Assessment Report



Overview of Project

Attraction: Pinnacle

Operator:

Location: Jago Heights, St. Catherine

Overview of Project

Contact persons: Ethiopia African Diaspora Union – Junior Manning and Ras Howie

Project management team base: St. Jago Heights, St. Catherine

Background:

The Rastafarian Movement was started in the 1930's by Leonard Howell. The Pinnacle settlement was the first of its kind established in 1940 by Leonard Howell. The community was however demolished by the police in 1954. This dismantling of the community unwittingly led to the dissemination of the community's' ideology.

The community no longer resides in Pinnacle at this time however the supporters/believers of the Rastafarian movement can be found throughout societies worldwide.

Pinnacle is simply seen as the birth place of the Rastafarian faith and is the host of an annual celebration in recognition of Leonard Howell and his contribution to the Rastafarian Community. This customarily takes place on the 16th of June each year.

Components Assessment:

The Community is seeking at this time to develop a cultural product based on inviting patrons to participate in their traditions. This would provide an authentic Rastafarian Heritage Tourism Product. The members are seeking to include the following in their product offerings:

1. Rastafarian Museum

This area would provide the following information to visitors:

- Historical depiction of the development of the Movement and its relation to Marcus Garvey, Bedwardism and Haile Selassie.
- The various groupings of Rastafarians.
- Reference to famous Rastafarians.
- Significance of marijuana to the movement

2. Annual event marking Howell's birthday June 16th

This will be a calendar event similar to that held by the Accompong Maroons every 6th January. It will serve as an educational tool to visitors and as a means of ensuring that the true traditions of the movement are kept alive by the Community

3. Village tour

This will highlight the lifestyle of the Community their beliefs and their traditions.

4. Nyabingi Celebrations

These would be held throughout the year as dictated by the traditions of the Community.

The site contains little remnants of the buildings that once stood on the property as such new structures will have to be built to house the museum, information centre as well as other public areas and facilities. The Tabernacle is one such structure that will have to be rebuilt.

In order for the various products to be successful and sustainable the components of each must be clearly developed, extensively researched and documented to ensure that accurate information is conveyed to patrons. Agencies such as the Jamaica National Heritage Trust (JNHT) and the Institute of Jamaica (IOJ) should be invited to assist with providing authentic information to be used by tour guides, for story boards and for souvenirs such as brochures and books.

SWOT Analysis

Strengths

- The Rastafarian Movement is well recognised worldwide
- The site is easily accessible
- Its history/culture are internationally recognised

Weaknesses

- Lack of cohesiveness between groups
- Property is underutilised and underdeveloped
- Lack of directional and identification signs
- Inadequate sanitary conveniences

Opportunity

- Development of an authentic heritage product that cannot be easily duplicated
- The opportunity to provide an accurate depiction of ones lifestyle, belief system and traditions
- Opportunity to provide much needed income to maintain the current property

Threats

- The need for consensus between the various stakeholders
- Land dispute – legal battle currently ongoing

Recommendations

Research

Extensive documented research must be conducted to accurately develop the museum component. TPDCo recommends that the Institute of Jamaica be contacted to assist. Research assistance can be sought from one of the following units within the Institute of Jamaica; the African Caribbean Institute (ACIJ) and the Museums Division can be sought to assist in the methodology of developing a museum.

Training

All staff members should participate in TPDCo's *Team Jamaica* Programme. This programme is mandatory for all Tourism Workers. All staff designated as tour guides should be trained as Tour Guides - This programme is offered both by TPDCo and HEART Training Institute. It is recommended that at least 10% of all staff should be trained in CPR and First Aid.

Emergency Procedures

A system must be put in place to handle emergencies – The Jamaica Fire Brigade may be contacted to assist in disaster and emergency planning. Fire extinguishers should be placed strategically within each built structure and staff members should not only know how to use them, but should be well versed in a fire drill to usher visitors to safety in the event of a fire or other emergency. Additionally, a list of emergency telephone numbers must be provided and made available, along with a doctor on call. Fully stocked first aid kits must be strategically located on the property as well as taken with tour guides on all excursions.

Location Specific Recommendations

1. Ruins of Howell's residence:

This area is proposed to serve as the sight for the museum and information centre and as such should be designed with its proposed use in mind. There is currently a flagpole on the site the flag is however in dire need of replacement. TPDCo believes that some of the more striking aspects of the architecture should be preserved and storyboards placed beside them as they can serve to enhance a tour of the land. Not only are these the only tangible remnants of Leonard Howell on the site but they are also attractive and can, through creative tour guiding skills help to paint a vivid picture of the house Howell once lived in.

The images depicted below are said to be the steps from which Howell delivered his message. As such TPDCo recommends that a marker be designed and placed to mark this area. A recommendation/request could be put in to the Jamaica National heritage Trust for an official marker to be put there.

2. The Tabernacle:

The tabernacle which usually sits on the property was destroyed by Hurricane Dean and needs to be rebuilt especially as it serves as the focal point for the religious celebrations.

3. Bakery Ruins

This area can be developed as part of a tour to tell the story of why there was a bakery at Pinnacle. There are also features of indoor plumbing that show how Leonard Howell was a man ahead of his time as he had indoor plumbing at a time when this was not commonplace in Jamaica and as in such a rural area.

4. General Grounds & public areas

General landscaping will be necessary as well as the paving of driveway and parking area. The community may wish to consider the use of materials such as pressed marl rather than asphalt which may detract from the natural beauty of the location. The installation of restrooms for male and female patrons is a necessary addition and each must contain facilities for persons with disabilities.

5. Land ownership

As the community is currently embroiled in a legal battle with the developers of Jago Heights over who owns the property a consultation must be made with the Jamaica National Trust (JNHT) to determine whether or not there is sufficient evidence and to declare Pinnacle a National Heritage Site in keeping with the objectives of the main JNHT which are to ensure that the country's legacy of historic buildings, archaeological sites are preserved, maintained and protected. The JNHT Act allows for the declaration of a site if its preservation is a matter of public interest by reason of historic architecture and or traditional value.

Conclusion and Next Steps

The following is the suggested course of action:

- Contact the relevant agencies in an effort to meet the regulatory requirements as soon as possible.
- Set clear and measurable objectives including time lines
- Do follow ups if necessary to ensure that time lines are met for the regulatory implementations.

- Extensive market research is advisable to ascertain whether the project can be sustainable
- Create a detailed marketing plan relevant to the type of service to be offered and that should meet the demand of the target group/s.
- Start working on the most appropriate ways to reaching the different target groups in a bid to ensure the sustainability of the product.
- Appoint a human resources specialist to carry out a needs assessment for the project and include these projected costings as well as those for security and other essentials in the overall budget to help determine the viability of the project or if partner need to be brought in to help offset costs.
- Work closely with TPDCo and all relevant agencies throughout the duration of the project to mitigate problems that may occur during project implementation.

APPENDIX 1

The Role of TPDCo

TPDCo is a limited liability company, which operates under the umbrella of the Ministry of Tourism which has been given the mandate to develop and improve Jamaica's Tourism Product by:

- a. .Planning and implementing improvements projects in resort areas
- b. Developing and promulgating standards and guidelines for the tourism industry
- c. Coordinate and implement human resource development policies (training for the region).

The role of TPDCo is to:

- Facilitate development where applicable
- Provide guidelines for development
- Inform the industry on standards and regulations
- Inform the industry of incentives
- Assist with the development of services through training
- Encourage investments in tourism related activities

This is achieved through the following departments:

- Product Quality
- Product Development
- Tourism Training

The Product Quality Department assists by:

- Identifying strengths and weaknesses in order to aid in the development of the sector
- Providing information on funding, standards, training, market trends and development

The Role of TPDCo's Heritage Unit

In promoting the diversity of Jamaica's Tourism, the Heritage Tourism Unit housed within TPDCo will seek to foster/reflect the culture of Jamaica in the tourism product by strengthening inter-agency linkages within the Ministry of Tourism to bring to the attention of ordinary Jamaicans the value of their heritage. The Unit will seek to fulfil the objectives of the Heritage Component of the Master Plan for Sustainable Tourism Development by providing technical assistance. This is an integral aspect of developing the heritage tourism product. Its activities will centre on the identification and development of Jamaica's heritage and cultural assets in a bid to diversify Jamaica's tourism product. The Unit recognizes the Tourism Enhancement Fund as the current funding source to implement heritage tourism projects within and without TPDCo. The Unit will work closely internally with the TEF, TPED, Resort Managers and Resort Boards and externally with the UDC, the Parish Council, the Jamaica National Heritage Trust, the Institute of Jamaica, the Jamaica Cultural Development Commission and all other relevant agencies.

The Role of TPDCo:

TPDCo is a limited liability company, which operates under the umbrella of the Ministry of Tourism which has been given the mandate to develop and improve Jamaica's Tourism Product by:

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APPENDIX 2

Standards and Regulations

Policies

Each tourism entity is expected to have in place particular guidelines to ensure the safety, health and general security of guests. This entity should bear in mind the following:

1. Self monitoring systems should be in place to measure the level of guest satisfaction. It is advisable that evaluation forms be available for guests to record their criticisms, complaints and accolades. Questions should seek to capture what was being done well and what areas need improvement.

2. High standards for the recruitment of staff should be maintained.
3. The entity should seek to offer top quality services and personalized attention to guests. In order to be competitive and to tap into a wider tourism market, management should seek to employ staff with foreign languages as the tourism market is international.
4. If buildings are constructed at Pinnacle as planned there should be an evacuation policy in place and this should include the labelling of emergency exits for rooms, passages and public areas. Also have in place a list of emergency numbers such as the contact information for the doctor on call, an ambulance service, the police, and the owners. This should be accessible to all members of staff.
5. Management and staff should conform to ethical business practices. The management's programme should involve internal audits of the facility to ensure that the property is preserved. The owners, management team and general staff must be environmentally conscious.

Standards

All tourism entities are required to have some basic standards relevant to their operations. For the purpose of Pinnacle the following standards should be adhered to:

Regulations

All tourism entities are required to meet specific regulatory obligations relevant to their operations and entities. Pinnacle will be required to have the following regulatory certifications in place:

1. **Security**
Designated community members must be trained in security awareness and systems, or a private security company hired. For registration of community members as security guards, contact: Private Security Regulation Authority (PSRA), Tel: 967-2525. In addition, a security inspection of Pinnacle must be conducted. Kindly contact ASP Karena Powell-Hood of the Tourism Liaison Police Division, Telephone 929-1606.
2. **Public Health Certificate**
All tourism entities are required to have a valid Public Health Certificate. Kindly contact Mr. Roy Crooks or Mr. Richard Baker: Burke Road Spanish Town. Telephone: 984-2282
3. **Fire Certificate**
All tourism entities are required to have a valid Fire Certificate. Kindly contact Asst. Supt. Hamilton: King Street, Spanish Town. Telephone: 984-2251 or 984-7827
4. **Tour Guide Certification**
All persons designated as tour guides for Pinnacle must be adequately trained. Kindly contact Tourism Product Development co., Ltd., Training Department, 64-70 Knutsford Blvd., 4th Floor, Kingston 5. Telephone: 968-3441
5. **Local Planning Authority**
All development plans must be reviewed and approved by the Local Planning Authority. Kindly contact the Local Planning Authority (Parish Council) Dr. Andrew Wheatley, Emancipation Square, Spanish Town, 907-1190 or 984-4659.
6. **Jamaica Tourist Board Licence**

All tourism entities are required to have a valid licence issued by the Jamaica Tourist Board. Kindly contact Tourism Product Development Company Limited (TPDCo) Licence Processing Unit. 64-70 Knutsford Blvd., Kingston 5 Tel: 968-3441 (Attraction application form is attached)

7. National Environmental Planning Agency
All development plans with an impact on the environment must be reviewed and approved by NEPA. Kindly contact NEPA's head office in Kingston.

Documentation required for Jamaica Tourist Board Attraction Licence

- COMPLETED APPLICATION FORM WITH REQUIRED DOCUMENTATION SUBMITTED TO MANAGER, LICENCE PROCESSING DEPT., TPDCO
- COPY OF PUBLIC LIABILITY INSURANCE
- COPY OF BUSINESS ENTERPRISE NUMBER OR TRN
- CERTIFICATE OF INCORPORATION
- LIST OF DIRECTORS
- LIST OF TOUR GUIDES
- TPDCo TOUR GUIDE CERTIFICATION
- FOOD HANDLER'S PERMIT (where applicable)
- FOOD ESTABLISHMENT CERTIFICATE / PUBLIC HEALTH CERTIFICATE (where applicable)
- DESCRIPTION OF PROPERTY
- LIST OF ACTIVITIES OFFERED AT THE ATTRACTION
- WRITTEN APPROVAL FROM JAMAICA NATIONAL HERITAGE TRUST (as a Heritage site)
- WRITTEN APPROVAL FROM NATIONAL ENVIRONMENTAL PLANNING AGENCY (NEPA)
- PRINTED BROCHURES ON RATES, HEALTH, AND ENVIRONMENTAL REGULATIONS (NON ELECTRONIC)
- MANAGEMENT PLAN ON SITE RE MAINTENANCE, PRESERVATION, SAFETY, DISASTER PREPAREDNESS AND TRAINING OF STAFF
- FIRE CERTIFICATION /APPROVAL FROM FIRE DEPARTMENT
- TPDCo RECOMMENDATION
- FITNESS CERTIFICATES FOR MOTORISED TRANSPORTATION USED FOR TOURING PROPERTY (where applicable)

ALSO ALL GOVERNMENT STATUTORY REQUIREMENTS MUST BE MET AND ADHERED

TO.

APPENDIX 3 COLLABORATIVE AGENCIES

The following is a list of collaborative agents who can provide assistance in achieving the relevant criteria for Jamaica Tourist Board Licensing as an attraction or listing as a place of interest. .

| Agency | Speciality Areas |
|---|---|
| <p>African Caribbean Institute of Jamaica</p> <p style="text-align: center;">12 Ocean Boulevard, Kingston Telephone: 922-4793</p> <p>Contact person: Mr. Bernard Jankee</p> | <ul style="list-style-type: none"> • Assistance in research for development of storyboards/trail development/brochures |
| <p>Institute of Jamaica, Museums Division</p> <p style="text-align: center;">10-16 East Street, Kingston Telephone: 922-0620-6 Fax: 922-1147</p> <p>Contact person: Mr. Wayne Modest</p> | <ul style="list-style-type: none"> • Assistance in development of exhibition area/museum • Assistance in conservation of artefacts/precious objects |
| <p>Jamaica National Heritage Trust</p> <p style="text-align: center;">79 Duke Street , P.O. Box 8934 Kingston CSO Telephone:(876) 922-1287 -8 / 922-3990 Fax:(876) 967-1703 email: jnht@cwjamaica.com</p> <p>Contact person: Ms. Lisa Grant</p> | <ul style="list-style-type: none"> • Assistance in storyboard scripting and development • Assistance in promoting the preservation of built and natural heritage within the community |
| <p>Jamaica Cultural Development Commission</p> <p style="text-align: center;">Head Office - 3 Phoenix Avenue, Kingston 10</p> <p>Contact person: Renee Robinson</p> | <ul style="list-style-type: none"> • Assistance in cultural event planning e.g. heritage week celebrations |
| <p>Jamaica Business Development Centre</p> <p style="text-align: center;">14 Camp Road, Kingston 4 Telephone: 928-5161 Fax: 928-8626</p> <p>Contact person: Valerie Viara</p> | <ul style="list-style-type: none"> • Assistance in craft development |
| <p>Tourism Product Development Co., Ltd.</p> <p style="text-align: center;">64-70 Knutsford Blvd., Kingston 5 Telephone: 968-3441 Fax: 929-8269 Email: deannek@tpdco.org; siranb@tpdco.org;</p> | |

| | |
|---|--|
| <p>patricke@tpdco.org; hughs@tpdco.org; allasandrac@tpdco.org</p> <p>HERITAGE UNIT Contact persons: Deanne Keating-Campbell & Siran Mitchell Bent Telephone: 574-1122 & 574-0694</p> <p>RESORT MANAGER Contact person: Lorna Perkins Telephone: 574-1025</p> <p>TRAINING UNIT Contact person: Eritha Huntley Telephone: 574-1112</p> <p>PRODUCT DEVELOPMENT Contact person: Sandy Chung Telephone: 579-9493</p> | <ul style="list-style-type: none"> • Facilitators for heritage/community product development • Provides guidelines on industry standards and regulatory requirements • Assistance/facilitation in project proposal/concept document preparation • Tour guiding & Team Jamaica Training • Technical assistance |
| <p>Parish Council</p> <p>Dr. Andrew Wheatley Emancipation Square, Spanish Town Telephone: 907-1190 or 984-2528</p> | <p>Approval from local planning authority.</p> <p>It is imperative that the JTB confirms that the various sites are approved for the purpose they are being used for. If directional signs are to be posted. This body must approve them before they are installed.</p> |
| <p>Jamaica Fire Brigade</p> <p>Assistant Supt. Hamilton King Street, Spanish Town Telephone: 984-2251 or 984-7827</p> | <p>For fire certificate</p> <p>A thorough analysis will be done by the Jamaica Fire Brigade. If all the necessary requirements are in place, then a fire certificate will be issued. This should be renewed annually.</p> |
| <p>Public Health Department</p> <p>Roy Cooks (Chief) & Richard Baker (Deputy) Telephone: 984-5916</p> | <p>For public health certificate</p> <p>The JTB will not grant a licence unless this criterion is in place.</p> |
| <p>Tourism Police Liaison Officer</p> <p>Asp Karena Powell-Hood Telephone: 929-1606</p> | <p>To verify the adequacy of security and to make the necessary recommendations.</p> <p>The Tourism Liaison Police will conduct a security audit and determine the extent to which the security arrangement, if any, is adequate. JTB will not grant a licence without this approval.</p> |
| <p>National Environment and Planning Agency</p> | <p>For initial endorsement of the project</p> <p>NEPA will assess the tour and development areas and make any necessary recommendations.</p> |
| <p>National Works Agency</p> | <p>This agency can be contacted if public</p> |

| | |
|--|---|
| <p>National Solid Waste Management</p> <p>Mr. Gordon Ramsay 61 Half Way Tree Road, Kingston 10 Telephone: 920-7939 or 960-4511</p> | <p>roads en route require repairs</p> <p>Garbage must be appropriately disposed of</p> <p>NEPA and the Public Health Department can also give advice in this area.</p> |
|--|---|



**THE HON. MINISTER OLIVIA “BABSY” GRANGE AT THE PINNACLE HERITAGE SITE.
GROUP PHOTO IN COMMEMORATION OF THE 50TH ANNIVERSARY VISIT BY
H.I.M. EMPEROR HAILE SELASSIE I TO JAMAICA – APRIL 22ND 2016**

PINNACLE RASTAFARI HERITAGE SITE DECLARATION

JAMAICA NATIONAL HERITAGE TRUST

79 DUKE STREET,
HEADQUARTERS HOUSE,
KINGSTON,
P.O. BOX 8934, KINGSTON C.S.O.,
JAMAICA, W.I.



TELE: (876) 922-1287-8
(876) 922-3990
FAX: (876) 967-1703

June 20, 2013

Ethio-Africa Diaspora Union Millennium Council
Jamaica Afro-Centric Commission
10 Darley Crescent
Kingston 20

Attention: Mr. Marcus Goffe

Dear Sirs:

Re: Pinnacle Site

The Jamaica National Heritage Trust is of the opinion that the Pinnacle Site is an important part of Jamaica's history and as such has decided to declare it as National Monument

Enclosed please find a copy of the Notice of Intention to Declare a National Monument and Draft Declaration for the above-mentioned Site.

These documents will be published in the Daily Gleaner and the Government Gazette on June 27, 2013.

If you have any queries, representations or objections in the respect of the same, please contact our offices within the time stipulated in the Notice of Intention to Declare a National Monument.

Thank you for your co-operation as we seek to protect our nation's heritage.

A handwritten signature in black ink, appearing to be 'Lisa Grant', written in a cursive style.

Lisa Grant (Miss)
Legal Officer
for EXECUTIVE DIRECTOR

**NOTICE OF INTENTION TO
DECLARE A NATIONAL MONUMENT
PINNACLE SITE**

**Pursuant to Paragraph 1 of the First Schedule to the JAMAICA NATIONAL
HERITAGE TRUST ACT**

Declaration Proposed

The **Jamaica National Heritage Trust** (hereinafter referred to as ‘the Trust’) proposes to declare the **Pinnacle Site**, situated in the parish of St. Catherine, as described in the Schedule hereto, to be a National Monument for the purposes of the **Jamaica National Heritage Trust Act**.

Objections

Any objections to the proposed Declaration and the reasons therefore may be notified in writing to the Trust, or by personal attendance at the office of the Trust at 79 Duke Street, Kingston.

Any such objections must be made before the expiration of twenty-eight days from the publication of this Notice.

Effects of Declaration

In accordance with the Act, the Declaration, if made, will have the following effects:-

- (1) The owner of the National Monument will be entitled to:
 - (a) appropriate compensation for any financial loss resulting from the Declaration.
 - (b) have treated as a deductible expense for income tax purposes, any amount spent by him on work certified by the Trust as being necessary for the preservation of the National Monument.
 - (c) a capital allowance under the Income Tax Act, where he incurs capital expenditure in developing the National Monument.
- (2) The owner, or where appropriate, the person in possession of the National Monument, will be prohibited from carrying out any demolition, removal or alteration thereon without the prior approval of the Trust.
- (3) The Trust may, in its own discretion, maintain, or assist in the main-

- (4) Authorized persons may enter any land or building which is or contains the National Monument for the purpose of investigation, inspection or maintenance.
- (5) Where the Declaration affects registered land, the fact of the Declaration will be communicated by the Trust to the Registrar of Titles who is required to note the Declaration on the Registered Title.

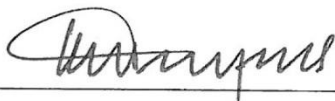
Where the land does not have a Registered Title, the fact of the Declaration will be communicated to the Deputy Keeper of the Records for recording.

- (6) Criminal proceedings may be instituted in respect of the doing of any prohibited act pertaining to the National Monument.

SCHEDULE

All that parcel of land part of Palmetto Cottage and the Pinnacle now known as De La Vega Heights in the parish of St. Catherine being the lot numbered 199 on which are situated a cut stone great house ruin where Leonard Howell, founding father of the Rastafari Movement, had his dwelling and the ruin of a water tank being the land comprised in Certificate of Title registered at Volume 1396 Folio 447 in the Register Book of Titles.

Dated this 20th day of June 2013



Ainsley Henriques
Chairman



Dorrick Gray
Executive Director (Actg.)

JAMAICA NATIONAL HERITAGE TRUST

DRAFT DECLARATION

PINNACLE SITE

The **Jamaica National Heritage Trust** (hereinafter referred to as 'the Trust') proposes to declare the **Pinnacle Site**, situated in the parish of St. Catherine, as described in the Schedule hereto, to be a National Monument for the purposes of the **Jamaica National Heritage Trust Act**.

The draft of the proposed Declaration is set out hereunder:



Dorrick Gray
Executive Director (Actg.)
Jamaica National Heritage Trust

20th day of June 2013

DRAFT DECLARATION

JAMAICA NATIONAL HERITAGE TRUST ACT

DECLARATION OF THE PINNACLE SITE

AS A NATIONAL MONUMENT

WHEREAS Section 12 (1) of the **Jamaica National Heritage Trust Act** (hereinafter referred to as 'the Act') confers on the **Jamaica National Heritage Trust** (hereinafter referred to as 'the Trust'), the power exercisable in accordance with the First Schedule to the Act, to declare any structure to be a National Monument if it is of the opinion that the preservation of that structure is a matter of public interest, by reason of its historic, architectural, traditional, artistic, aesthetic, scientific or archaeological interest attaching thereto:

AND WHEREAS the Trust is of the opinion that the preservation of the **Pinnacle Site**, which is described in the Schedule hereto, is a matter of public interest by reason of its historic and traditional interest;

NOW THEREFORE the Trust in exercise of the power conferred as aforesaid

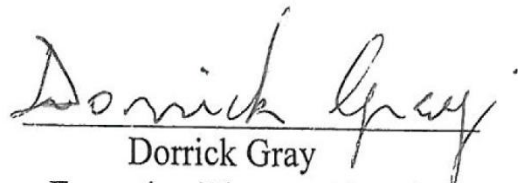
SCHEDULE

All that parcel of land part of Palmetto Cottage and the Pinnacle now known as De La Vega Heights in the parish of St. Catherine being the lot numbered 199 on which are situated a cut stone great house ruin where Leonard Howell, founding father of the Rastafari Movement, had his dwelling and the ruin of a water tank being the land comprised in Certificate of Title registered at Volume 1396 Folio 447 in the Register Book of Titles.

Dated this 20th day of June 2013



Ainsley Henriques
Chairman



Dorrick Gray
Executive Director (Actg.)

The Meeting @ OPM between RMC & L P Howell Foundation and Ambassador B. Whiteman's Team Tuesday, March 4th 2014 which has been created by The PM of Jamaica Ms. P. Simpson-Miller to deal with the concerns of the Rastafari Community.

Present:

| | | | |
|----------------------|----------------------|---------------------------|------------------------|
| Prophet Greg | Marcus Goffe | Mitzie Williams | Dickie Crawford |
| N. Bloomfield | N. Barrington | D. Prendergast | Ras Kahleb |
| C. Swaby | Lisa Grant | (Amb.) B. Whiteman | Rupert Lewis |
| M. Barnett | T. Ishigyhd | Sis. Hodesh | |

Amb. Whiteman explains that there is a change of venue from Ministry of Culture to OPM as was previously discussed, for these meetings. He also questioned why there were no Community representatives the Friday following the last meeting, up at Pinnacle.

Community Members who were present at the aforementioned meeting, said that there was no confirmation made in regard to the Friday meeting at Pinnacle and furthermore the press/media were alerted but the Community was not informed. There had been a proposal but there was no further communication with the Community.

Amb. Whiteman shares that as of now the Ministry of Water, Land, Environment and Climate Change are going to be involved with the matter of Pinnacle. He also affirms that the Government may declare the five (5) lots as Protected Sites and they (govt.) may also be prepared to purchase these lots for the National Heritage Trust to safe keep as Heritage Sites. He expressed a willingness and ability to purchase five (5) lots of land.

National Heritage Trust's Ms. Grant views the Cease and Desist Order as a point of urgency as blasting is on-going. She also corrects the number of lots from five (5) to six (6), including the Site that the Great House is on. She asserts that there is more research to be done and mentions the cave.

Mr. Crawford wants to know if the construction has stopped. Calls for the site to be protected.

It was revealed that the Chinese Investors are also dynamiting the area for the construction of the highway. The fact that the gravesites are being affected by bulldozing, it was asked that the Ministry of Health be alerted.

Amb. Whiteman says he does not countenance the occupation (of Pinnacle) – people taking positions against the law of Jamaica. He goes on to say the site is owned by an individual or a company, not by anyone around this table. Protection can only be done by an Order, which should be protecting the ones who have invested in the place. No public discussion or debate. He directs Ms. Grant to set a date within the four

week time-frame with Sis. Hodesh.

Ms. Prendergast is requesting that the Land Agency be contacted to discover if the dynamiting is weakening the mountain. She called for environmental research from NEPA. She explained that the ones on the land have been unearthing artefacts and call again for the Cease and Desist Order to be enforced.

Mr. Crawford reminded ones that when Digicel was proceeding with construction at a particular location, valuables were found and construction had to stop.

Amb. Whiteman replied that he is not authorised to comment. Artefacts can be found all over Jamaica. Only the items that speak to Mr. Howell's leadership should be focused on where we have "good reason to believe" Howell's leadership can be identified.

Mr. Lewis says we must link the people that know the sites appropriate to the experiences of Pinnacle.

Prophet Greg asked if the developer will be informed and will the cease and desist stand.

Amb. Whiteman said the developer will be informed of the intention re the Cease and Desist Order.

Sis. Mitzie asked about the significance of the move to Ministry of Land, Water & Environment; how can we advance the acquisition discussion? How serious is the Government? What about the 120 unsold/undeveloped acres?

Amb. Whiteman replied that is very much on the table. Most important is the protection of Howell's Legacy and the Rastafari Movement. He went on to say that the government will want to deal with the declared sites as acquisition. The Ministry of Land, Water etc. are preparing to purchase the five (5) or six (6) six lots for the preservation of Heritage. Amb. Whiteman states that "If the government is being asked to purchase more....well we will have to wait and see."

Sis. Hodesh intimated that she has information which is pointing to the possibility of an illegal transfer as far as the developers are concerned; she queried who has been paying the taxes? Claims records have been 'scrubbed' but she wants the Land Agency to research the facts as well as the Inland Revenue to determine who was paying the taxes. Says the Howellites are to be left alone and she has records to prove as much.

Amb. Whiteman wanted to know if he has to end the reasoning based on what she is saying.

Community asserts "No" but more research needs to be done by the Government.

Marcus Goffe mentioned acquisition as Restorative Justice and Reparations; governmental action has to go beyond the six (6) lots to the reparation for the traumas endured. Apology and Material Compensation

et.al.

Amb. Whiteman said these requests are beyond what he can do, and that the Prime Minister (PM) would have to be appraised.

Marcus Goffe informed him that the PM is already aware which is why we are sitting around the table with her team now.

Amb. Whiteman insisted he is not able to speak to that.

Mr. Gallimore, the Howellite, gave a brief history of his existence at Pinnacle from a child and said the Mr. Howell purchased the land, five hundred (500) acres of level land and questioned if anyone could bury anyone on leased, rented, or captured land anywhere in Jamaica.

Mr. Lewis points out that Jamaica and Britain are both guilty and further research is necessary.

Prophet Greg mentioned the National Reparations Committee that looks at the atrocities of Colonialism and slavery as opposed to the current Committee that is looking into Rastafari affairs. Will this be infused within the National Reparations Committee for redress?

Amb. Whiteman replied 'Reparations' will have to be re-visited at the highest level of the land which is The Cabinet, also the acquisition of more lands.

Sis. Mitzie questioned the process to investigate the 'illegal transfer' of land.

Marcus Goffe suggested that the committee needs more members – a team to research and prepare a proper investigation re ownership of Pinnacle. Land Agency will need to prove that Howell did all he was to do...was the land transferred? Paying taxes does not equal ownership. He needs to see documentation.

Sis. Hodesh questioned what is on Lake's Bill of Sale? Does he have a bill of sale?

Mr. Crawford said land thieving not new in Jamaica. Research required.

Amb. Whiteman asked if Sis. Hodesh's documentation can suffice.

It was suggested that the government archives should be able to be forthcoming with information.

Ms. Prendergast questioned who will manage the land.

Ms. Grant replied that Pinnacle is a Rastafari Heritage site as far as the declaration is concerned.

Amb. Whiteman denied any knowledge of Pinnacle being declared a heritage site.

Ms. Grant responded that in September 2013 one (1) Lot has been declared; five (5) more Lots are left to be declared. She outlines the history – from three (3) lots to present day six (6). Everything is on hold until the archaeology team are informed of the findings by JNHT re ownership. She spoke of the Preservation Order option. Once the area is identified and bounded the notice can be served. Ms. Grant will speak with the archaeologists.

Sis. Hodesh wants Crosspen, Mr. Howell's house to be included.

Decisions

- **Investigative Team to identify further sites**
- **Land Ownership Team to research such**
- **Higher Order issue of Restorative/Reparative Justice to be brought to Cabinet**
- **Acquisition of six (6) lots is a commitment**

Amb. Whiteman proposed to meet with Marcus Goffe on March 6 to deal with the Property issues and research team determining ownership and legality of transfer.

Sis. Mitzie asked if the government is prepared to purchase the 120 remaining lots.

Mr. Crawford suggested that they can use government land bonds to raise the necessary funds for purchasing.

Ms. Prendergast concluded that if the government does not, she will create a Fund to do what they are doing in the name of the Ethiopian Salvation Society.

Meeting concluded.....

OCCUPY PINNACLE PRESENTS

RAS ITAL ACOUSTIC LIVE
FRIDAY FEB 19, 2016

PINNACLE, ST CATHERINE

FREE SHUTTLE SERVICE FROM HWT
BY PAVILLION PARKING LOT

SHOWTIME 6PM - 12AM

ITAL FOOD AND NATURAL JUICE WITH ADM

FILM SCREENING AND REASONING WITH
DONISHA PRENDERGAST AND KUSH ASHER

ALL PROCEEDS TOWARD REBUILDING A SEED BANK

ADM: \$2500 PRESALE \$3000 @ PINNACLE

Sabrina Simon PHOTOGRAPHY

Ongoing Unauthorized Events at Pinnacle.

5. RMC Memorandum of Understanding

UWI MOU – Conferences

The UWI since 1960 has been involved with GOJ/Societal negotiations with the Rastafari Community. It has been the ground where several Community Conferences were held, particularly from the 1983 Rastafari International Theocracy Assembly and as late as the 2003 Conference. When the Council was formed in 2007 a plan of action to hold a Community Conference in 2010 involving Community IP Rights were challenged by a group of RASTAFARI Professors who sought to establish a Rastafari Studies Unit and Conference at UWI. This clash of objectives highlighted fault lines within the Community related to grassroots and intellectuals that had been developing over the years. Based on the IP protocols of the Community established by the Council, negotiations were held with UWI which resulted in the MOU. This has been a continuing challenge that UWI and Community members have been challenging to unseat the IP Rights and its resultant power base for the traditional community members, where they sought to incorporate a Consultative Committee at UWI incorporating Community members. This ongoing contention and the Trademark Opposition to Snoop Dogg's appropriation of RASTAFARI has resulted in the current status quo of the Council being challenged by a conglomerate of UWI Rastafari professors, contested administrative members of the Nyahbinghi House and Marcus Goffe at JIPO. This was very self-evident in the 50th Anniversary Visit negotiations and the previous Justice Minister Rastafari Community negotiations around the Ganja Bill. It must be noted that the Community IP Rights were verified by negotiations with UWI and Carolyn Cooper regarding a similar Reggae Conference/Studies program there, where she attempted to take this as a project off campus and the Supreme Court ruled that anything developed at UWI belongs to the UWI. There is therefore absolutely no basis for any compromise of the existing MOU.

U.W.I. & RMC EARLIER DRAFTED M.O.U. for 2010

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE UNIVERSITY OF THE WEST INDIES, MONA

AND THE

ETHIO-AFRICA DIASPORA UNION MILLENNIUM COUNCIL

WHEREAS The University of the West Indies, Mona (hereinafter referred to as UWI Mona) located in Kingston 7, Saint Andrew, Jamaica,

- (a) is cognizant of its role as an institution of higher learning dedicated to research, teaching and extra-mural outreach;
- (b) acknowledges its role fifty years ago in providing better understanding of the Rastafari movement through the work of its scholars; and

(c) is desirous of continuing the same;

AND WHEREAS the Ethio-Africa Diaspora Union Millennium Council (hereinafter referred to as the Millennium Council), the recognized representative organ of the Rastafari community, duly registered as a located atin Kingston 7, Saint Andrew, Jamaica,

- (a) is cognizant of the invaluable contribution of the Rastafari as a whole to the development of Jamaica's expressive culture and global spread;
- (b) acknowledges the role of academic scholarship, in particular that of the UWI Mona, in creating better understanding of the Rastafari community by the wider Jamaican society; and
- (c) is desirous extending the same;

NOW THEREFORE the said UWI Mona and the said Millennium Council agree as follows:

A. Parties to this Memorandum of Understanding

UWI Mona
Millennium Council

B. Terms

The UWI Mona further agrees as follows:

1. to make items within its Rastafari Archives available to the Millennium Council for purposes of consultation, exhibition and such other stated uses as specified in the written request and agreed by the UWI Mona;
2. to provide on request and at the cost to the Millennium Council copies of publishable non-copyrighted material of relevance to the Rastafari movement within its libraries and documentation centres;
3. to plan with the Millennium Council an Educational Book Series on various aspects of the Rastafari movement for high school students as well as the general reading public;
4. to encourage its scholars and graduate students to undertake academically sound research and writing for such a Book Series; and
5. to encourage further its scholars and graduate students to assist the Millennium Council in preparing a brief to present to the Government of Jamaica in pursuit of the Government's acknowledgement of Rastafari contribution to the intangible heritage of Jamaica.

The Millennium Council further agrees as follows:

1. to contribute to the UWI Mona's Rastafari Archives documents and material in its possession;
2. to encourage contributions to the Rastafari Archives of documents and material in the possession of the general membership of the Rastafari community;
3. to provide on request and at a cost to the UWI Mona copies of publishable no-copyrighted material within its possession;

4. to plan with the UWI Mona an Educational Book Series on various aspects of the Rastafari movement for high school students as well as the general reading public;
5. to cooperate with UWI Mona scholars undertaking research and writing in the Educational Book Series and preparing a brief to the Government of Jamaica in pursuit of the Government's acknowledgement of Rastafari contribution to the intangible heritage of Jamaica.

C. Principles

The implementation of this Memorandum of Understanding will be in accordance with the agreed terms.

D. Effective Date and Duration of Agreement

This Memorandum of Understanding shall take effect on the 20th day of August, 2010 when signed by the appropriate representative of each party and will remain in force for a period of five (5) years. At the end of this period this Memorandum of Understanding may be reviewed and renewed by the consent of both parties.

Each party reserves the right to terminate this MOU upon six months written notice to the other party.

For The University of the West Indies, For the Millennium Council

 Prof. the Hon. Gordon Shirley, O.J.
 PVC and Principal

 Ras.....
 Chairman

Date:_____

Date:_____

Witnessed by:

Witnessed by:

Name:_____

Name:_____

Signature:_____

Signature_____

SECOND UWI & RMC DRAFT M.O.U. on MARCH 20th 2013

Re: Rastafari Studies Unit, Rastafari Studies Conference and Rastafari Archives

This MEMORANDUM OF UNDERSTANDING is made the _____ day of _____ 2013 between the Ethio-Africa Diaspora Union Millennium Council Limited (hereinafter referred to as 'the Rastafari Millennium Council' or the 'RMC') and the University of the West Indies (hereinafter referred to as 'UWI').

WHEREAS:

- (a) UWI and the Rastafari community have a long-standing history and relationship starting from the time when certain elders of the Rastafari community approached UWI in the 1950s to assist in countering the social, religious, economic and political marginalization and discrimination against Rastafari in Jamaica, which relationship has continued over the last fifty years involving several conferences, meetings and reasonings organized by the Rastafari community being facilitated at UWI
- (b) UWI has for many years, starting with its 1960 publication “The Rastafari Movement in Jamaica”, been researching, publishing and teaching Rastafari at UWI
- (c) Rastafari is a topic on the primary and secondary school syllabus in Jamaica, as well as on the Caribbean Examinations Council (CXC) syllabus and examinations, and a topic of immense research interest for students and academics internationally
- (d) UWI is desirous of establishing a Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives in an ethical and culturally appropriate way, with the prior informed consent, full and effective participation and benefit-sharing of the Rastafari community
- (e) The Rastafari Millennium Council is a registered organization in Jamaica, with accreditation through the World Intellectual Property Organization (WIPO) and the Jamaica Intellectual Property Office (JIPO), which has since 2007 been mandated by the leadership of the majority of Rastafari mansions and organizations in Jamaica to proactively protect and advance Rastafari intellectual property and cultural heritage rights on behalf and for the benefit of the Rastafari community and has been doing so consistently since then
- (f) The RMC since 2007 through its ongoing negotiations with the Government of Jamaica and her cultural agencies and the Smithsonian Institution/Discovering Rastafari Exhibit has been actively seeking to establish an authentic Rastafari owned museum, cultural heritage centre and archives
- (g) The Rastafari community has clear inherent intellectual property and cultural heritage rights in any Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives that is proposed to be established, by virtue of being the subject matter of the said initiatives from which the underlying intangible content is derived. The RMC is therefore obligated to the Rastafari community to ensure that the Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives and indeed all UWI-Rastafari initiatives are not initiated or continued without the prior informed consent of the Rastafari community, that Rastafari intellectual property and cultural heritage rights are recognized, respected and protected and that, should the Rastafari community decide to consent to the establishment of a Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives by UWI, that the Rastafari community will be fully and effectively involved as equal partners in and will benefit practically and tangibly from any such initiatives by UWI

This MEMORANDUM OF UNDERSTANDING hereby witnesses the resolve of both parties to enter into this MOU subject to the following Terms and Conditions:

A. Planning and Management

1. UWI agrees to assist, empower and facilitate the Rastafari community in the pursuit and accomplishment of the community's legitimate aspiration to establish its own Rastafari museum, cultural heritage centre and archives. This includes facilitating, in co-operation with other entities including Government of Jamaica agencies and ministries, the identification and acquisition of suitable space for the establishment of the Rastafari museum or cultural heritage centre and archives, as well as facilitating the training of Rastafari individuals in curating, archiving, management and other skills related to the establishment and maintenance of the Rastafari museum or cultural heritage centre and archives.
2. Consultation between the Rastafari community and UWI shall be facilitated through the establishment of a permanent UWI – Rastafari Consultative Committee that shall be integrally involved and included in all decision-making as it relates to the establishment, planning and management of the Rastafari Studies Unit, Rastafari Studies Conferences, and Rastafari Archives and other decision, initiative or project involving UWI that is related to Rastafari or a concern of the Rastafari community.
3. The Rastafari community shall be represented on the UWI – Rastafari Consultative Committee, the Conference Steering Committee as well as on all other committees and sub-committees that are involved in planning and managing the Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives by persons selected by the Rastafari community mansions and organizations including the RMC.
4. The RMC will solicit input and the involvement of the Rastafari community into the planning of the Conference, including proposing more current Rastafari themes, more Rastafari speakers, planning and managing the Conference agenda, and planning and managing the proposed Rastafari Expo and Rastafari Village aspects of the Conference and all other UWI-Rastafari initiatives.
5. Funding for the establishment and development of all projects and programmes concerning Rastafari, including the Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives, is to be sought jointly by the RMC and the UWI, unless otherwise agreed by the UWI – Rastafari Consultative Committee.
6. Public Relations and community sensitization including press releases and public statements regarding all projects and programmes concerning Rastafari, shall be mutually decided beforehand by the RMC and UWI through the UWI – Rastafari Consultative Committee. All future Public Relations outreach in relation to the above shall include the RMC's involvement in equal billing.

B. Rastafari participation

1. Rastafari speakers are to be encouraged and highlighted for the Rastafari Studies Conference.
2. Registration fees for Rastafari speakers and attendees should be waived or substantially subsidized.
3. Elders of the Rastafari community over sixty years old shall be allowed free entry to the Conference.
4. Members of the Rastafari community, especially Elders, should be engaged as guides and hosts to explain and elaborate on Rastafari history for visitors to the Conference, Rastafari Village and Expo.
5. Other opportunities for members of the Rastafari community around the Conference should be ensured, including the possibility of art and craft expos, Rastafari craft shop and other activities that highlight authentic Rastafari culture.

C. Rastafari Expo

1. Rastafari photographers and artists are to be encouraged and highlighted.
2. If any fee is to be charged for admission to the Expo, it should be waived or substantially subsidized for Rastafari community members, subject to clause B3 above
3. The content of the Expo should be vetted by the UWI – Rastafari Consultative Committee particularly by representatives of the Rastafari community including the RMC prior to the Expo being mounted.
4. If any book or other compilation from or for the Expo will be on display for sale, 25% of the proceeds of sale should be designated for the Ras Tafari Trust Fund, unless otherwise agreed by the UWI – Rastafari Consultative Committee.
5. No taking of photographs should be allowed in the Expo without express authorization from the Conference Steering or Planning Committee.

D. Rastafari Village

1. Rastafari arts and crafts, goods and services producers are to be encouraged and highlighted.
2. Only authentic Rastafari arts and crafts, goods and services are to be on display.
3. Fees for stalls should be waived or substantially subsidized for Rastafari members
4. 25% of the proceeds of stall fees should be designated for the Ras Tafari Trust Fund, unless otherwise agreed by the UWI – Rastafari Consultative Committee.
5. If any fee is to be charged for admission to the Village, it should be waived or substantially subsidized for Rastafari community members.

6. No taking of photographs or any other recording whether audio or visual must be allowed in the Expo without express authorization from the UWI – Rastafari Consultative Committee. Photographers, videographers and all members of the Press must be properly accredited by the Conference Steering or Planning Committee as approved by the UWI – Rastafari Consultative Committee.

E. Intellectual Property Rights

1. All promotional material for the Conference must bear both the logos of the UWI and the RMC and other Rastafari organizations represented on the UWI – Rastafari Consultative Committee.
2. All copyright in Conference Papers submitted will vest in the authors, unless agreed otherwise.
3. So as to be able to benefit the Rastafari community educationally (not commercially), the RMC will have full access to and use of copies of all Conference Papers submitted, for the purposes of criticism, review, educational purposes, and fair dealing, in accordance with the Jamaica Copyright Act now in force or as subsequently amended.
4. Rastafari authors may be encouraged by the RMC to contribute their works to a compilation of Rastafari Papers that benefit the Rastafari community.
5. If any book or other compilation of Conference Papers and/or materials, including images from the Rastafari Expo or Rastafari Village, is to be produced, it should be published by UWI and the RMC, with the 50% publisher's copyright being shared equally between UWI and the RMC, unless otherwise agreed by the UWI – Rastafari Consultative Committee.
6. For any future use by UWI of any Conference Papers and/or materials, including images from the Rastafari Expo or Rastafari Village, UWI must obtain the prior informed consent in writing of the RMC on behalf of the Rastafari community, unless otherwise agreed by the UWI – Rastafari Consultative Committee.
7. Unless otherwise agreed by the UWI – Rastafari Consultative Committee, materials developed for, by and through the Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives or any other UWI - Rastafari initiatives, will be owned equally by the RMC (for and on behalf of the Rastafari community) and UWI (for the purposes of its public education and research functions), subject to the intellectual property rights of individuals therein. The intellectual property rights in all recorded materials, information materials, data (written, electronic, audio and/or visual), other materials, logos, brands, images, designs, trade marks, developed for any such UWI - Rastafari initiative shall be shared equally between the RMC (on behalf of the Rastafari Community) and UWI (for the purposes of its public education and research functions). Any intellectual property material or subject matter not currently identified but identified or developed later which pertains to Rastafari, including information materials,

data (written, electronic, audio and/or visual), other materials, logos, brands, images, designs, trade marks, shall be the property of the RMC (for and on behalf of the Rastafari community) and UWI (for the purposes of its public education and research functions).

F. Tangible/Practical Outcomes

UWI agrees to explore in earnest with the RMC and the UWI – Rastafari Consultative Committee on behalf of the Rastafari community, and to commit its best efforts and resources to the achievement of, the following tangible/practical outcomes:

- (a) The establishment of a Rastafari museum, cultural heritage centre and archives.
- (b) The establishment of a UWI/RMC Rastafari Educational Book Series
- (c) Rastafari Scholarships to UWI In Sustainable Development, Economics, Finance/Banking, Renewable Energies, Accounting, Law, Anthropology, Social Work, among other disciplines
- (d) Haile Selassie I High School Outreach - Summer School / After School Programme
- (e) Field trips to the Rastafari community should be a prerequisite for all Rastafari courses.
- (f) Research caucuses that assist the Rastafari community's agitation regarding repatriation and reparations, including in relation to the Coral Gardens atrocities.

This MEMORANDUM OF UNDERSTANDING is signed below on behalf of the parties hereto.

.....
For UWI

.....
Witness

.....
For the RASTAFARI MILLENNIUM COUNCIL

.....
Witness

NEW DRAFTED M.O.U. BETWEEN THE UWI AND RMC MAY 29th 2013

Re: Rastafari Studies Unit, Rastafari Studies Conference and Rastafari Archives

This MEMORANDUM OF UNDERSTANDING is made the _____ day of _____ 2013 between the Ethio-Africa Diaspora Union Millennium Council Limited (hereinafter referred to as 'the Rastafari Millennium

Council' or the 'RMC') and the University of the West Indies (hereinafter referred to as 'UWI').

WHEREAS:

- (a) UWI and the Rastafari community have a long-standing history and relationship starting from the time when certain elders of the Rastafari community approached UWI in the 1950s to assist in countering the social, religious, economic and political marginalization and discrimination against Rastafari in Jamaica, which relationship has continued over the last fifty years involving several conferences, meetings and reasonings organized by the Rastafari community being facilitated at UWI;
- (b) UWI has for many years, starting with its 1960 publication "The Rastafari Movement in Jamaica", been researching, publishing and teaching Rastafari at UWI and desires to establish a Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives in an ethical and culturally appropriate way, with the prior informed consent, full and effective participation and benefit-sharing of the Rastafari community;
- (c) 'Rastafari' is a topic on the primary and secondary school syllabus in Jamaica, as well as on the Caribbean Examinations Council (CXC) syllabus and examinations, and a topic of immense research interest for university students and academics internationally;
- (d) The Rastafari Millennium Council is a registered organization in Jamaica, with accreditation through the World Intellectual Property Organization (WIPO) and the Jamaica Intellectual Property Office (JIPO), which has since 2007 been mandated by the leadership of the majority of Rastafari mansions and organizations in Jamaica to proactively protect and advance Rastafari intellectual property and cultural heritage rights on behalf and for the benefit of the Rastafari community and has been doing so consistently since then;
- (e) The RMC since 2007 through its ongoing negotiations with the Government of Jamaica and her cultural agencies and the Smithsonian Institution/Discovering Rastafari Exhibit has been actively seeking to establish an authentic Rastafari owned museum, cultural heritage centre and archives;
- (f) The Rastafari Community has been marginalized by research and development efforts and practices where policies against the Culture have been developed based on externally controlled academic and anthropological research. For this reason the RMC had researched and developed a Rastafari Conference in 2009 to change these dynamics;
- (g) The Rastafari community has clear inherent intellectual property and cultural heritage rights in any Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives that is proposed to be established, by virtue of being the subject matter of the said initiatives from which the underlying intangible content is derived. The RMC is therefore obligated to the Rastafari community to ensure

that the Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives and indeed all UWI - Rastafari initiatives are not initiated or continued without the prior informed consent of the Rastafari community, that Rastafari intellectual property and cultural heritage rights are recognized, respected and protected and that, should the Rastafari community decide to consent to the establishment of a Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives by UWI, that the Rastafari community will be fully and effectively involved as equal partners in and will benefit practically and tangibly from any such initiatives by UWI.

This MEMORANDUM OF UNDERSTANDING hereby witnesses the resolve of both parties to enter into this MOU subject to the following Terms and Conditions:

A. Planning and Management

1. UWI agrees to assist, empower and facilitate the RMC in the pursuit and accomplishment of the Rastafari Community's legitimate and documented research and development aims and objectives to establish its own Rastafari museum, cultural heritage centre and archives. This includes facilitating, in co-operation with other entities including Government of Jamaica agencies and ministries and international universities and cultural organizations, the identification and acquisition of suitable space for the establishment of the Rastafari museum or cultural heritage centre and archives, as well as facilitating the training of Rastafari individuals in curating, archiving, management and other skills related to the establishment and maintenance of the Rastafari museum or cultural heritage centre and archives.
2. Consultation between the Rastafari community and UWI shall be facilitated through the establishment of a permanent RMC - Rastafari Consultative Committee process that shall be integrally involved and included in all decision-making as it relates to the establishment, planning and management of the Rastafari Studies Unit, Rastafari Studies Conferences, and Rastafari Archives and other decision, initiative or project involving UWI that is related to Rastafari or a concern of the Rastafari community.
3. The RMC - Rastafari Consultative Committee shall at all times be aligned with the Intellectual Property and Human Rights policies of the RMC in all negotiations. The RMC will be the signatory to all finalized processes.
4. The Rastafari community shall be represented through the RMC - Rastafari Consultative Committee, as well as on all other committees and sub-committees that are involved in planning and managing the Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives.

5. The RMC will solicit input and the involvement of the Rastafari community into the planning of the Conference, including proposing more current Rastafari themes, more Rastafari speakers, planning and managing the Conference agenda, and planning and managing the proposed Rastafari Expo and Rastafari Village aspects of the Conference and all other Rastafari - UWI initiatives.
6. Funding for the establishment and development of all projects and programmes concerning Rastafari, including the Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives, is to be sought jointly by the RMC and the UWI and will reflect the appropriate credit for RMC to include on their independent cultural funding profile from sources like UNESCO, EU, AU etc.
7. The RMC will have access to all budgets and accounting related to the Rastafari Studies Unit, Rastafari Studies Conference, Rastafari Archives and all other Rastafari-UWI initiatives.
8. Public Relations and community sensitization including press releases and public statements regarding all projects and programmes concerning Rastafari, shall be mutually decided beforehand by the RMC and UWI through the RMC - Rastafari Consultative Committee. All future Public Relations outreach in relation to the above shall include the RMC's involvement in equal billing.

B. Rastafari participation

1. Rastafari speakers are to be encouraged and highlighted for the Rastafari Studies Conference.
2. Registration fees for Rastafari speakers and attendees should be waived or substantially subsidized.
3. Elders of the Rastafari community over sixty years old shall be allowed free entry to the Conference.
4. Members of the Rastafari community, especially Elders, should be engaged as guides and hosts to explain and elaborate on Rastafari history for visitors to the Conference, Rastafari Village and Expo.
5. Other opportunities for members of the Rastafari community around the Conference should be ensured, including the possibility of art and craft expos, Rastafari craft shop and other activities that highlight authentic Rastafari culture.

C. Rastafari Expo

1. Rastafari photographers and artists are to be encouraged and highlighted.
2. If any fee is to be charged for admission to the Expo, it should be waived or substantially subsidized for Rastafari community members, subject to clause B3 above.
3. The content of the Expo should be in sync with the RMC's Intellectual Property Policies vetted by the RMC – Rastafari Consultative Committee.

4. If any book or other compilation from or for the Expo will be on display for sale, at least 25% of the proceeds of sale should be designated for the Ras Tafari Trust Fund.
5. No taking of photographs should be allowed in the Expo without express authorization from the RMC – Rastafari Consultative Committee.

D. Rastafari Village

1. The Rastafari Village will be designed and promoted as a franchise of the RMC's Village Project.
2. Rastafari arts and crafts, goods and services producers are to be encouraged and highlighted.
3. Only authentic Rastafari arts and crafts, goods and services are to be on display.
4. The RMC and the 'Rastafari Exhibit' fees for stall will be waived.
5. Fees for stalls should be waived or substantially subsidized for Rastafari members.
6. At least 25% of the proceeds of stall fees should be designated for the Ras Tafari Trust Fund.
7. If any fee is to be charged for admission to the Village, it should be waived or substantially subsidized for Rastafari community members.
8. No taking of photographs or any other recording whether audio or visual must be allowed in the Expo without express authorization from the RMC – Rastafari Consultative Committee. Photographers, videographers and all members of the Press must be properly accredited by the Conference Steering or Planning Committee as approved by the RMC – Rastafari Consultative Committee.

E. Intellectual Property Rights

1. All promotional material for the Conference must bear both the logos of the UWI and the RMC as the organisers and other Rastafari organizations represented on the RMC – Rastafari Consultative Committee can be included as sponsors.
2. All copyright in Conference Papers submitted will vest in the authors, unless agreed otherwise.
3. *So as to be able to benefit the Rastafari community educationally (not commercially), the RMC will have full access to and use of copies of all Conference Papers submitted, for the purposes of criticism, review, educational purposes, and fair dealing, legal submission in accordance with the Jamaica Copyright Act now in force or as subsequently amended.*
4. *Rastafari and other Conference authors may be encouraged by the RMC to contribute their works to a compilation of Rastafari Papers that benefit the Rastafari community.*

5. If any book or other compilation of Conference Papers and/or materials, including images from the Rastafari Expo or Rastafari Village, is to be produced, it should be published by UWI and the RMC, with at least 50% publisher's copyright being shared equally between UWI and the RMC.
6. For any future use by UWI of any Conference Papers and/or materials, including images from the Rastafari Expo or Rastafari Village, UWI must obtain the prior informed consent in writing of the RMC on behalf of the Rastafari community.
7. Materials developed for, by and through the Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives or any other UWI - Rastafari initiatives, will be owned by the RMC (for the benefit of the Ras Tafari Trust Fund) and UWI will have the option of use (for the purposes of its public education and research functions), subject to the intellectual property rights of individuals therein. The intellectual property rights in all recorded materials, information materials, data (written, electronic, audio and/or visual), other materials, logos, brands, images, designs, trade marks, developed for any such UWI - Rastafari initiative shall be owned by the RMC (on behalf of the Rastafari Community through the Ras Tafari Trust Fund) and rights granted to UWI (for the purposes of its public education and research functions). Any intellectual property material or subject matter not currently identified but identified or developed later which pertains to Rastafari, including information materials, data (written, electronic, audio and/or visual), other materials, logos, brands, images, designs, trade marks, shall be the property of the RMC (for and on behalf of the Rastafari Community through the Ras Tafari Trust Fund) and rights granted to UWI (for the purposes of its public education and research functions).
8. UWI will transfer the Rastafari Studies Unit, Rastafari Studies Conference and Rastafari Archives to the Rastafari Cultural Heritage Center and operate as a joint non-exclusive initiative with the UWI. The RMC reserves the right to engage other local and or international universities in the establishment of these objectives.

F. Tangible/Practical Outcomes

1. UWI agrees to support the RMC on behalf of the Rastafari Community's Intellectual Property and Human Rights Agenda and policies, and to commit its best efforts and resources to the achievement of, the following tangible/practical outcomes:
 - (a) The establishment of a globally relevant Rastafari Curriculum / Rastology for Primary & High Schools, and Universities [**Rastafari Educational Book Series**].
 - (b) **Field trips to the Rastafari Community should be a prerequisite for all Rastafari Courses.**

- (c) **Rastafari Community Scholarships to UWI in Sustainable Development, Economics, Finance/Banking, Renewable Energies, Accounting, Law, Anthropology, Social Work, among other disciplines.**
- (d) **Haile Selassie I High School Outreach - Summer School / After School Programme**
- (e) **Research and Development caucuses that assist the Rastafari Community's policies regarding repatriation and reparations, State atrocities against the Community like Coral Gardens and other Human and Intellectual Property Rights.**
- (f) **A health and care programme and facility for Rastafari elders.**
- (g) The establishment of a Rastafari Cultural Heritage Centre and Archives.

2. In order to successfully operationalise this MOU, the RMC – Rastafari Consultative Committee and UWI agree to meet at least every three months and more often if necessary to continuously and progressively actualize the stated intent and objectives of the MOU and to review and assess the achievement of related goals, projects, initiatives and processes.

This MEMORANDUM OF UNDERSTANDING is signed below on behalf of the parties hereto.

.....
 For UWI

.....
 Witness

.....
 For the RASTAFARI MILLENNIUM COUNCIL

.....
 Witness

SIGNED OF M.O.U. BETWEEN RMC & University of the West Indies

MEMORANDUM OF UNDERSTANDING

This MEMORANDUM OF UNDERSTANDING is made the 7th day of August 2013 between the Ethio-Africa Diaspora Union Millennium Council Limited (hereinafter referred to as 'the Rastafari Millennium Council' or the 'RMC') and The University of the West Indies a regional institution established by Royal Charter with Centre Headquarters at Mona, Kingston 7 in the parish of Saint Andrew (hereinafter referred to as 'UWI').

WHEREAS:

- (a) UWI and the Rastafari community have a long-standing history and relationship starting from when certain elders of the Rastafari community approached UWI in the 1950s to assist in countering the social, religious, economic and political marginalization and discrimination against Rastafari in Jamaica, which relationship has continued over the last fifty years involving the support of individual Rastafari elders by UWI as well as several conferences, meetings and reasonings organized by the Rastafari community being facilitated at UWI;
- (b) UWI has for many years, starting even before its 1960 publication "Report on the Ras Tafari Movement in Kingston, Jamaica", been involved in collaborative activity with the Rastafari community including researching, publishing and teaching Rastafari at UWI and involving Rastafari elders in the teaching of Rastafari (folk philosophy) at UWI and desires to establish a Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives in an ethical and culturally appropriate way, with the collaboration, full and effective participation and benefit-sharing of the Rastafari community;
- (c) 'Rastafari' is a topic on the primary and secondary school syllabus in Jamaica, as well as on the Caribbean Examinations Council (CXC) syllabus and examinations, and a topic of immense research interest for students, academics and researchers nationally, regionally and internationally;
- (d) The Rastafari Millennium Council is a registered organization in Jamaica, with accreditation through the World Intellectual Property Organization (WIPO) and the Jamaica Intellectual

Property Office (JIPO), which has since 2007 been mandated by the leadership of the majority of Rastafari mansions and organizations in Jamaica to proactively protect and advance Rastafari intellectual property and indigenous cultural rights on behalf and for the benefit of the Rastafari community and has been doing so consistently since then;

- (e) The RMC since 2007 through its ongoing negotiations with the Government of Jamaica and her cultural agencies and the Smithsonian Institution/Discovering Rastafari Exhibit has been actively seeking to establish an authentic Rastafari owned museum, cultural heritage centre and archives;
- (f) The Rastafari Community has been marginalized by research and development efforts and practices where policies against the Culture have been developed based on externally controlled academic and anthropological research. For this reason the Rastafari community has organized several of its own Rastafari conferences at UWI and elsewhere to organize and focus its own research agenda. The RMC on behalf of the Rastafari community has since 2009 been researching and developing its Rastafari Conference as an authentic Rastafari owned and controlled conference to ensure that the Rastafari community agenda is focused, supported and empowered by the Rastafari Conference;
- (g) The Rastafari community has clear inherent intellectual property and indigenous cultural rights in any Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives that is proposed to be established, by virtue of being the subject matter of the said initiatives from which the underlying intangible content is derived. The RMC is therefore obligated to the Rastafari community to ensure that the proposed Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives and indeed all UWI - Rastafari initiatives are not initiated or continued without the informed consent, collaboration and consultation of the Rastafari community, that Rastafari Intellectual property and indigenous cultural rights are recognized, respected and protected and that, should the Rastafari community decide to consent to the establishment of a Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives by UWI, that the Rastafari community will be fully and effectively involved as equal partners in and will benefit practically and tangibly from any such initiatives by UWI;

This MEMORANDUM OF UNDERSTANDING therefore hereby witnesses the resolve of both parties to work together in a collaborative and ethically appropriate partnership that assures the Rastafari

community of UWI's support, to advance the critical issues faced by the community and for the purposes and aims herein, subject to the following Terms and Conditions:

A. Planning and Management

1. UWI agrees to assist, empower and facilitate the RMC in the pursuit and accomplishment of the Rastafari Community's legitimate and documented research and development aims and objectives including to establish its own Rastafari conference, museum/cultural heritage centre, and archives. This includes facilitating, in co-operation with other entities including Government of Jamaica agencies and ministries and international universities and cultural organizations, the identification and acquisition of suitable space for the establishment of the Rastafari community's own conference, museum/cultural heritage centre and archives, as well as facilitating the training of Rastafari individuals in curating, archiving, management and other skills related to the establishment and maintenance of the Rastafari community's own conference, museum/cultural heritage centre and archives.
2. Consultation between the Rastafari community and UWI shall be facilitated through the establishment of a permanent RMC & UWI Rastafari Consultative Committee process that shall be integrally involved and included in all decision-making as it relates to the establishment, planning and management of Rastafari studies, the proposed Rastafari Studies Unit, Rastafari Studies Conferences, and Rastafari Archives and other decisions, initiatives or projects involving UWI that are related to Rastafari or a concern of the Rastafari community.
3. The RMC & UWI Rastafari Consultative Committee shall at all times be aligned with the Intellectual Property and Human Rights policies of the RMC in all negotiations. The RMC will be the signatory to all finalized processes. UWI agrees to respect and remain sensitive and committed to the moral, human and intellectual property rights of the Rastafari community as articulated and guided by the RMC and the RMC & UWI Rastafari Consultative Committee.
4. The Rastafari community shall be represented on the RMC & UWI Rastafari Consultative Committee, as well as on all other committees and sub-committees that are involved in planning and managing the proposed Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives.

5. The RMC will solicit input and the involvement of the Rastafari community into the planning of the Conference, including proposing current Rastafari themes, Rastafari speakers, planning and managing the Conference agenda, and planning and managing any proposed Rastafari display, expo or village aspects of the Conference and all other Rastafari - UWI initiatives.
6. Funding for the establishment and development of all projects and programmes concerning Rastafari, including the proposed Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives, will be done collaboratively and is to be sought jointly by the RMC and the UWI and will reflect the appropriate credit for RMC to include on their independent cultural funding profile from sources like UNESCO, EU, AU etc.
7. The RMC will have access to all budgets and accounting related to the proposed Rastafari Studies Unit, Rastafari Studies Conference, Rastafari Archives and all other Rastafari-UWI initiatives.
8. Public Relations and community sensitization including press releases and public statements regarding all projects and programmes concerning Rastafari, shall be mutually decided beforehand by the RMC and UWI through the RMC & UWI Rastafari Consultative Committee. All future Public Relations outreach in relation to the above shall include the RMC's involvement in equal billing.

B. Rastafari participation

1. Rastafari authors, speakers, photographers, artists and other Rastafari creative industry members and entrepreneurs are to be encouraged, facilitated and highlighted for the Rastafari Studies Conference.
2. Registration fees for Rastafari speakers and attendees should be waived or substantially subsidized.
3. Elders of the Rastafari community over sixty years old shall be allowed free entry to the Conference.
4. Members of the Rastafari community, especially Elders, should be engaged as guides and hosts to explain and elaborate on Rastafari history for visitors to the Conference, Rastafari Village and expo.

5. Other opportunities for members of the Rastafari community around the Conference should be ensured, including the possibility of art and craft expos, Rastafari craft shop and other activities that highlight authentic Rastafari culture.

C. Intellectual Property Rights & Benefit Sharing

1. All promotional material for the Conference must bear both the logos of the UWI and the RMC as the organisers and other Rastafari organizations represented on the RMC & UWI Rastafari Consultative Committee can be included as sponsors. The use of the UWI logo should be in accordance with the stipulated Regulations of UWI.
2. All copyright in Conference Papers submitted will vest in the authors, unless agreed otherwise.
3. So as to be able to benefit the Rastafari community educationally and/or commercially, the RMC will have full access to and use of copies of all Conference Papers submitted, including for the purposes of criticism, review, legal submissions or submissions to governmental, non-governmental and international organizations in support of Rastafari community rights, project proposals, or grant funding opportunities.
4. Rastafari and other Conference authors may be encouraged by UWI and the RMC to contribute their works to a compilation of Rastafari Papers that benefits the Rastafari community.
5. No taking of photographs or any other recording whether audio or visual must be allowed in the Conference or related conference activities or programmes without express authorization from the RMC & UWI Rastafari Consultative Committee. Photographers, videographers and all members of the Press must be properly accredited by the Conference Steering or Planning Committee as approved by the RMC & UWI Rastafari Consultative Committee.
6. If any book or other compilation of Conference Papers and/or materials, including photographs or audiovisual images from conference related events or activities, is to be produced, it should be published by UWI and the RMC, with at least 50% author's copyright being shared equally between UWI and the RMC, with at least 50% of the profit being designated for the Ras Tafari Trust Fund and the remainder designated for Rastafari initiatives at UWI.
7. At least 50% of the profits of stall fees or fees from other conference related activities should be designated for the Ras Tafari Trust Fund.

8. Any future use by UWI of any Conference Papers and/or materials, including images from conference related activities and programmes, for purposes of public education and research, will be permitted by the RMC. UWI should however consult with the RMC before hand to ensure that such use does not conflict with the initiatives of the RMC. For any future commercial use by UWI of any Conference Papers and/or materials, the prior consent in writing of the RMC on behalf of the Rastafari community must be obtained.
9. Materials developed for, by and through the proposed Rastafari Studies Unit, Rastafari Studies Conference, and Rastafari Archives or any other UWI - Rastafari initiatives, will be owned by the RMC (on behalf of the Rastafari Community through the Ras Tafari Trust Fund) and UWI will have the option of use (for the purposes of its public education and research functions), subject to the intellectual property rights of individual authors therein.
10. The intellectual property rights in all recorded materials, information materials, data (written, electronic, audio and/or visual), other materials, logos, brands, images, designs, trade marks, developed by the RMC, UWI and/or the RMC & UWI Rastafari Consultative Committee for any UWI - Rastafari initiative shall be owned by the RMC (on behalf of the Rastafari Community through the Ras Tafari Trust Fund) and rights granted to UWI (for the purposes of its public education and research functions). Any intellectual property material or subject matter not currently identified but identified or developed later which pertains to Rastafari, including information materials, data (written, electronic, audio and/or visual), other materials, logos, brands, images, designs, trade marks, shall be the property of the RMC (for and on behalf of the Rastafari Community through the Ras Tafari Trust Fund) and rights granted to UWI (for the purposes of its public education and research functions).
11. UWI, recognizing the community's rights and interests in ownership and institutional autonomy, will transfer the proposed Rastafari Studies Unit, Rastafari Studies Conference and Rastafari Archives to the Rastafari Cultural Heritage Center or other Rastafari-community owned institution identified by the RMC and the RMC & UWI Rastafari Consultative Committee and operate as a joint non-exclusive initiative with the UWI with ownership rights vested in the RMC on behalf of the Rastafari community, with rights to UWI to be negotiated and agreed. The RMC reserves the right to engage other local and or international universities, agencies and institutions in the establishment of these objectives.

D. Tangible/Practical Outcomes of the Conference

1. Conference papers are to be published by UWI and Rastafari academics under the guidance and direction of the RMC & UWI Rastafari Consultative Committee for the benefit of the Rastafari community, within two years of each Conference.
2. Multimedia products from the Conference and related activities including footage, interviews and other related cultural events, programmes and activities are to be developed to benefit the Rastafari community, under the guidance and direction of the RMC & UWI Rastafari Consultative Committee.

E. Tangible/Practical Outcomes of the UWI and Rastafari community collaboration

1. UWI and the RMC agree to explore in earnest with the RMC & UWI Rastafari Consultative Committee, collaborative efforts that benefit the Rastafari community and to commit its best efforts and resources to the maintenance of the Rastafari Community's Intellectual Property and Human Rights policies and protocols and community development agenda, including but not limited to the achievement of the following tangible and practical outcomes:
 - (a) The establishment of a globally relevant Rastafari Curriculum / Rastology for Primary & High Schools, and Universities [Rastafari Educational Book Series].
 - (b) Field trips to the Rastafari Community should be a prerequisite for all Rastafari Courses.
 - (c) Rastafari Community Scholarships to UWI in Sustainable Development, Economics, Finance/Banking, Renewable Energies, Accounting, Law, Anthropology, Social Work, among other disciplines.
 - (d) Haile Selassie I High School Outreach - Summer School / After School Programme
 - (e) Research and Development caucuses that assist the Rastafari Community's policies regarding repatriation and reparations, State atrocities against the Community like Coral Gardens and other Human and Intellectual Property Rights.
 - (f) A health and care programme and facility for Rastafari elders that also facilitates research on the peculiarities of Rastafari livity and its impact on wellness.
 - (g) The establishment of a Rastafari Cultural Heritage Centre and Archives.
 - (h) The participation of Rastafari guest lecturers with appropriate honorarium.

2. In order to successfully operationalise this MOU, the RMC & UWI – Rastafari Consultative Committee agree to meet at least every three months and more often if necessary to continuously and progressively actualize the stated intent and objectives of the MOU and to review and assess the achievement of related goals, projects, initiatives and processes.

3. This MOU is a product of good faith and any issue relating to interpretation, operation or fulfillment of the terms will be resolved by mutual agreement and negotiation.

This MEMORANDUM OF UNDERSTANDING is signed below on behalf of the parties hereto.

Archibald McDonald

For UWI

Name: ARCHIBALD McDONALD
Position: Deputy Principal

Carl Lawrence

Witness

Name: CARL LAWRENCE
Position: LEGAL OFFICER

Chiluhame

For the RASTAFARI MILLENNIUM COUNCIL

Name: Lorraine Williams
Position: Chairperson

Marcus Goffe

Witness

Name: Marcus Goffe
Position: Attorney-at-law

IOJ MOU - Smithsonian - Unconquerable Exhibit/ Legacy Strategy/Trademark/Trench Town

The contention around the IP Governance extended to IOJ, when the UWI Consultative Committee negotiations broke down with IOJ related to the mounting of the Rastafari Exhibit and its incorporation of the Smithsonian Exhibit. This resulted in a MOU between IOJ and the Council, where various attempts to water down the agreement by Marcus Goffe has had to be challenged and withstood by the Council. This led to IOJ requesting the Attorney General to review the signed MOU and where a negotiating process began to be engaged and has been stalled based on the actions of the 'Consultative Committee' developed around the UWI negotiations. This 'Consultative Committee' has its own legal framework with the Council and has used clear political connections to attempt to over-ride this framework. The central issue at all times is the IP of the Community and its relation to the achieved legal frameworks at JIPO/Practice Notes and ongoing TK/TCE/GR negotiations.

FIRST DRAFTED M.O.U. BETWEEN RMC AND I.O.J. JANUARY 10th 2013

DRAFT

MEMORANDUM OF UNDERSTANDING

BETWEEN

The Museums of History and Ethnography, Institute of Jamaica (hereafter referred to as the Museums Division)

AND

Rastafari Documentation Project (hereafter referred to as RDP)

WHEREAS the Museums Division is the agency charged with the responsibility to develop exhibitions on aspects of the history and culture of Jamaica.

AND WHEREAS the RDP has a mandate to document aspects of Rastafari heritage through the audio-visual recording of Rastafari community events and personal interviews with a selection of Rastafari culture-keepers

AND WHEREAS the Museums Division is desirous of developing an exhibition on Rastafari to be opened in April 2013.

This Memorandum of Understanding (MOU) is a voluntary agreement between **The Museums Division and RDP** for the implementation of a project which seeks to document aspects of Rastafari. Under the aforementioned project, both parties resolve to enter into this MOU subject to the following Terms and Conditions.

Museums Division

The Museums Division will source and provide funding to underwrite the costs to cover the needs of the Rastafari interview project.

RDP

The RDP will organise a team of trained documenters and will broker with the Rastafari community to have access to individuals under the of the Rastafari Documentation Project mandate.

Mutual Covenants

- 1) **Museums Division and RDP** shall jointly make documentary interviews for the purposes of the exhibition *Rastafari* as well as for archival purposes.
- 2) All interviews are to be undertaken as a joint venture between the Rastafari Documentation Project (RDP) and the Museums Division of the Institute of Jamaica (Museums)
- 3) Interviews are to be geared to the needs of the exhibition *Rastafari*, as described in the provided Appendix 1: project document. The project is to be organised, funded and undertaken within a 2 month period commencing January... 2013
- 4) The interview project is to be directed by the IOJ/*Rastafari* curator in consultation with the project's team and coordinated between IOJ and RDP
- 5) As *per* the RDP's mandate, materials developed will be owned by the RDP/Rastafari community
- 6) The IOJ is to be provided with copies exclusively for exhibition purposes, for programme components and archival conservation
- 7) Funding for the IOJ-RDP project is to be sought through the IOJ
- 8) The RDP will provide technical and budgetary expertise, equipment and logistical capabilities that ensure for the production, preservation and control of the recorded materials.
- 9) The intellectual property rights of recorded materials remain with the RDP/Rastafari community
- 10) Criteria such as release forms and questionnaires, for the purposes of the interviews, are to be jointly developed between the two parties and framed and focused to the requirements of the exhibition *Rastafari*.
- 11) The design, schedule and budget for the series of interviews are to be developed jointly by the RDP and the IOJ, with the execution of interviews shared between them.
- 12) Materials, i.e. raw footage, should be delivered to the IOJ on a piecemeal/on-going basis as fieldwork sessions are completed, to enable continuous editing of these material for the exhibition.
- 13) Complete documentaries could be produced for sale in the IOJ gift shop. Editing for documentaries is to be out-sourced and external to this RDP-IOJ documentation project.

SECOND DRAFTED MOU BETWEEN THE RMC AND THE IOJ
dd. January 25th 2013

DRAFT

MEMORANDUM OF UNDERSTANDING

BETWEEN

The Museums of History and Ethnography, Institute of Jamaica (hereafter referred to as the Museums Division or IOJ)

AND

The Ethio-Africa Diaspora Union Millennium Council (hereafter referred to as the Rastafari Millennium Council or RMC)

WHEREAS the Museums Division is the agency charged with the responsibility to develop exhibitions on aspects of the history and culture of Jamaica.

WHEREAS the RMC is a registered Organization in Jamaica with the rights to represent the Intellectual Property of the Rastafari Community with accreditation through WIPO and JIPO.

WHEREAS the RMC through its ongoing negotiations with the Government of Jamaica and her cultural Agencies and the Smithsonian Institute/Discovering Rastafari Exhibit are actively seeking to establish a Rastafari owned Museum that includes artefacts, images, videos, text and villages.

WHEREAS the Rastafari Indigenous Culture and the Intellectual Property/materials are owned and governed by the Community and is held in trust through the RMC and the Rastafari Trust Fund.

AND WHEREAS the RMC through its RACE (Rastafari Archiving Cultural Expressions) Project developed with WIPO and JIPO has a mandate to document aspects of Rastafari Heritage through the audio-visual recording of Rastafari Community events and personal interviews with a selection of Rastafari Culture-keepers.

AND WHEREAS the Museums Division is desirous of developing a comprehensive exhibition

entitled '*Rastafari*' to be opened in April 21st, 2013 with stated objectives of the Exhibit including artefacts, images, videos and text being transferred to a Rastafari owned Museum.

This Memorandum of Understanding (MOU) is a voluntary agreement between **The Museums Division and RMC** for the implementation of a Rastafari Exhibit for the purpose of a Rastafari owned Museum that incorporates the funding of the Rastafari Exhibit, and the RACE project which seeks to document aspects of the Rastafari Indigenous Culture. Under the aforementioned objectives, both parties resolve to enter into this MOU subject to the following Terms and Conditions:

Terms and Conditions

Museums Division

The Museums Division will source and provide funding to underwrite the costs to cover the needs of the Rastafari Exhibit inclusive of the RACE project.

RMC

The RMC through its RACE Project will organise a team of trained documenters and will broker with the Rastafari Community to have access to individuals under the RMC/RACE mandate.

Mutual Covenants

- 1) **Museums Division and RMC** shall jointly access artefacts, images, videos and text, and from the public appeal, Smithsonian Institute/Discovering Rastafari Exhibit and the RACE PROJECT which will make documentary interviews for the purposes of the exhibition '*Rastafari*' as well as for archival purposes.
- 2) All accessing of Rastafari Heritage Materials and interviews are to be undertaken as a joint venture between the RMC and the Museums Division of the Institute of Jamaica (Museums) in coordination with the negotiations and objectives for the Rastafari owned Museum.
- 3) All materials Interviews are to be geared to the needs of the exhibition *Rastafari*, as described in the provided Appendix 1: project document and the stated intent from the IOJ Letter Of Intent dd. January 18th, 2013. The project incorporates all previous negotiations between the RMC and GOJ agencies and is to be organised, funded and undertaken within a 3 month period commencing January... 2013.
- 4) The Rastafari Exhibit and RACE interview project is to be directed by the IOJ/*Rastafari* curator in consultation with the RACE project's team and coordinated between IOJ and RMC
- 5) As *per* the RMC and RACE mandate, materials developed by and through the Rastafari Exhibit will be owned by the RMC on behalf of the Rastafari community

- 6) The IOJ is to be provided with copies exclusively for exhibition purposes, for programme components and archival conservation that will be subject to the negotiations for the development of the Rastafari owned Museum.
- 7) Funding for the Rastafari Exhibit/RACE PROJECT is to be sought through the IOJ.
- 8) The RMC through RACE will provide technical and budgetary expertise, equipment and logistical capabilities that ensure the production, preservation and control of the recorded materials.
- 9) The intellectual property rights of recorded materials remain with the RMC on behalf of the Rastafari Community.
- 10) Criteria such as release forms and questionnaires, for the purposes of the Exhibit and interviews, are to be based on the Rastafari Intellectual Property protocols designed by the RMC & WIPO/JIPO framed and focused to the requirements of the exhibition *Rastafari* and the establishment of the Rastafari owned Museum Interviewer(s) are to be mutually decided.
- 11) The design, schedule and budget for Rastafari Exhibit and the series of interviews are to be developed jointly by the RMC and the IOJ, with the execution of materials and interviews shared between them.
- 12) Materials such as raw footage should be delivered to the IOJ on a piecemeal/on-going basis as fieldwork sessions are completed, to enable continuous editing of these material for the exhibition, as well as objects from the Smithsonian Institute/Discovering Rastafari Exhibit and the public call for archival artefacts.
- 13) The negotiated portion of Exhibit entrance fees, Rastafari themed items for sale in the IOJ gift shop or online will be for the benefit of the Rastafari Community through the Rastafari Trust Fund. Complete documentaries from the RACE Project could be produced for sale in the IOJ gift shop. Editing for documentaries is to be out-sourced and external to this documentation project.
- 14) Public Relations and community sensitization concerning this Project shall be mutually decided by the RMC and IOJ beforehand. All future Public Relations outreach shall include the RMC's involvement in equal billing.
- 15) The RMC shall be given the opportunity to review the materials collected from public outreach, the Smithsonian/Discovering Rastafari Exhibit materials, and interviews and related footage from the RACE project after editing and before public release.

Signed MOU Between the RMC & Institute of Jamaica

MEMORANDUM OF UNDERSTANDING

BETWEEN

The Museums of History and Ethnography, Institute of Jamaica (hereafter referred to as the Museums Division or IOJ)

AND

The Ethio-Africa Diaspora Union Millennium Council (hereafter referred to as the Rastafari Millennium Council or RMC)

WHEREAS the Museums Division is the agency charged with the responsibility to develop exhibitions on aspects of the history and culture of Jamaica.

WHEREAS the Museums Division in consultation, collaboration and with the consent of the Rastafari community, is desirous of developing a comprehensive exhibition entitled '*Rastafari*' to be launched on April 21st, 2013 with stated objectives of the Exhibition including the transfer of artefacts, images, videos and text to a Rastafari owned Museum or cultural heritage centre upon the conclusion of the Museums Division mounting of it.

WHEREAS the RMC is a registered organization in Jamaica, with accreditation through the World Intellectual Property Organization (WIPO) and the Jamaica Intellectual Property Office (JIPO), which has since 2007 been mandated by the leadership of the majority of Rastafari mansions and organizations in Jamaica to proactively protect and advance Rastafari intellectual property and cultural heritage on behalf and for the benefit of the Rastafari community and has been doing so consistently since then

WHEREAS the RMC since 2007 through its ongoing negotiations with the Government of Jamaica and her cultural Agencies and the Smithsonian Institution/Discovering Rastafari Exhibit has been actively seeking to establish an authentic Rastafari owned Museum or cultural heritage centre and Archives that includes artefacts, images, videos, text and villages.

WHEREAS the Rastafari Indigenous Culture and Intellectual Property are owned and governed by the Community and is held in trust through the RMC and the Rastafari Trust Fund and whereas the Rastafari community has clear inherent intellectual property and cultural heritage rights in the *Rastafari* Exhibition, both moral and economic, by virtue of being the subject matter of the Exhibit from which the underlying intangible content of the Exhibition is derived.

AND WHEREAS the RMC through its RACE (Rastafari Archiving Cultural Expressions) Project developed with WIPO and JIPO has a mandate to document aspects of Rastafari Heritage through the audio-visual recording of Rastafari Community events and personal interviews with a selection of Rastafari Culture-keepers.

This Memorandum of Understanding (MOU) is a voluntary agreement between **The Museums Division and RMC** for the implementation of a Rastafari Interview Project for the *Rastafari* Exhibit and the establishment of a Rastafari owned Museum or cultural heritage centre. Under the aforementioned objectives, both parties resolve to enter into this MOU subject to the following Terms and Conditions:

Terms and Conditions

Museums Division

1. The Museums Division undertakes to work through a Rastafari Exhibit Consultative Committee, which is open to and includes representatives from the wider Rastafari community, in planning the design, content, funding and marketing of the 'Rastafari' Exhibition in Jamaica and in all other matters concerning the management and decision-making in respect of the Exhibition. In that respect, the Museums Division in organising the Exhibition in Jamaica is acting and holding artefacts, documents, images, videos and text in trust for the Rastafari community, pending the development and establishment of a Rastafari owned Museum or cultural heritage centre (subject to the individual loan agreements concluded with individual owners of artefacts).
2. The *Rastafari* Exhibition is to be directed by the IOJ curator and Rastafari co-curator in consultation with the RMC and the Rastafari Consultative Committee. The Museums Division will source and provide funding to underwrite the costs to cover the needs of the *Rastafari* Exhibition inclusive of the Rastafari interview project.
3. The Museums Division undertakes to assist and facilitate the permanent transfer of the Exhibition to a Rastafari space under the control and management of the Rastafari community within one year of the close of the Exhibition in Jamaica, unless otherwise agreed by the RMC. This includes facilitating, in co-operation with other entities including Government of Jamaica agencies and ministries, the identification and acquisition of suitable space for the establishment of the Rastafari Museum or cultural heritage centre, as well as facilitating the training of Rastafari individuals in curating, archiving, museum management and other skills related to the establishment and maintenance of the Rastafari Museum or cultural heritage centre.

RMC

1. The RMC will solicit the input and the involvement of the broader Rastafari community into the expansion and redesign of the Exhibition in Jamaica, including proposing more Rastafari themes and artefacts, and other suggestions for planning and managing the installation of the Exhibition in Jamaica successfully.
2. The RMC through its RACE Project will broker with the Rastafari Community to have access to individuals under the RMC/RACE mandate.

- 7) Criteria such as release forms and questionnaires, for the purposes of the Exhibition and interviews, are to be mutually decided by the IOJ, RMC and the Consultative Committee based on the Rastafari Intellectual Property protocols designed by the RMC & WIPO/JIPO framed and focused to the requirements of the exhibition *Rastafari* and the establishment of the Rastafari owned Museum or cultural heritage centre.
- 8) The design, schedule and budget for the *Rastafari* Exhibition and the interview project are to be developed jointly by the RMC and the IOJ, with the collection of materials and interviews shared between them. The themes, content and overall redesign of the Exhibition should be vetted and approved by the RMC and the Consultative Committee, prior to the Exhibition being mounted, launched, or otherwise shown to the public.
- 9) Materials such as raw footage and objects from the public call for archival artefacts should be delivered to the IOJ on a piecemeal/on-going basis as fieldwork sessions are completed, to enable continuous monitoring and editing of these materials for the exhibition.
- 10) Rastafari themed items for sale in the IOJ gift shop or online will be managed by the RMC for the benefit of the Rastafari Community. Complete documentaries could be produced for sale in the IOJ gift shop, with a share of proceeds being secured for the benefit of the Rastafari community, subject to established RMC Rastafari Intellectual Property Protocols and prior approval by the RMC.
- 11) Only authentic Rastafari arts and crafts, goods and services, producers and entrepreneurs, are to be encouraged and highlighted in the Exhibition, the Gift Shop, and all activities and events organized around the exhibition. Only authentic Rastafari arts and crafts, goods and services are to be on display.
- 12) Public Relations and community sensitization including press releases and public statements concerning this Project shall be mutually decided by the RMC and IOJ beforehand. All future Public Relations outreach shall include the RMC's involvement in equal billing.
- 13) The RMC and the Rastafari Exhibition Consultative Committee shall be given the opportunity to review the materials collected from public outreach, the Smithsonian/Discovering Rastafari Exhibition materials, and interviews and related footage from the RACE project after editing and before public release. Editing of film footage is to be done in-house by members of the RACE Project and/or Rastafari community preferably where practicable. All editing is to be reviewed by the RMC and the Consultative Committee prior to the Exhibition being mounted, launched, or otherwise shown to the public.
- 14) Members of the Rastafari community, especially Elders, should be encouraged and involved as possible Exhibition guides and hosts to explain and elaborate on Rastafari history for visitors to the Exhibition, as well as to participate in related Exhibition events in co-ordination with the Rastafari calendar as far as possible.

Other opportunities for members of the Rastafari community around the Exhibition should be ensured, including through the IOJ Gift Shop/ Rastafari craft shop and possible tuck shop and the development of art and craft expos, and other activities and events around the Exhibition that highlight the Exhibition and authentic Rastafari culture.

In witness whereof, this MOU is signed by the parties below.

C. Williams
Signature for the Millennium Council

Lorraine Williams
Name

Chairperson, R.M.C.
Position

March 21, 2013
Date

[Signature]
Signature for the Museums Division

JONATHAN GREENLAND
Name

DIRECTOR
Position

MARCH 21, 2013
Date



HON. LISA HANNA – MINISTER OF YOUTH & CULTURE, HON. NEVILLE O. LIVINGSTON OJ. CD., MRS YODIT HYLTON – ETHIOPIA HONORARY CONSULE OFFICIALLY OPENS THE EXHIBITION

PROPOSED H.O.A. BY IOJ OCTOBER 4th 2013

RASTAFARI EXHIBITION (THE "EXHIBITION")

HEADS OF AGREEMENT

BETWEEN: THE ETHIO-AFRICA DIASPORA UNION MILLENNIUM COUNCIL (hereafter referred to as the "RMC") an organization registered in Jamaica whose address is insert address.

AND: THE INSTITUTE OF JAMAICA, a statutory institution with registered offices at insert address (hereinafter referred to as the "IOJ")

WHEREAS: This Agreement, incorporating the spirit and general intent of the MOU signed between the parties hereto, sets forth the specific and practical operating terms and conditions between the parties regarding the Exhibition.

1. COLLABORATION

- 1.1 The Exhibition shall be directed by the IOJ Curator. An RMC appointed consultant Co-Curator shall act as the chief intermediary with the various Rastafari communities, assist in content and liaise directly with the RMC. Compensation to the RMC Co-Curator is subject to sufficient funding being obtained for this purpose.
- 1.2 The RMC and the IOJ shall make joint efforts to request, appeal for and access Display Items from owners under standardized loan agreements.
- 1.3 The RMC and the IOJ shall invite Rastafari experts including elders, photographers, artists, designers, historians and anthropologists to participate as far as possible in the design, construction and staffing of the Exhibition.
- 1.4 The IOJ and the RMC agree to collaborate on the implementation of a Rastafari interview project for the Exhibition in keeping with the mandate of the RMC, funding for which shall be sought jointly by the RMC and the IOJ through the IOJ.

2. EXHIBITION RUN:

- 2.1 The Exhibition shall run for Two (2) Years total, for periods in Kingston and Montego Bay as determined by IOJ subject to visitorship, financial and resource considerations of IOJ.
- 2.2 The IOJ, with the consent of the RMC, may extend the Exhibition beyond the Two (2) Year run.
- 2.3 IOJ shall give the RMC a minimum Three (3) Months prior notice of any early closure of the Exhibition.

3. IOJ OBLIGATIONS:

The IOJ shall:

- 3.1 be responsible for obtaining funding and paying all costs for staging the Exhibition;
- 3.2 within a six (6) month period from the date of closure of the Exhibition:
 - (a) assist where possible in identifying and acquiring suitable space for the establishment of a Rastafari Museum or Cultural Heritage Centre;

- (b) facilitate the training of Rastafari individuals in curating, archiving, museum management and other skills related to the establishment and maintenance of the Rastafari Museum;
 - (c) identify objects from the National Collection that can be put on long term loan to the Rastafari Museum;
 - (d) return all RMC loaned Display Items and transfer Smithsonian-donated Exhibition materials to the RMC.
- 3.3 use best efforts to facilitate loan agreements for Third Party Display Items to be provided to the Rastafari Museum;
- 3.4 provide a space in the Kingston Exhibition Area identified by the IOJ for the RMC (the "Rastafari Space") to sell authentic Rastafari products subject to the reasonable standards of the IOJ.

4. RMC OBLIGATIONS:

The RMC shall:

- 4.1 solicit the Rastafari community into the expansion and redesign of the Exhibition in Jamaica, including proposing more Rastafari themes and artifacts, and other suggestions for planning and managing the installation of the Exhibition in Jamaica successfully;
- 4.2 through its RACE Project, broker with the Rastafari Community to organize a team of trained documenters, provide technical and budgetary expertise, equipment and logistical capabilities that ensure the production, preservation and control of recorded materials.

5. INTELLECTUAL PROPERTY:

- 5.1 Materials developed solely for and by the RMC for the Exhibition and/or the interview project shall be owned by the RMC on behalf of the Rastafari community.
- 5.2 The RMC shall own all intellectual property rights in the interview project.
- 5.3 Intellectual property rights in Exhibition storyboards and images owned or developed solely by the IOJ shall remain with the IOJ but such specified items shall be licensed in perpetuity, royalty free, non-exclusively to the RMC on closure of the Exhibition.
- 5.4 Other Materials (including Exhibition Catalogues and any re-issues, adaptations, volumes etc) developed solely for or by the IOJ for the Exhibition shall be owned by the IOJ subject to written assignment or license of such rights to the RMC by the IOJ.
- 5.5 Materials developed jointly by the RMC and IOJ for the Exhibition or otherwise shall be jointly owned by the parties however the RMC shall be entitled to use such materials non-exclusively, royalty free in perpetuity for the purposes of the Exhibition and the Rastafari Museum.
- 5.6 Intellectual Property rights of IOJ and RMC in existing Display Items and materials owned by each party prior to this Agreement shall remain with the owning party unless specifically assigned or licensed in writing to the RMC or IOJ.
- 5.7 Intellectual Property rights in existing Third Party Display Items or materials developed by third parties for the Exhibition shall remain with such third parties unless specifically assigned or licensed in writing to the RMC or IOJ.

5.8 The IOJ shall be entitled to retain copies, images and/or videos of all Exhibition materials, Display Items, and artefacts, research, results of the interview project and data solely for non-commercial purposes including public information, research and archival conservation with a view to codification in the national record. The parties shall have to mutually agree any commercial use of such copies, images and/or videos.

5.9 The Exhibition and any resulting virtual exhibitions, research papers, publications, audio, visual and audio-visual products should equally acknowledge the intellectual property contributions of both the IOJ and the RMC.

6. FINANCIALS:

6.1 The RMC shall retain 100% of income from RMC sales of authentic Rastafari Products from the Rastafari Space.

6.2 In order to cover overheads, expenses and programming costs the IOJ shall retain 100% of income from admission fees to the Exhibition, Exhibition Catalogue sales and sales from the IOJ gift shops.

6.3 The IOJ shall provide the RMC with One Hundred (100) Exhibition Catalogues for sale or redistribution through distribution channels determined by RMC.

6.4 The IOJ may purchase authentic Rastafari Products from the RMC on mutually agreed consignment terms for resale after the Exhibition through distribution channels determined by IOJ.

6.5 The parties may collaborate on merchandising products and shall in such case mutually agree on contribution to development costs, distribution channels and profit sharing in respect of such merchandise.

6.6 At no time during the Exhibition Run should either party sell products or merchandise at or in the vicinity of the Exhibition, which are identical or confusingly similar to merchandise or products sold by the other party and the parties shall mutually agree on items each party will sell, save as expressly set out herein.

7. RISK & TITLE:

Risk and liability for loss, damage or destruction to Display Items and any other materials sits with the party in possession or control of such items at any given time, whether prior to, during, or after the expiry of this Agreement, regardless of title ownership.

8. INDEMNITY & LIABILITY:

8.1 Each party to this Agreement (in this clause an "indemnifying party") shall indemnify the other (in this clause the "indemnified party") against any claim made against the indemnified party by a third party regarding: (i) breaches of this Agreement by the indemnifying party; (ii) the indemnified parties authorised use of intellectual property material provided or owned by the indemnifying party or their affiliates; (iii) third party agreements entered into by the indemnifying party without the knowledge and authorization of the indemnified party.

8.2 Neither party shall have any liability in connection with this Agreement (whether based in contract, tort -including, without limitation, negligence - misrepresentation, warranty or any other legal or equitable grounds) for consequential, collateral, special, incidental or indirect damages such as, without limitation, loss of revenue, loss of profit, loss of data, loss of use, loss of

goodwill, loss of savings, interruption of business or claims of third parties or punitive or exemplary damages.

9. PUBLICITY:

Both parties shall be involved in public relations and community sensitization including press releases and public statements concerning the Exhibition and both parties shall have equal billing on all such releases or statements and neither party shall release or make any public statement regarding the subject matter of this Agreement or connected therewith without the written consent of the other party.

10. DISPUTE RESOLUTION

The parties agree to appoint no more than two (2) principals of each party to resolve all disputes along with their Attorneys-at-Law, in the following order:

- (i) Firstly, through meeting and negotiation, failing which,
- (ii) through mediation, failing which,
- (iii) through arbitration.

11. ENTIRE AGREEMENT

This Agreement constitutes the entire understanding between the parties relating to the subject matter of this Agreement and, save as it incorporates the spirit and general intent of the MOU between the parties, supersedes all prior representations, writings, negotiations or understandings hereto.

In witness whereof, this legally binding Heads of Agreement is signed by the parties below:

Signature for the RMC

Signature for the IOJ

Name

Name

Position

Position

Date

Date

6. IOJ Rastafari Exhibit



The Institute of Jamaica
For the Encouragement of Literature, Science and Art.

10 - 16 East Street, Kingston, Jamaica, W.I. • Telephone: (876) 922-0620-6 • Fax: (876) 922-1147
• Email: info@instituteofjamaica.org.jm • Website: www.instituteofjamaica.org.jm

January 18, 2013

The Rastafari Family
Mansions
Associations
Brethren and Sistren

Dear All:

Subject: Rastafari, an Exhibition at the Institute of Jamaica

The Museums Division of the Institute of Jamaica is organising a major exhibition celebrating Rastafari. It will open in Kingston on April 21, 2013 to mark the coming of HIM Emperor Haile Selassie I to Jamaica in 1966. The displays will present the history and nature of one of the world's most significant movements using artefacts, images, video and texts.

Jamaica is the major creator and storehouse of historic and cultural material relating to Rastafari. Yet there has been little documentation or presentation on the material culture of Rastafari in Jamaica. In an attempt to safeguard this indigenous heritage and promote the momentous journeys charted by Rastafari in exhibition, the Institute of Jamaica seeks the expertise, guidance and participation of the larger Rastafari Family.

'Rastafari' and the materials associated with it are the direct heritage of the Rastafari community, and as such will be held in trust by the Institute of Jamaica. The relationship forged between the Rastafari community and the Institute of Jamaica will then be directed to promote the establishment of a permanent museum, managed by Rastafari to develop and promote their community. The Museums Division looks forward to working with the Rastafari community in realizing these ambitions.

In order to involve in an inclusive manner the input of all the potential stakeholders, in particular the wider Rastafari Family, a consultation committee has been established. By this letter the Museums Division seeks to establish a relationship with you and serves as an invitation for you to be involved in the exhibition's development and in the activities that stem from it.

.../2

In the coming months, David Stimpson and Ras Anthony Witter, curators of *Rastafari*, will seek to engage with the Rastafari Family, Mansions, associations and brethren and sistren, to assist in obtaining display materials, to develop areas of mutual benefit around the exhibition and for the exhibition's promotion.

Specific research information needs include:

- the identification of cultural objects and artefacts that will allow our audiences to explore the nature of Rastafari (photographs, documents, films, memorabilia)
- to identify key individuals that can assist in providing first-hand historic and personal information

The Museums Division of the Institute of Jamaica looks forward to working with you for this noble heritage and would be most grateful for any assistance provided.

Yours sincerely,



Jonathan Greenland Ph.D.
Director
Museums of History and Ethnography
Institute of Jamaica
10-16 East Street
Kingston
Tel: (876) 922-0620-6, Direct: 922 3795
Fax: (876) 922-3795
Email: museums@instituteofjamaica.org.jm



The Many Mansions of Rastafari: The first Mission-to-Africa realized a directive by the Emperor to InI Rastafari to 'Organize and Centralize the Movement to return as one people'. The impact of His visit affected the teaching in Doctrines that had caused the formation of many Mansions with the EWF and Ethiopian Orthodox Church, as Imperial institutions to channel set the stage for mobilisation.

Defenders of African Consciousness: The local, regional, and global transmission of the divinity of H.I.M., African values and human rights, largely through Reggae music, became a rallying symbol and message for the overthrow of despots. Commercialization of the Rastafari Culture, however, became a double-edged sword, by subverting its sovereign integrity and ignoring the marginalised community of origin. Merchandising has diminished the message and its indigenous knowledge-base, generating multi-billion dollar products and services, with no benefit to the Rastafari community in Jamaica.

Repatriation Now! Trans Atlantic Slave Trade; Middle Passage; Maroons/Liberia; Emancipation Act; Garvey's Pan-African Movement; The Ethiopian World Federation Inc. & the Shashemanne Land Grant in 1955; Back-to-Africa Mission 1961; the formation of the O.A.U. in 1963; U.N. at Durban 2001; AU 6th Region Agenda; Ghana Joseph Project.

Organize and Centralize: The destruction of Pinnacle and Back-a-Wall forged the birth of the Nyahbinghi Order in 1958. After the splintering in the 1960's, the move to centralise the Mansions resulted in the Rastafari International Theocracy Assembly in 1983, the Rastafari Centralizing Organization 1994, the Rastafari Global Reasoning 2003 and presently the Rastafari Millennium Council (RMC) of 2007.

'*Rastafari*' will vividly express the history and contemporary process of reclaiming Africa's identity. Museums of History and Ethnography and the RMC present a rich cultural heritage of our contemporary struggles.

Call for Objects:

For the production of Rastafari, cultural material of the Rastafari Family are needed. This is an important action for the reclamation of InI identity, to authenticate Rastafari demands for repatriation and development. To participate please contact us:

EADUMC
 RASTAFARI MILLENNIUM COUNCIL
 KINGSTON JAMAICA
 876-868-7863



REPATRIATION NOW!!!

Rastafari

An exhibition that will reveal the character of one of the world's most significant Liberation Movements.

Those men and women who refused to accept the judgment passed upon them by the colonies, who held unswervingly through the darkest hours to a vision of an Africa emancipated from political, economic and spiritual domination, will be remembered and revered wherever Africans meet. Many of them never set foot on this continent.....What we may utter today can add little to the heroic struggle of those who, by their example, have shown us how precious are freedom and human dignity and of how little value is life without them. Their deeds are written in history.



(Haile Sellassie I at the Organization of Africa Union on May 25th 1963)

Exhibition Narrative Themes

Ras Tafari: Rastafari is In I spiritual and cultural expressions of the Divinity of Ras Tafari Makonnen, who became the 225th Emperor of Ethiopia as Haile Sellassie I, from the lineage of King David of Israel through the union of King Solomon and Queen Makeda of Sheba /Ethiopia. Through time, Ethiopia has been that blazing beacon and symbol of freedom, expounding the fundamentals of Divine Heritage for all humanity.



The Indigenous Root: Emancipation to Marcus The Hon. Marcus M. Garvey, Father of Pan-Africanism (Prophet), ignited the 'Back-to-Africa' movement as lawfully incorporated into the Emancipation Act of 1838, to return the victims of slavery and colonialism to their vines and fig trees. His utterance for Africans, 'Look to the East for the crowning of a Black King, for thence cometh your deliverance'.

The Revelation of Ras Tafari: The Sacred Coronation of Negus Tafari as H.I.M. Emperor Haile Sellassie 1st of Ethiopia; King of Kings, Lord of Lords, Conquering Lion of the Tribe of Judah and of H.I.M. Empress Menen Asfaw on November 2nd 1930 was historically unprecedented and attended by representatives of 72 Nations; and was said to have been witnessed by Leonard P. Howell who inspired InI Rastafari Movement, galvanising indigenous cultures into InI Rastafari expressions.



Tribulations and Atrocities: The Colonial directives from 1937 against the cause of Back to Africa, the sacrament of the Holy Herbs, the Divinity of The Black King, the Dreadlocked, resulted in the atrocities of the 1954 destruction of Pinnacle, the 1958 and 1966 destruction of Back-a-Wall, and the 1963 Coral Gardens massacre. It set a pattern of atrocities and co-optation by Colonial and Post-Colonial Jamaica unto present times.

Tribute to the Imples: In celebration of the Ancients, disciples, martyrs and pillars of the movement...



Grounation: Drumming, Chanting, Reasoning, Using the Herbal Sacrament – NYAHBINGHI ORDER – Giving Thanks and Praises in secret places because of persecution.

Indigenous Rastafari Livity: Spirituality, Food, Clothing, Language, Knowledge, Holistic Cultural Expressions ...



H.I.M. Embraces his own: The visit of H.I.M. Haile Sellassie I to Jamaica on April 21st 1966 provoked national consciousness and energized the Rastafari Community. Reclaiming InI through blood line in His speech to Parliament, He sought to include Jamaica within the O.A.U.

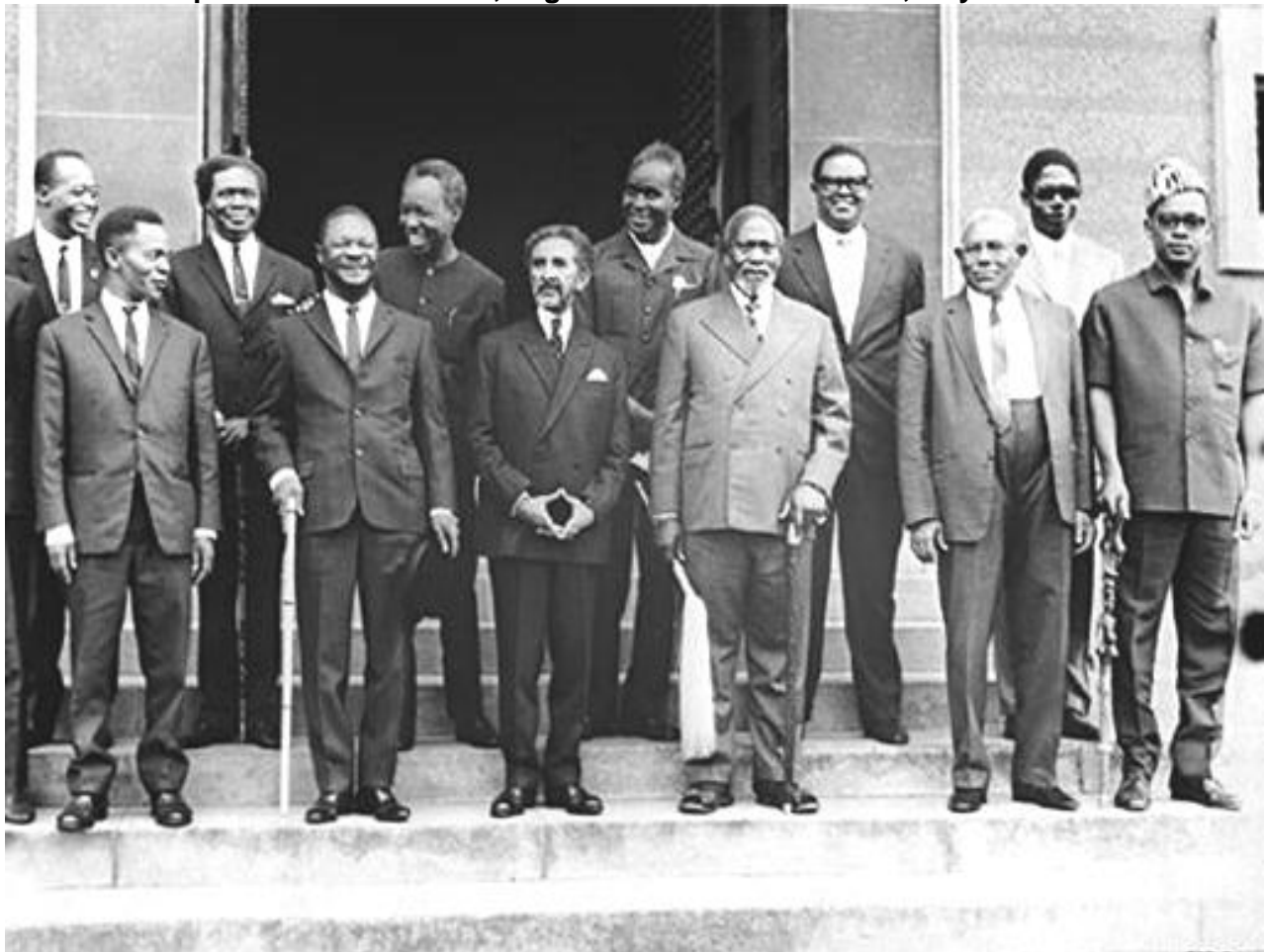
RASTAFARI PANELS

1. RASTAFARI

Rastafari is a Spiritual and Cultural African Liberation Movement that emerged in Jamaica in the 1930's. InI are a peculiar people whose aspirations were conceived from our recognition and declaration of the Divinity of His Imperial Majesty (H.I.M.) Emperor Haile Sellassie I. His Prince name – **Ras Tafari** (Makonnen), is from whence InI have been rebirth and identified. Thus, the Spirit of the Movement enshrines the WORDS of H.I.M. Emperor Haile Sellassie I which effectuated our “livity” and births our Righteous Indigenous Culture, Knowledge & Expressions in the quest for Freedom and Justice. In the Emperor's Words:

“Those men and women who refused to accept the judgment passed upon them by the colonizers, who held unswervingly through the darkest hours to a vision of an Africa emancipated from political, economic, and spiritual domination, will be remembered and revered wherever Africans meet. Many of them never set foot on this continent... What we may utter today can add little to the heroic struggle of those who, by their example, have shown us how precious are freedom and human dignity and of how little value is life without them. Their deeds are written in history.”

Emperor Haile Sellassie I, Organization of Africa Union, May 25th 1963



2. RASTAFARI ROYAL CREED



Princes and Princesses must trod out of Egypt,
Ithiopians now stretch forth their hands to Haile Selassie I, JAH Rastafari
O' Haile Selassie I of Ithiopia, I an'I Ivine Majesty, Thy Irits come into I to dwell in the
parts of righteousness.

Lead I an'I, Help I an'I to forgive that I an'I must be forgiven
Teach I an'I love, loyalty on earth as it is in Zion
Endow I an'I with thy wise mind, knowledge and overstanding to do Thy will,

Thy blessing to I an'I O JAH. Let the hungry be fed, the naked clothed,
The sick nourished; the aged protected, and the infants cared for
Deliver I an'I from the hands of I an' I enemies that I an'I must prove fruitful
in these perilous days

When I an'I enemies are passed and decayed
In the depths of the sea, in the depths of the earth or in the belly of a beast
Give I an'I a place in thy Iverliving Kingdom
Through the Power of the Kings of Kings, Lord of Lords,
Conquering Lion of the Tribe of Judah, Elect of Himself and Light of This World,

I an'I Ivine Majesty, Emperor Haile Selassie I, JAH Rastafari
First I-ncient King of Iration
JAH art the Alpha and the Omega, the Beginning Without End, the First and Forever,
The Protectorate of all human faith and the Ruler of the Iniverse
Thou art the only High Priest of the Order of Melchisedek,
Who Liveth and Reigneth Foriver.

I an'I hail to our JAH and King Emperor Haile Selassie I, JAH Rastafari!
Almighty I, JAH Rastafari, Great and Thunderable I, JAH Rastafari!

3. DISCOVERING RASTAFARI

“Until lions have their own historians, tales of the hunt shall always glorify the hunter”

The ‘Rastafari: Unconquerable’ Exhibit is significant in bringing Rastafari closer to the center of telling our ‘own’ story. The ‘Discovering Rastafari’ Exhibit was told through the result of study by international ethnographers that have externally studied the Community for decades, with input from an Advisory Committee of mainly Diaspora Community members seeking to authenticate and ground its focus. The space and audience dictated its contours. Being outlawed in the colonial period from the 1930’s and further repressed by the Jamaican Independent State since, international research has dominated the process of Community documentation.

Given that the Rastafari community in Jamaica is still operating in a marginalized context the ‘Rastafari’ exhibition process remains a complex experience for the Rastafari Community being done outside of its personal territory. ‘Discovering Rastafari’ launch coincided with that of the Rastafari Millennium Council which owns all the rights while partnered with the Institute of Jamaica here in Jamaica.



**Members of the Ethio-Africa Diaspora Union Millennium Council
at the inauguration Press launch in 2007.**

4. ETHIOPIANISM AND BLACK LIBERATION

CULTURE, POWER AND LIBERATION -

Rastafari sees with our own self-liberated eyes, analyzes with our own independent logic, and acts through a uniquely created and creative culture.

Inl express our own knowledge and logic of historical moments to regain power over our *livity* and to influence institutions that have and continue to exert negative control over our labor and lives.

This is achieved by our continuous reasoning, resulting in Pan African thought and actions as we focus our attention on the reality which mediates and challenges us. Such are the activities that our early forerunners reasoned on: around the Haitian Revolution; Black Churches focuses on Ethiopia; on the free Black men and women that rose within the confines of slavery by reasoning; Back to Africa Movements were established and encouraged unity, self-determination, and independence from European colonialism.

This logic of history for the Rastafari Family is most evident in the Monarchical history and Tradition of Christendom in Ethiopia's ownership of the Davidic lineage. Ethiopia, independent of the scourge of colonialism, and H.I.M. Haile Sellassie I, the God / King of African Liberation and Repatriation, provides us the only solution.



**The Imperial Majesties Celebrating their
Coronation's Silver Jubilee**

5. MARCUS GARVEY

Marcus Garvey's philosophy and achievement in uniting labor and economics with Pan African solidarity and Repatriation was possible in the context of the growing global hegemony of the United States. His return to Jamaica after the UNIA's organizational successes was given no part in attaining Universal Adult Suffrage in the 1944, undermined as he was by the Brown-Black middleclass that promoted instead a dubious socio-political model that ignored the overwhelming needs of Jamaica's Black populace.

Rastafari draws its inner logic from tenets that remain repressed in Jamaica notwithstanding being from Jamaica's first National Hero, Marcus Mossiah Garvey: a Black Nationalism that is grounded in 'Repatriation', and replacing the European colonial crown with that of H.I.M. Haile Sellassie I.

Jamaica is curious within the history of Black Nationalism in the Caribbean for maintaining the vast breach between labor, racial solidarity, and religious affiliation. The 1865 Paul Bogle Rebellion in Morant Bay is one of the few instances where this is connected. The ferocity of the British Colonial response and cost in lives and economics of the working poor in St. Thomas is a historical deterrent which is directly related to this persistent marginalization that has been the continuing societal reproach to the Rastafari Community.



Hon. Prophet Marcus M. Garvey

6. REVELATION OF RASTAFARI

The Divine King assures victory over the evils of the Colonial dispensation and the ushering in of a new model of human relations in the African Renaissance. The Divinity of the Emperor conveys all the traditional strength, knowledge, logic and expression of an 'Independent, Spiritual and Un-Colonized African Nation – the Mount Zion on Earth, for the colonially repressed Africans at home and abroad.

The Divinity of H.I.M. Emperor Haile Sellassie I – King of Kings, Lord of Lords, Conquering Lion of The Tribe of Judah, is extensively expressed and distilled through his Davidic Lineage and many utterances on Spirituality, Politics, Economics and Education. Governor of Harar to His Coronation as Emperor between 1910 & 1930, His achievements parallel and inform critical milestones within Pan African nationalism.

The birth of the Organization of African Unity in 1963, as marshaled by H.I.M., joined His Divine inheritance with the pragmatism of Pan Africanists and Marcus Garvey's African Nationalism. To this African Union, the African Diaspora is now recognized as the '6th Region' of Africa which establishes a new platform for active citizenship and inclusion as Africans 'at home and abroad.'



His and Her Imperial Majesties: Emperor Haile Sellassie I & Empress Menen Asfaw at their Coronation, November 2nd 1930

7. TRIBULATIONS AND ATROCITIES

Since the 1930s, Rastafari have been dehumanized, marginalized, ridiculed, victimized, persecuted, and prosecuted for InI ideology. InI Rastafari still face verbal & physical abuses and propaganda ranging from being called Blackheart man (cultists, who offer blood sacrifice), people without ambition or who had given up on life. Anti-Rastafari propaganda spread rumors that Rastafari locks resulted from lack of washing and was said to contain lice and other impurities. Execution, imprisonment, maiming, torture are among the persecutions Rastafari encountered. Many of the early Rastafari Patriarchs were arrested even several times, tried for sedition and/or ganja possession and sentenced to prison and/or the mad house.

Rastafari across the island have faced, individually and as a community, varying degrees of discrimination having been denied employment and educational opportunities, and this is still being perpetrated by the State and the local population. Numerous initiatives have also been orchestrated by individuals employed to the State, to exterminate InI. The institutionalized persecution and targeting of Rastafari individuals and communities has led to dislocation and landlessness of Rastafari.

The Colonial Records expose the immoral behavior and cynical logic of colonial repression. They show the historical basis for colonial and independent Jamaica's responses to the Rastafari Community as a systematic attempt to eradicate the Movement by any means.

Brown/Black administrations consistently minimize African identities in majority African descendant nations. This behavior perpetuates both the dominant capital-based economies derived from slavery and colonialism, and derails equitable social enterprise

At present there are legal actions for Reparations by the former colonies to indigenous marginalized peoples: the most recent successes being that of the Mau Mau rebels of Kenya against Britain, and the most recent endorsement by the countries of CARICOM for Reparations for Slavery.

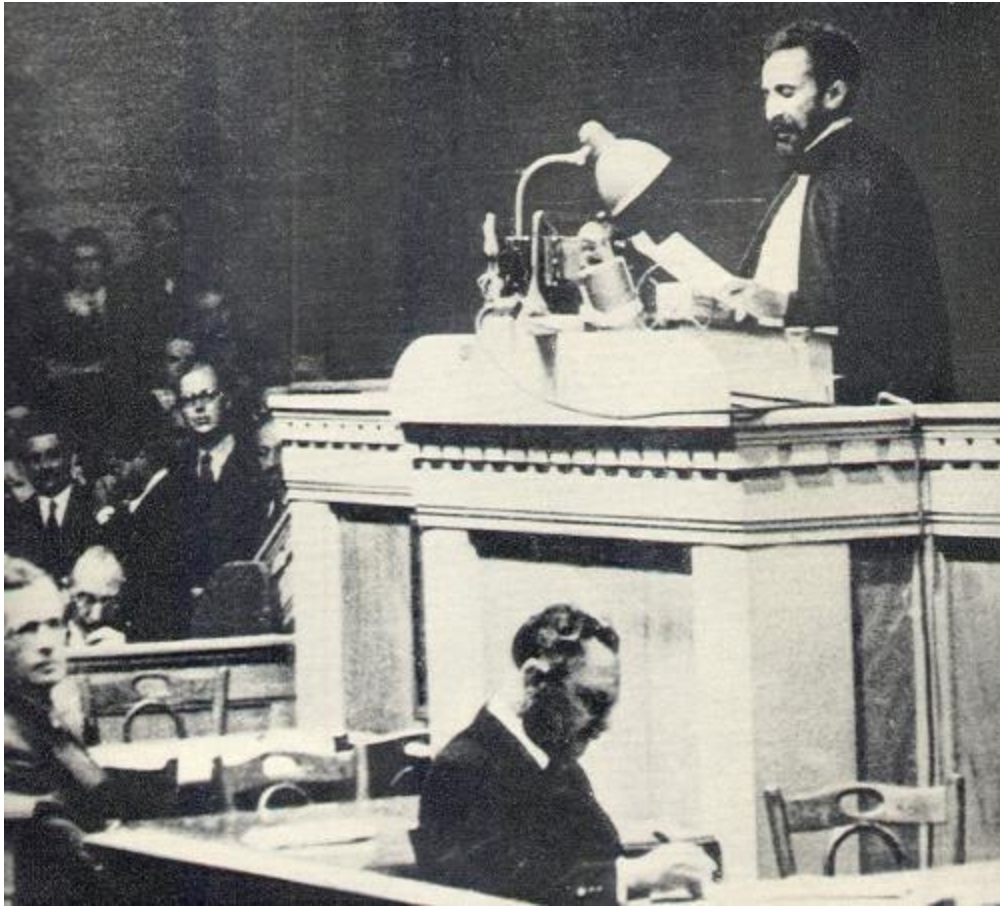
The Rastafari Millennium Council continues to represent the Rastafari Community's legitimate aspiration for reparations for the Community in Jamaica for all the above atrocities including the Coral Gardens Massacre.

The Rastafari Atrocities and Tribulations are sites of conscience for the Jamaican society that open up a critical path for grieving, reasoning, and fostering national identity and governance as the basis of the nation's moral crisis.

**COME ONE COME ALL TO THIS
INTERNATIONAL CALL!!!**
**CENTENARY CELEBRATION
MARCUS GARVEY U.N.I.A.
BACK TO AFRICA**

FRIDAY, 1ST AUGUST, 2014 @ 11:00AM
THIS IS AN IMPORTANT GLOBAL NOTICE:
Calling all AFRICAN brothers and sisters...
African Redemption
Black Friday
Emancipation Day
All AFRICAN descendants are invited to join
in the march to the Houses of Parliament
**The Freedom, Redemption,
International Repatriation
& Reparation March**
will begin at
WINDLISH SQUARE
Brixton, London, SW2
&
End at **DOWNING ST.**
CONTACT:
Hon Prophet Jah B +447904632430
Hon Gabre Wolde +447404980529
GOD IS LOVE, LET US ALL LOVE!

*"The world today is in
debt to us Africans for the
benefit of civilization.
They stole our arts and sciences
from AFRICA."*
-Most Rf. Hon. Prophet
Marcus Mosiah Garvey



Emperor Haile Selassie I at the League of Nations in 1936.



Rastafari demanding Reparation and Reparations during Prince Harry Visit March 9th 2012

8. RASTAFARI VISIONARIES

The Rastafari Movement has several influential Leaders from its birth in the 1930s. The FORERUNNERS as they are often described – Robert Hinds, Joseph N. Hibbert, Archibald Dunkley, and Leonard P. Howell were all Garveyites. They began their journey to establish a new but ancient Way of Life, using Ethiopian / African spiritualism to invoke the Divine Presence of Emperor Haile Sellassie I.

Using the Nyahbinghi Order, the Convention of 1958 organized by Prince Emmanuel Charles Edwards (Bongo Eddie) marked a new era in the Rastafari Movement. The “Grounation” of March 1st 1958 re-gathered the Rastafari Movement after the destruction of Pinnacle in 1954/7. Sam Brown and his “Suffering Peoples Party” were extensively ‘studied’ in the first official Report on the Rastafari Community in 1960. The majority of the Mansions leaders emanated from this era: Bongo Watto, Bongo Blakhart, Jah Lloyd, and Mortimo Planno. Because of the destruction of the Back-O-Wall, Communities were raided and were scattered.

Various organizations and conferences since 1983 have continued to organize and locate the rights of the Community in the face of this institutional marginalization. This vision of the Rastafari visionaries is being carried on by the community through the Rastafari Millennium Council.



Leonard P. Howell



Joseph Hibbert



King Emmanuel



Ras Boanerges



Prophet Gad

9. RASTAOLGY

“Rastaology is the multi-disciplinary articulation of the Divinity of H.I.M. Emperor Haile Sellassie I as the Almighty Creator and Returned Messiah, the Christ” (How Rastafari Educate, Ras E.S.P McPherson).

Rastaology - The philosophy of Rastafari is a survival art of ‘Livity’, related to the ‘Science of Living’ in an oppressive and de-cultured environment, to reclaim our African humanity and socio-economic integrity. Rastafari chooses the providence of nature and natural law over man-made colonial-westernized cultures.”

In Kenya, an African country under British Rule, the Mau Mau Rebellion had a direct effect on the development of the Youth Black Faith and the radical Dreadlock principles. Barrister Evans, the lawyer that defended the Mau Mau in the 1950’s, was called upon by Prince Emmanuel Charles Edwards to defend the destruction of the Back-O-Wall Community.

The Euro-Christian philosophy that promotes a white “Jesus” and speaks of ‘Redemption in Heaven and the After Life’ is rejected in favor of Afro-centric immortality and continuity of life’s demanding changes NOW on Earth. Repatriation and Reparation is the continuous cry for liberation within our nation which we recognize as valuing the Continent over an island, with Mount Zion being Ethiopia Africa, Marcus Garvey being Elijah the returned Prophet, and H.I.M. Emperor Haile Sellassie I, the Divine King.



Crown Prince Ras Tafari Makonnen

10. EMBRACE OF H.I.M. – THE VISIT OF 1966

The promised historic state visit of H.I.M. Emperor Haile Sellassie I to Jamaica in April 1966 happened 5 years after the fact finding Trade Mission to Africa of 1961 as the government's research into Repatriation. The visit was the largest welcoming reception that the Jamaican people ever afforded to a foreign dignitary. A Jamaican Senator even presented a Motion in Parliament to establish Emperor Haile Sellassie I to replace the Queen as Head of State.

The late Minister Hector Wynter requested the Emperor to dismiss Rastafari from worshipping Him. H.I.M. simply replied, "Who am I to interfere with their faith?" Emperor Haile Sellassie I went on to honor 14 Rastafari Sons at a special reception at the Sheraton Hotel for their role in African liberation.

Other societal indicators of impact are: the rise of the Twelve Tribes of Israel in 1968; the impact of Rastafari culture on Jamaica Music; the influence on numerous Jamaican artistes such as The Wailers; and the incorporation of Rastafari themes in Jamaican politics of the 1970s. The appropriation by Michael Manley and the P.N.P. of a "ROD" being presented by H.I.M. which Prime Minister Manley claimed was given to him as "Joshua" to lead the people, was the "politricks" used to even entice Rastafari into voting.



**Emperor Haile Sellassie I in Jamaica April 1966 flocked by
a few destined Prime Ministers of Jamaica**

11. RASTAFARI LIVITY

From the necessities of the Dungle (dung hill) and the 'manhole' to the withdrawal into the interior of the hills for survival, from an oppressive and repressive environment, InI minimalist survival philosophy evolves alongside a respect for nature ('ital'), a new language (iyaric) and holistic lifestyle (livity), influenced by biblical laws reinterpreted for action, NOW!. All this is clothed in the Ethiopic Imperial & Spiritual symbols and colours of H.I.M. national flag red/gold/green. The Rastafari colours of red, gold and green represent the ensign of the rainbow circle throne of Ethiopia and therefore of the Ethiopianess of the Rastafari Nation.

In living the faith of Rastafari, InI have to be clean and pure in InI trodding and be truthful to self and others so that the words of InI mouth must reflect the meditation of InI heart. This is the highest order to trod, the Order of the Nyahbinghi.

In this Order, InI meditation is in sync with the smoking of our sacrament, the Hola Herb. The criminalization of InI sacramental Herb, alias Ganja, has been used to outlaw the Rastafari Culture and incarcerate the Community.

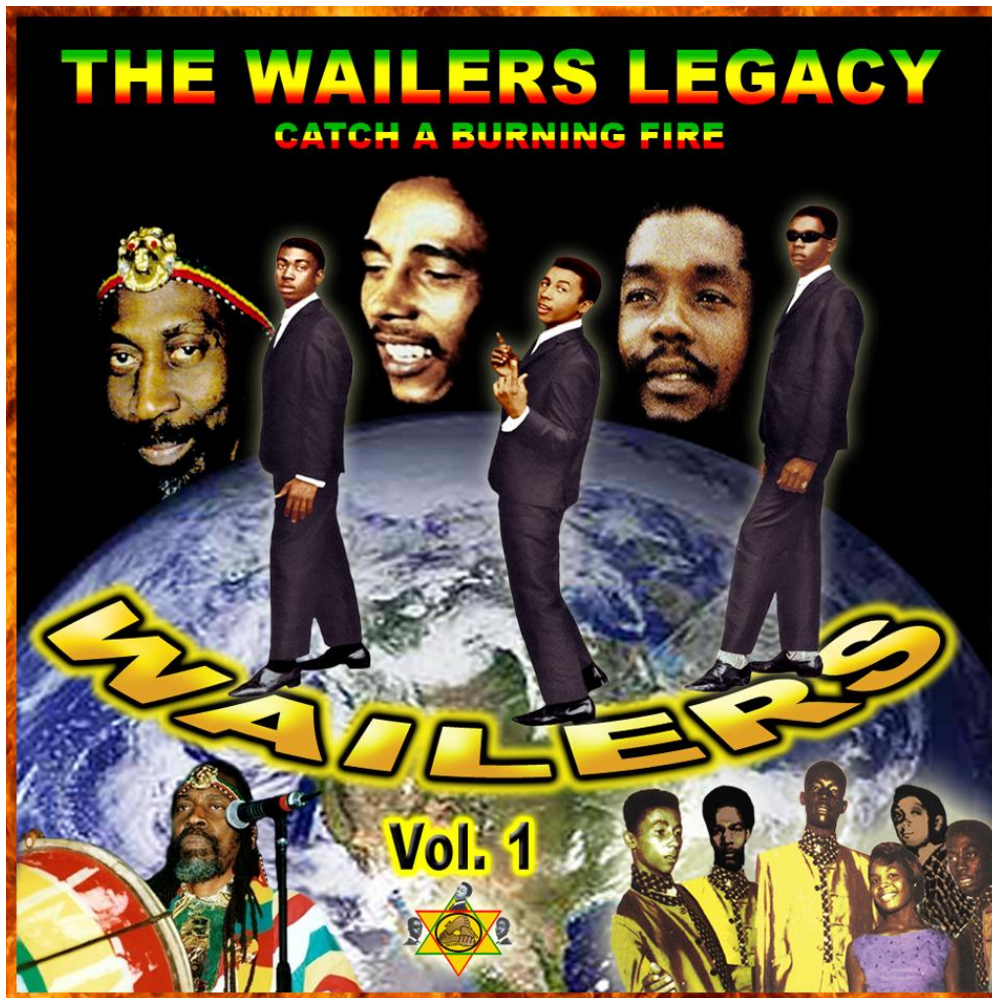
InI live healthy and therefore are conscious of what InI eat, making our food our medicine and our medicine our food.

Rastafari clothes are usually cultural or revolutionary, and others purely convenience. Early Rastafari attire ranged from garments made from onion bag, crocus bags, khaki, calico, among other available materials, but there is always the conscious effort to discard things that are of Babylon. with the emphasis on the use of natural fibers and the avoidance of synthetic fabrics such as nylon. More recently Rastafari wear African clothes. Many have opted to create their own clothes and designs using a combination of indigenous materials such as calabash, coconut husk, shells and fibers from trees.

Rastafari who practice the highest order tend to reside in the hills or country side where it is more practical for InI to feed I-selves through agricultural cultivation with access to natural spring/river water, and InI could operate without having to wear shoes as opposed to those who lived in the towns that had to contend with asphalt roads. Those of InI who did not wear shoes maintained that it prevented man from connecting (grounded) with the universe which is necessary for synergy. Many of those who wore shoes in the early period refrained from wearing leather shoes, since animals had to be slaughtered to acquire leather. Many of the revolutionaries wore shoes made from rubber tires, called **slampatta**.

Rastafari promote self-reliance and self-employment. Rejection by society led to this means of self-reliance. By rejecting Babylon, many Rastafari separate themselves from Babylon employment. However, many Rastafari also face discrimination from both employers and other employees in the workplace, due to ideology, language and appearance.

Rastafari livity and culture has been globalized through Reggae Music. Jamaica's popular music indigenized itself as a cultural expression rejecting Euro-centric colonial principles and is interwoven and influenced by the Rastafari culture incorporating its most creative musicians and artists. As an industry it is subject to colonial/capitalist exploitation, so our knowledge and expressions have similarly become exploited and misappropriated by national and international capital.



Rastafari Reggae Concerts / Festivals Spearheaded by the Legendary Wailers Presented In! Cultural Expressions to the World!

TRENCH TOWN CULTURAL HERITAGE DRAFT PROPOSAL

TRENCH TOWN RASTAFARI REGGAE CULTURAL VILLAGE *Proposal (Draft)*



RASTAFARI

UNCONQUERABLE

Project prepared for Rastafari Millennium Council in Partnership with Solomon Tuff Gong
By Maxine Stowe

The Rastafari Millennium Council responsible for the administration of the Rastafari Community Intellectual Property is partnering with Solomon Tuff Gong in the development of a Cultural Village in Trench Town, Kingston Jamaica to supply the requirements for a Rastafari Cultural Heritage space and a 'Wailers' Reggae Museum whose combined intellectual property defines a major part of the historical product of music and culture that Trench Town and by extension Jamaica is known globally for.

Beginning in 2013 this cultural village plan takes the planning of a Rastafari/Reggae Cultural hub in Trench Town to the next level. This builds on the work that preceded it with Culture Yard and the

JAMINS Studio, solidifying the action steps for the next set of priorities for the Rastafari: Unconquerable Exhibit and at the same time deepening and broadening Rastafari and Trench Town resident participation in envisioning the future of the community they want for themselves and for their children. Several plans are in development for the wider Trench Town Community Development that will be enhanced and contributed to through the activation of this project.

The Rastafari ethic and value working to change the ‘No Mans Land’ intersection envision this particular area as the center of a vibrant cultural village which includes a scaled network of commercial, cultural, and residential projects. The vision is to work at creating a landmark cultural destination – planned, designed, built, managed, serviced and owned by the Rastafari community in the further development and articulation of its Indigenous IP protection, promotion and preservation. The Cultural Village Plan will be developed in partnership with the JAMINS Ltd. To ably network with the existing Trench Town Development Plan.

The overall goal of the Cultural Village Plan is to create a detailed, holistic plan for development of a cultural village – with a focus on healthy living, supportive learning, compact design, walkability, transit-oriented development, equity, environmental sustainability, and resident ownership. The Plan will be a physical, social, civic, and economic map of a healthy village that celebrates culture and promotes cross-cultural understanding connected across Afro-centric health, education, arts and culture, family support, safety, economics, the environment, and land use.

The unique design approach to the project will be that of laying a framework for a comprehensive Rastafari community and economic development and planning process built around the contribution to Jamaica’s creative industry to create a roadmap for networking current and future generations of Rastafari communal spaces in Africa as a connective and integration model for Repatriation. The globalization of Rastafari as a philosophy informally transferred through a commercial music industry setting has challenged the center of the Rastafari Community to assert its IP Rights through a forthright music/culture setting.

The creative industry component will approach and advance the project through a concurrent music/culture/merchandising lifestyle company incorporating international joint venture partners as the driver that will develop an authentic Rastafari/Reggae Festival & Expo and E-Commerce Space ensuring sustainability and defining the franchising components as an important IP safeguarding mechanism.

Trench Town was home to the **Youth Black Faith**, the Rastafari organization that had the most culturally defining impact on the developing Rastafari philosophy and its current physical cultural appearance. West Kingston in its larger context was home to the majority of early development in areas such as Back A Wall & Ackee Walk/Dungle home to all the major mansions of Rastafari in the **Nyahbinghi**, **Boboshanti** and **Twelve Tribes Of Israel**.

It was in Trench Town that the Rastafari Nyahbingi culture that had been impacting the development of Jamaica Music in Wareika Hill, East Kingston with Count Ossie and The Skatalites, took root and impacted the development of the greatest group in Jamaica’s music history ‘The Wailers’ incorporating the Late Hon. Robert Nesta ‘Bob’ Marley O.M., Hall Of Fame; Hon. Winston Hubert McIntosh O.M. pka Peter Tosh & surviving member and owner of their company Tuff Gong Records Ltd., the Hon. Neville ORiley Livingston OJ, CD pka Bunny Wailer. Other key Rastafari Elders/Music/Culture personalities will be incorporated into the planning objectives.

Since 2007 when the RMC was formed it has been lobbying with the Smithsonian Institute in Washington DC and various Jamaica Government Agencies for the repatriation of the Rastafari Exhibit and Artifacts there that constituted the 'Discovering Rastafari' Exhibit and other materials gathered from various anthropologists there. That lobbying process is currently enacted through the MOU with the IOJ/National Museums Of Jamaica and the RMC for the Rastafari : Unconquerable! Exhibit that is scheduled to be in place for 2 years, the first in Kingston and the second in Montego Bay. This Exhibit is earmarked to develop and support the campaign for a permanent Rastafari Living and Experiential Heritage Site that is focused on its most successful social enterprise potentials and sustainable development platform within Trench Town.

Hon. Neville ORiley Livingston OJ, CD p.k.a Bunny Wailer is a Rastafari Nyahbinghi Elder who embodies the intangible Rastafari and National cultural values as a Living Human Treasure eligible for all related honour and protections, reflecting the duality of to the harsh socio-economic and political environment that these values were created under and its products capability of reversing and neutralizing these effects.

The surviving member of the greatest Rastafari Reggae Group 'The Wailers' with the late Hon. Robert Nesta 'Bob' Marley O.M. and Hall of Fame and Hon. Winston Hubert McIntosh O.M. p.k.a Peter Tosh, where their collective and individual works are honoured throughout the world as the conveyors of the Rastafari culture and philosophy incorporating the associated human rights and liberties. The Peter Tosh Foundation are an active participating partner in this venture.

Celebrating 50 years as The Wailers and Bunny Wailer, he ably represents the 50th Anniversary of the Ska, Rocksteady and Reggae, where his own catalogue of works involve over 40 albums in projects through his companies Solomonic Productions and Tuff Gong Records Ltd. He is a winner of multiple Grammy Awards and Keys to Various Cities in the USA and various other awards globally. He along with the Groups image and likeness will form the face of the global fundraising campaign.

His exemplary leadership, activism and support to and for the Rastafari Community over the years continue presently as an Honorary Chair of the Rastafari Millennium Council.

The history of The Wailers like the Rastafari Culture as embodied in the Exhibit process are full of untapped human interest storytelling and content that comfortable fits in the virtual world of trade and commerce and are mutually reinforcing. Having the living survivor and enabler of the IP of the group is an unrivalled asset. With member Robert Nesta 'Bob' Marley forming the gateway for the highest uptake of Rastafari IP globally, it is a winning formula to identify and achieve the kind of morally determined benefit sharing that will be the hallmark basis for negotiations for compensation. Approaching this through his inclusion as a member of The Wailers, affords a robust and unique history that has never been approached from the perspective of the Rastafari Community in the co-branding and development of 'The Wailers' Reggae museum.

The idea draft of the Trench Town Rastafari Reggae Cultural Village Plan Proposal with the incorporation and partnership with Solomonic Tuff Gong is outlined in the log frame model attached for submission to planning experts. Its articulation brings forward immediate tangible and intangible products that will allow for the successful funding and development.

The targeted partnership with JAMINS Inc. in Trench Town, who have successfully completed the USAID music studio project in the environs assures successful Community and urban planning integration with the wider Trench Town and West Kingston communities. We have reviewed the community spaces and have earmarked the 'No Mans Land' acreage that is adjoining to the historic Ambassador Theatre. Outside of its checkered history, it once also housed a church built and operated by

the Hon. Marcus Mosiah Garvey. Its provides a perfect geographical template to have an enormous tipping point impact on the violent urban history and present the Rastafari Community as the proverbial ‘Phoenix Rising From The Ashes’.

The RMC has positioned an application with UNESCO for funding of its capacity building which we envision will be supportive of this project’s development and are looking to have wider international funding assistance through UNESCO’s Observatory Cultural Village Program.

The aims, objectives, footprint and deliverables of this plan will be consistent with the education for sustainable development mandate of agencies like UNESCO and are in keeping with a community and individual based protection of Rastafari indigenous intangible culture and expressions that are being targeted through other programmes on the ground in Jamaica. It will also create the necessary philanthropic humanitarian model to encourage high end benefit sharing from the global commercial trade in misappropriated Rastafari goods and services.

The project follows the agenda and guidelines incorporated in the Rastafari Economic Village Plan Concept that has been developed by the RMC and been used in support of various ongoing projects such as the Pinnacle Heritage negotiations and the Rastafari Indigenous Village in Montego Bay.

Phase 1 (October 2013 — March 2014):

Community Vision, Values and Principles, Land Use, Draft Plans for Mobility, Urban Design, Parks and Open Space.

Phase 2 (March 2014 — July 2014):

Draft Plans for Economic Prosperity, Public Facilities, Conservation, LEED Neighborhood, Noise, Historic Preservation and Community Health.

Phase 3 (January 2014 — December 2014):

Arts & Culture, Education, and Safety.

Phase 4 (December 2014 — June 2015):

Implementation Plan—Programs, Resources & Funding, and Outcome Indicators

7. J.I.P.O. PRACTICE NOTICE

RE: TRADITIONAL KNOWLEDGE AND TRADITIONAL CULTURAL EXPRESSIONS

1. The Law

Section 11(4) of the Trade Marks Act 1999 provides that:

“A trade mark is not registrable if-

(a) it is contrary to public policy or to accepted principles of morality;

(b) it is of such a nature as to deceive the public as to the nature, quality or geographical origin of the goods or services or otherwise;

...

(f) it is of such a nature as to-

(i) disparage persons (living or dead) or institutions or beliefs; or

(ii) falsely suggest a connection with such persons, institutions or beliefs.”

2. The Public Policy

The Public Policy of the Government of Jamaica is to preserve and protect the traditional knowledge (TK) and traditional cultural expressions (TCEs) of Jamaica and of the indigenous, traditional and local communities in Jamaica. This policy is in keeping with Jamaica’s CARICOM obligations under Article 66 of the Revised Treaty of Chaguaramas:

“Protection of Intellectual Property Rights

COTED shall promote the protection of intellectual property rights within the Community by, inter alia:

(c) the identification and establishment, by the Member States of mechanisms to ensure:

(ii) the preservation of indigenous Caribbean culture; and

(iii) the legal protection of the expressions of folklore, other traditional knowledge and national heritage, particularly of indigenous populations in the Community;”

In 1999 Jamaica was one of the countries which participated in a fact-Finding Mission by the World Intellectual Property Organization (WIPO) to the Caribbean to ascertain the intellectual property needs and expectations of traditional knowledge holders in the region. The Public Policy of the Government of Jamaica to preserve and protect the TK and TCEs of Jamaica and of the indigenous, traditional and local communities in Jamaica has also been expressed by Jamaica’s active participation since 2008 in the WIPO Caribbean Technical Working Group on Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources (GRs). The Working Group was formed in 2008 to devise a harmonised approach for the Caribbean in relation to the preservation and protection of the TK, TCEs and GRs of the indigenous, traditional and local communities in the Caribbean.

To that end, several meetings of the Working Group have been held in Jamaica, where extensive consultations with indigenous, traditional and local communities, particularly the Maroon and Rastafari communities have been undertaken. This work is being facilitated by WIPO and aims to ensure that in respect of the TK and TCEs of the relevant communities that are used, (1) the prior informed consent of the relevant communities is obtained; (2) the communities have full and effective participation in projects or programmes utilizing their TK and TCEs; and (3) any benefits derived from the utilization of their TK and TCEs are shared with the relevant communities.

The Jamaica Intellectual Property Office (JIPO) is therefore entitled to examine trade mark applications to assess their compliance with the Government of Jamaica’s public policy as outlined above and to refuse applications which do not comply with the said public policy.

3. Identification of relevant TK and TCEs

All trade mark applications received by JIPO will be assessed to determine whether they contain any elements of TK or TCEs of Jamaica or of any of the indigenous, traditional or local communities in Jamaica, including traditional words, signs, symbols, designs, imagery, colours, styles, or shapes or their derivatives.

Through the consultations already held under the WIPO Caribbean Technical Working Group, as well as ongoing consultations between JIPO and the Maroon and Rastafari communities in particular and the African Caribbean Institute of Jamaica/Jamaica Memory Bank (ACIJ/JMB), JIPO examiners are in a position to identify relevant TK and TCEs.

The fact that a word, of any other language, is recognized in Jamaica as a TCE attributable to, associated with or derived from a relevant community will mean that it will be treated as such, even if it has some other meaning or derivation outside of Jamaica.

The same applies to imagery, style and design. The fact that a sign, symbol or design is recognised as a TCE in Jamaica will mean that it will be treated as such, even if it has some other meaning or derivation outside of Jamaica.

4. Examination of trade-marks containing TK and or TCEs

In examining such applications, examiners will draw from the general knowledge of TK and TCEs in Jamaica, as well as from reference material that is publicly available and also that may be provided to JIPO by the relevant communities and by the ACIJ/JMB.

Where an examiner is unsure whether or not the trade mark under consideration is covered by this Practice Notice, the examiner will consult and seek the advice of the leadership or recognised representatives of the relevant communities, particularly those which have been actively involved with JIPO in the protection of TK and TCEs through the WIPO Caribbean Working Group on TK. Examiners may also consult and seek the advice of the ACIJ/JMB.

If the mark is found to contain TK or TCEs of Jamaica or of any of the indigenous, traditional or local communities in Jamaica, the application for registration may be refused or where appropriate, accepted with disclaimer or limitation.

In considering whether the mark is disparaging under section 11(4)(f)(i) the examiner will consider whether a substantial section of the referenced community would find the proposed mark, as used on or in connection with the relevant goods or services, to be disparaging or offensive.

In considering whether the mark falsely suggests a connection with a person, an institution or belief under section 11(4)(f)(ii), the examiner will consider whether:

- (1) the mark is the same, similar to, or includes a word, sign, symbol, design, imagery, colour, style, or shape commonly used by or attributable to one of the relevant communities;
- (2) the mark would be recognized as such, in that it identifies or identifies with the particular community, or the mark is such that a connection with the community could be reasonably inferred; and
- (3) the community that is referenced by the mark is not connected with the activities performed by the applicant under the mark.

The question is whether, as used on the goods or services in question, consumers could possibly view the mark as identifying or identifying with a particular community or as being clearly attributable to or associated with the particular community.

If it is unclear whether the relevant community is connected to the goods sold or services performed by the applicant, the Registrar may request of the applicant any information, documentation or evidence as is reasonably required pursuant to Rule 45 of the Trade Marks Rules 2001.

If it is found upon examination that a mark falsely suggests a connection with a particular community, then it may also be deemed to be of such a nature as to deceive the public as to the nature, quality or geographical origin of the goods or services and may be refused on that basis also. If it is found by virtue of use of Jamaican TK or TCEs in a trade mark that the mark may deceive the public as to the nature, quality or geographical origin of the goods or services, it may also be refused on that basis.

5. Transitional provisions/existing trade-marks using TK or TCEs

Existing/prior registered trade-marks which use relevant TK or TCEs will not be affected by this Practice Notice.

Trade Marks Registry
Jamaica Intellectual Property Office
April 30, 2012

Snoop Dogg - Rastafari IP Contract - Trademark Opposition - Ongoing Negotiations

The Trademark Opposition at JIPO and the blurred lines of this process is the clearest indication of the conflict of interest related to Marcus Goffe's employment and continuing engagement with the UWI Consultative Committee incorporating political influence. His employment has been an ongoing contested negotiations with JIPO and WIPO, which has significantly impacted the functioning of the Council in respect of advancing our IP issues that was particularly eroded under the convergence in the Ganja Bill negotiations where the existing Practice Note of 2012 was amended without consultation with the Council to reduce collective right and introduce an individual right to complement the ideation and governance of RASTAFARI Rights in the Ganja Bill. This conflict of interest because of his duality in remaining in and around the Rastafari Community negotiations with the government, specifically in conjunction with the UWI Consultative Committee.

J.I.P.O. Revised Practice Notice [2015]

REVISED PRACTICE NOTICE **RE: TRADITIONAL KNOWLEDGE** **AND TRADITIONAL CULTURAL EXPRESSIONS**

1. The Public Policy

The Public Policy of the Government of Jamaica is to preserve and protect the traditional knowledge (TK) and traditional cultural expressions (TCEs) of Jamaica and of the indigenous, traditional and local communities in Jamaica. This policy is in keeping with Jamaica's CARICOM obligations under Article 66 of the Revised Treaty of Chaguaramas:

"Protection of Intellectual Property Rights

COTED shall promote the protection of intellectual property rights within the Community by, inter alia:

(c) the identification and establishment, by the Member States of mechanisms to ensure:

(ii) the preservation of indigenous Caribbean culture; and

(iii) the legal protection of the expressions of folklore, other traditional knowledge and national heritage, particularly of indigenous populations in the Community;"

2. JIPO Practice Notice dated April 30, 2012

The Jamaica Intellectual Property Office (JIPO) therefore issued a Practice Notice dated April 30, 2012 regarding the consideration and protection of TK and TCEs in the examination of applications received by JIPO for the registration of trade marks.

JIPO hereby revises said Practice Notice to inform and guide applicants that the said consideration and protection of TK and TCEs that currently applies to the examination of trade mark applications also applies to the examination of design and geographical indication applications. This Revised Practice Notice is therefore supplemental to and is to be read in conjunction with the Practice Notice dated April 30, 2012.

3. Examination of applications

All trade mark, design and geographical indication applications received by JIPO will be examined to determine *inter alia* whether they contain protected TK or TCEs, including traditional words, signs, symbols, designs, imagery, colours, styles, or shapes or their derivatives.

Applications for the registration of trade marks, designs and geographical indications which contain protected TK or TCEs, including traditional words, signs, symbols, designs, imagery, colours, styles, or shapes or their derivatives, will be refused, unless the applicant shows that he is sufficiently connected to or has the authorization from the relevant source community.

JIPO may request of the applicant any information, documentation or evidence as is reasonably required to aid the examination process.

This revised Practice Notice comes into force immediately.

Registrar of Industrial Property
Jamaica Intellectual Property Office
February 4, 2015

Jamaica Intellectual Property Office

JIPO Conflict Of Interest - Marcus Goffe Employment - JIPO Meetings

The inability of the Council to afford legal counsel has caused this ongoing issue to manifest. The Council has recently been able to engage Hannah Barrington Harris as legal representative who will be representing the JIPO Trademark Opposition and negotiations with the GOJ re IP Rights as it crosses various aspects in the Cultural Industries and the right and ability to monetize and govern Community IP.

EMAIL / LETTER TO JIPO

<http://www.wipo.int/tad/en/activitydetails.jsp?id=2341>

http://www.jipo.gov.jm/sites/default/files/PDF_Files/TM%20Practice%20Direction%20re%20TK%20TCEs%20final.pdf

http://www.wipo.int/wipo_magazine/en/2011/02/article_0008.html

----- Forwarded message -----

From: Carol Simpson <carol.simpson@jipo.gov.jm>

Date: Fri, May 14, 2010 at 3:22 PM

Subject: RE: Formal Request to WIPO for assistance

To: marcus goffe <marcussa@hotmail.com>

Cc: Paul Regis <paul.regis@wipo.int>, Sonia Cruickshank <sonia.cruickshank@wipo.int>, Wend Wendland <wend.wendland@wipo.int>, Jessyca Vanweelde <jessyca.vanweelde@wipo.int>, Maxine Stowe <jcan.maxinestowe@gmail.com>, EADUMC <ethioafricamillennium2000@gmail.com>

Hi Marcus,

Good to hear from you and to know that you are actively participating in the IGC, along with Maxine. I am pleased that more progress is being made towards draft text for an international instrument.

JIPO will provide as much support as we can to advance the work of the Millennium Council. Your request for assistance in some activities of the Council is noted and I would like to further discuss with you the request for WIPO's assistance on the issues noted, prior to sending off a letter to the Deputy Director General.

Looking forward to receiving your report on latest developments in the IGC.

Kind regards,
Carol

Carol M. Simpson

Executive Director/Attorney-at-Law

Jamaica Intellectual Property Office (JIPO)

18 Trafalgar Road, JTI Building

Kingston 5

Tele: (876) 946-1300

Fax: (876) 927- 6744

Website: www.jipo.gov.jm

From: marcus goffe [mailto:marcussa@hotmail.com]

Sent: Thursday, May 06, 2010 10:00 PM

To: Carol Simpson

Cc: Paul Regis; Sonia Cruickshank; Wend Wendland; Jessyca Vanweelde; Maxine Stowe; EADUMC

Subject: Formal Request to WIPO for assistance

Hi Carol!

How are you? Hope all is well.

Well I'm here at WIPO after a long but interesting day at the IGC. This week they have actually been drafting text for inclusion in a Treaty! Tuesday we were drafting TCEs text and yesterday it was TK text. We didn't get to complete either draft but it's very interesting being a part of the drafting process of what hopefully may become international law in the not too distant future!

Maxine Stowe (who is here with me this time) and I had a very interesting meeting today with Paul Regis and Sonia Cruickshank. As usual, I asked them for support for the Rastafari community. We discussed four important projects around which WIPO through JIPO could possibly lend its support:

(1) WIPO-sponsored speaker for Rastafari Global Gathering August 15-22, 2010

The Millennium Council is hosting a Rastafari Global Gathering 2010 at our Mona Road HQ from August 15-22, 2010. This is being done with the support of UWI (Professor Chevannes) and the Smithsonian (Dr. Jakes Homiak) among other organizations. We would love to have an expert speaker/presenter from WIPO and JIPO to conduct a workshop or workshops on IP/TK awareness, research ethics and archiving, as well as to introduce the Genuine Rastafari Trademark project and the Documenting Intangible Heritage project which we are hoping to conduct in Jamaica next year with the Rastafari, Maroon, Kumina and Revival communities (see below).

(2) Genuine Rastafari Trademark

I know I've discussed this with you on several occasions. The Millennium Council would like to develop a Genuine Rastafari Trademark to apply to genuine Rastafari goods and services. We are thinking of launching a competition within the Rastafari community during the Global Gathering in August to encourage ones within the community to design a suitable logo to serve as the trademark. We would launch the competition in August giving a 3-month period for submissions and then select the most suitable, launch the trademark perhaps in January or February (reggae month), with registration in Ja., the Caribbean, USA and Europe. We discussed with Paul and Sonia possibly utilising the Madrid System (via Antigua). We would like WIPO's assistance with this.

(3) Documenting Rastafari Intangible Heritage

WIPO in association with the American Folklife Center (Library of Congress), the Centre for Document Studies (Duke University) and the Maasai Cultural Heritage Foundation just completed a pilot training programme with the Maasai of Kenya whereby they trained the Masai community in how to record, digitize and manage their intangible cultural heritage. It was a 2-week intensive programme under WIPO's Creative Heritage Project which involved training the community in IP-related protocols, contracts and strategies.

(See http://www.wipo.int/tk/en/training/cult_doc_ip_man.html and <http://www.loc.gov/folklife/edresources/ed-indigenoustraining.html>).

We (the Millennium Council) have been asking WIPO for their assistance in this regard as such capacity building is urgently needed within the Rastafari community because our elders are transitioning rapidly. I have also already contacted the American Folklife Centre (Ms. Peggy Bulger) and the Smithsonian Institution (Dr. Jakes Homiak) who have both expressed interest in the project. WIPO would like to make the programme as beneficial as possible and so we discussed having the Maroons, Kumina and Revival communities invited to participate as well. Jessyca van Weelde of the TK Division is to send us a Draft Proposal for this Project soon which we will seek to refine with you.

(4) Rastafari IP Valuation

In thinking how to capitalise our projects, I've been thinking about how to get a valuation of Rastafari IP/TK. So this is something which we would also like to get help with through WIPO.

In relation to all the above, I understand we need a request for assistance to WIPO from JIPO. I am therefore asking you kindly to facilitate this for us please by sending a formal request for assistance to WIPO, Attention Mr. Geoffrey Onyeama, *and* Deputy Director General for Development. In relation to (1) and (2) above, the request is kinda urgent due to the timing of the Global Gathering in August. Please let us know what you think of the above projects, how they may be improved etc. I will in short order also be sending you our proposal for JIPO's support of our Global Gathering, especially in relation to our Rastafari Expo and Rastafari Village and the Genuine Rastafari Trademark competition and awareness-building.

Thanks for your continuing support as usual Carol. You know all of us in the Millennium Council appreciate you and JIPO!

We look forward to your comments and advice.

Thanks,
Marcus

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EADUMC
Rastafari Millennium Council

**Ethio-Africa Diaspora Union Millennium Council a.k.a
Rastafari Millennium Council (RMC) and the
Jamaica Intellectual Property Office (JIPO)
MEETING at JIPO Office
18 Trafalgar Road
Kingston 10**

Wednesday, May 15th 2013

2:00 PM

AGENDA

1. Hola Salute
2. Welcome & Apologies
3. H.I.M. Speech
4. A Brief Review on RMC Letter to WIPO dd. May 13th 2013.....Sis. Maxine Stowe
5. Clarify the Relationship between the RMC, WIPO, and JIPO – *Creative Heritage Project*
 - a) *Jamaica Memory Bank*
6. Clarify the Term “*Indigenous*”
7. Rastafari IP Policy and Protocol – *Rastafari Intellectual Property Authority (RIPA)*
 - a) *Adidas Rasta*
 - b) *Conquering Lion Rum*
 - c) *Dr. Dread Jerk Sauce*
8. Rastafari Cultural Valuation
9. Legal Representation and Funding
10. WIPO Forum for the ‘*RASTAFARI*’ Exhibition in July
 11. Funding for the ‘*RASTAFARI*’ Exhibition Legacy

[ethioafricamillennium2000@gmail.com; 876: 485 2984 / 868 7863]

From: **Ras Tafari** <ethioafricamillennium2000@gmail.com>

Date: Mon, May 13, 2013 at 9:26 PM

Subject: AGENDA FOR MEETING WEDNESDAY MAY 15TH 2013 @ 2:OOPM

To: Carol Simpson <carol.simpson@jipo.gov.jm>, Lilyclaire Bellamy <lilyclaire.bellamy@jipo.gov.jm>, Marcus Goffe <Marcus.Goffe@jipo.gov.jm>

Cc: Sister Mitzie <mitzie_will@hotmail.com>, Maxine Stowe <jcan.maxinestowe@gmail.com>, marcus goffe <marcussa@hotmail.com>, Marie Morris <rastafariangirl13@gmail.com>, melfee_21@yahoo.com, Bobo Greg <prophetgreg2000@yahoo.com>, Becky P <beckyissachar1@gmail.com>, TSEDNE <ishigyhd@yahoo.com>, Ras Rocky <rockyhill128@yahoo.com>, rasgarth@gmail.com

**Mrs. Carol Simpson
Executive Director / Legal Counsel
Jamaica Intellectual Property Office
18 Trafalgar Road**

Blessed Greetings Mrs. Carol Simpson;

Kindly see the Agenda attached for our Meeting scheduled for Wednesday, May 15th 2013 at 2:00PM.

We look forward to a vibrant and fruitful discussion.

One Perfect Love!

Prophet Greg,
Gen. Secretary

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EADUMC
Rastafari Millennium Council
Kingston Jamaica
876-868-7863

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JIPO & EADUMC (RMC) MEETING REPORT

May 15th, 2013 – 2:00 PM

Present:

Ras Becky **Marcus Goffe (JIPO)** **Prophet Greg** **Ras Micah** **Ras Rocki**
Sis. Mitzie **First Man** **Ms. Carol Simpson (JIPO Exec.)** **Tzdhne Ishigyhd**
Ras Kremlin **Binghi Irie Lion (Ancient)** **Maxine Stowe**

REPORT

Irie Lion: Hola Salute **Sis. Mitzie:** Welcomes all and call for the usual respect to be shown in all proceedings.

Ras Rocki: Speech on Responsibilities by **HIM Haile Sellassie I:** “...A noble failure is of more value than a petty success”

Carol Simpson: Asks permission to tape the meeting.

RMC: Affirmative.

Maxine: Speak to the necessary instruments needed for proper negotiations and call for clarification re the relationship between the RMC and JIPO...also re pursuance of rights through the State to State mechanism – does activity belong to the State or the Rastafari Community? Who owns output Film footage(s)?

Greg: Who owns equipment?

Carol Simpson: Embraces the RMC says JIPO is fully committed to the Council. Re: WIPO- states that they operate clearly within member states who will ultimately make decisions and sign offs – suggests that all requests should be made through JIPO – mention the Latin American Caribbean Bureau and the Creative Heritage Project – Masai – show where member state JIPO made a request to WIPO which was approved for the Rastafari and Maroon communities respectfully – mentions the Folk Life study.

- The equipment does not belong to JIPO – Memory Bank at ACIJ included;
- The equipment is covered by and stored at IOJ, but the MOU was not signed off on so at present it is stored at JIPO and used by ones who have been trained by the Creative Heritage Project – editing funded by Carimac/WIPO/JIPO;
- Community can access the equipment at any time, once it is signed out under the strict procedural controls in effect;
- Creative Heritage Project put the onus on community to take responsibility.

Mitzie: Are there 2 sets of equipment?

Greg: What about data who ID's the owner?

Marcus Goffe: That is clearly laid out in the IOJ/MC MOU.

Maxine: Is it the right of MC to ownership of data? The indigenous groups' issues arise because the state comes in and marginalisation takes place – sometimes WIPO can mediate.

Carol Simpson: No. WIPO trying to create a treaty but negotiation will go through the member state. All have to operate through the member state facility.

Mitzie: Thought there were 2 sets of equipment...one set for the Maroon community and one for Rastafari when training is completed.

Micah: Also thought the same.

1st Man: The duality was clear and inventoried as two sets of equipment.

Mitzie: Do we need 2 MOUs then?

Carol: Will need guidance to answer – will seek clarification

Greg: MOU will have to authorise ownership in regard to filming.

Rocki: If maroon film would it be on equipment?

1st Man: No, on hard drives – there can be no clash – still need expansion.

Carol Simpson: Trained ones are expected to re-train others.

Micah: This has already started. Youth Initiative member and one in mo-bay – also Coral Gardens Committee also expressed interest.

Mitzie: Certification?

Micah: Still to be established.

Maxine: Need the conceptualisation of possible programmes to manage our Heritage – we want to be sure we stop the haemorrhaging of our rights; we want economic and narrative benefits so as not to disqualify us from our rights.

Business Plan is required to identify our forward move and to safeguard our heritage's Legacy.

Roger Chenells did encourage co-operation between the Maroons and Rastafari. Our relationship with the state gives us a sense that we need to go external then return to the member state. We are aware of the programme of "Rehabilitation of Rastafari" which is why we tend to go to WIPO for directive, as they are more likely to recognise our value.

Carol Simpson: JIPO appreciates what RMC is about and seek to have even better communication. JIPO open to recommendations and technical support is also there to be put to WIPO where needed – mentions the valuation of IP leading to **Regional Creative Industry Conference - October 31, to November 01, 2013.** Suggests that WIPO could be asked for technical assistance.

Design Competition to be launched – information will be sent to RMC. Wants to have MOU between Maroons and Rastafari stating who owns data.

Micah: Shows that the Maroons not as organised.

Marcus Goffe: We could consult WIPO but technically it shouldn't be a problem as data ownership will be clear.

1st Man: Suggest a gathering with both parties.

Greg: Look for a collective sign off.

1st Man: Need to make a date of contact for Maroons and Rastafari communities.

Greg: Can JIPO facilitate?

Marcus: What date?

Carol Simpson: Asks Mitzie to co-ordinate once draft is amended.

Clarification of the Term “Indigenous”

Marcus Goffe: WIPO’s context includes communities with distinct traditional cultures. In Jamaica it is Maroon; Revival; Kumina; Rastafari – Traditional Knowledge gives a wider context.

Carol Simpson: Tainos are actually the indigenous ones to Jamaica.

Tzdhne: Would like to make it clear that for her part, as a Rastafari, she is NOT indigenous to Jamaica. She is domiciled in Jamaica but indigenous to Ethiopia – does not accept Jamaican nationality and holds citizenship only as a result of her ancestors’ abduction from the Mainland, Africa

Greg: The state is trying to package us as a kind of ‘Brand Jamaica’ as we agitate for the right to return.

Marcus Goffe: Indigenous has a dictionary definition and an International Law definition. Indigenous Rights incorporates a geographical state however the state cannot define – Indigenous Rights means knowing what is the definable rights; land; culture etc...

Becky: Speaks to the situation re his daughters, born in Ethiopia not being recognised because of their Jamaican parents...showing the present Ethiopian administration’s view of our definition of self – lack of status of ones who have left the west to live in Ethiopia. We need to engage the government to put justifiable claim to narrow the gap between the defacto government of Ethiopia and the reality of InI.

Maxine: Our Ethiopian tradition pre-dates Rastafari – Biblical; Leaders; Symbols: to dilute this would dilute our political value. We have carried a culture that actually tried to help overcome the defacto governance that they are under. Mentions the statue of HIM that is to be erected re OAU 50th anniversary - nothing that dilutes our history will be tolerated. We need to articulate that there is no way we are going to be jamaicanised. Now that we have an envoy to the AU (Ambassador Carlton Masters), what are the criteria of indigenous? Our responsibility is to see to it that the Jamaican government acknowledges us within our identity.

Greg: Human Rights claims are also involved. Reformation is the state’s aim; Indigenous should not link us to our present geographical location. We cannot be usurped due to their political agenda.

Irie Lion: Place of birth has nothing to do with nationality – mentions Dr. J. Adissa asserting that we have a right to claim our indigenousness to Ethiopia.

Carol Simpson: Nothing is set in stone. Any national laws put in place are done in a light which leaves room for the clarification of the term 'indigenous'.

Marcus Goffe: Ethiopian Counsel looking forward to meeting with the community.

1st Man: our concept of indigenous means ‘members of a new race’ as outlined by HIM – he sees us as indigenous to the globe. Six (6) billion people living in an indigenous ways facing the same problems as Rastafari.

Rocki: Indigenous gene is within InI; we are indigenous to Africa. What is JIPO’s position?

Carol Simpson: Guided by the discussions – mentions the consultative meeting with **Mary Ann Richards, May 30th.**

Kremlin: Jamaica Brand = people as property of Jamaica! Ethiopia is within InI cannot be taken out.

Marcus Goffe: We could create a Rastafari definition of indigenous. IP Policy could be one way of creating interpretation.

Rastafari IP Policy

Maxine: How will we be empowered. How does JIPO incorporate the policy? Do we have to go outside this jurisdiction?

Carol Simpson: TK Law not in place – JIPO has limitations; will welcome the Policy as put forward by RMC.

Maxine: Rastafari trademarks worldwide equal thousands of dollars.

Carol Simpson: Is it cease and desist licensing? The Trust Fund may negotiate successfully – RMC need to act.

Maxine: We need to be incorporated within governing of ‘Brand Jamaica’. Call for collaboration between WIPO and JIPO for representation through some kind of strategic partnership....this company will then become ‘Manager’. WIPO focus on Rastafari/Masai is intentional because of the level of piracy meeting these people by the “extracting industry”. ‘Rebel Salute’ expanding....Tony Rebel needs to be contacted re engagement. Rastafari Reggae being the major leakage of our Culture Value. We have the authority to put an arrest by our terms and actions. Collaboration must consider IP policies set by us.

Mitzie: Who sits on RIPA? It has to have business people and lawyers who understand the necessities.

Greg: Policies need to be set with respect to the authority of the association with the Trust Fund regarding IP policy.

Maxine: We want to develop RIPA (Rastafari Intellectual Property Authority). The Companies Office requires us to have governmental permission.

Carol Simpson: Willing to consult and eventually inform Cabinet.

Maxine: Representation is the key. We have to establish the framework.

Rastafari Cultural Evaluation

Maxine: We need Economic and Political basis of negotiation. We can show that we are 'bringing value' to them (GDP) therefore Tourism, Culture, Entertainment, etc. need to be alerted to their responsibilities to us.

Carol Simpson: This is not unusual to look at collateralisation and notes that IP policy will inform the direction.

Maxine: Marginalisation within the state is the reason we are chasing economics in the way we do. Therefore consultation is critical.

Greg: Can these issues be raised at the Creative Industry Conference?

Carol: Rastafari Cultural Evaluation as part of the TK process can be brought up at the **Conference Oct. 31 – Nov. 1**. Exim Bank willing to come on board re collateralisation challenge.

Legal Representation and Funding

Maxine: Legal Representation takes one from the concept to the activation of the concept. Within our legal needs, we need funding to pay lawyers. We need legal representation to articulate our agenda. Need to pay to put policy in place. Creating our policy will take time and focus and this comes with a cost when engaging legal representation.

Greg: Does WIPO have any methodology or suggestion(s)?

Carol Simpson: Will ask but perhaps WIPO could direct to some community or body that might be able to give assistance specifically in legal representation...maybe Pro Bono work by some lawyer willing to assist. Will investigate.

1st Man: Indigenous Village was invited by UNESCO 2007 Convention. Why was EADUMC not invited? The Convention addressed where Jamaica had signed to having two indigenous cultures, Maroons and Rastafari. The UN carried workshop to train community about their responsibilities re' the state.

The local Institute was ACIJ....On how to get manufacturing/commerce into your cultural representation.

What are the concerns of the communities....The state has the responsibility to protect the IP of indigenous people(s). A working relationship exists and the local agency (ACIJ) needs to address the representation to government.

Because RMC was not present, Jamaica signed off on this and we need to continue the conversation. He will hand over the documentation to the RMC.

Micah: Propositions have been made but are not forthcoming.

Maxine: Culture Inter-Agency Body need to include RMC at their meetings: JAMPRO; ACIJ; Min. Of Culture; Edna Manley College; CPTC; PBC; JIPO et al.

Greg: Follow up process. Can the handover be done in the presence of Min. of Culture?

Carol Simpson: A letter to them formalising the RMC's position.

WIPO Forum

Carol Simpson: Show the idea of developing a 'model law'. Documents to be circulated after permission is received. May recommend the development of our own policies as per the Community.....Check online "Model Law - IP Law – TK- Peru.

1st Man: Caribbean dealing with the 'out of many one' attitude. Technical space to take TK through.

Becky: This is an attempt to void ethnicity and dilute individual expression.

Maxine: 6th Region Diaspora a source of wealth for Africa/Jamaica. Explains the African majority govt. to govt. move envisioned as a connection.

Marcus Goffe: We have to inform them of our specifics. This will be raised with the Ethiopian Counsel General.

Becky: With the opening of the link between Ethiopia and Jamaica, business plan needed. The Heritage Centre has to be identified as ours. The Legacy.

Maxine: We need resources and to define our targets by Phases..1, 2, 3...

1st Man: RMC has enough proposal material to sit with IOJ and show them where we are going. What category would the Museum come under? UNESCO Museums are always sponsored by the state...do we need a different label (Culture? Tourism?). Say to the government: We are part of your Heritage include us in your budget.

Mitzie: Are we satisfied with JIPO's responses to items 4 to 9 on the Agenda?

Becky: Feels confident that Carol will be looking at our concerns and assessing how she can assist.

Carol Simpson: Pleased with the amicable, non-hostile meeting – JIPO recognises the RMC's work and JIPO is committed to working with RMC through WIPO regarding Protocols in place.

Also willing to explore other things that WIPO may be able to do. Direct approach outside of JIPO, as member state, to WIPO is outside of Protocol.

Technical support should be done through JIPO. We are willing to facilitate consultation process.

Rastafari Cultural Valuation

Carol Simpson: Promises to investigate the possibilities.

Funding

Carol Simpson: Willing to assist where possible.

Legal Representation

Carol Simpson: Any entities available through WIPO will be investigated.

Mitzie: What about trademark?

Carol Simpson: We are guided by policy directives.

1st Man: May we have quarterly meetings?

Carol Simpson: We are prepared to consult on various activities, more meetings could represent challenges.

Mitzie: Thanks Carol for hosting us.

JIPO / WIPO CREATIVE WORKSHOP PHASE II



UWI

The Jamaica Intellectual Property Office (JIPO)
in cooperation with
The World Intellectual Property Organisation (WIPO)
and the
Caribbean Institute of Media and Communication (CARIMAC)
of the
University of the West Indies UWI (Mona)



Closing Ceremony

Creative Heritage Project Phase II
Jamaica Intellectual Property Office Board Room
18 Trafalgar Road
Kingston 10
JAMAICA

Programme 2013 January 18

| | | |
|------|-------------------------------|---|
| 3:00 | Welcome | <i>Miss Lihyclaire Bellamy, Deputy Director/Legal Counsel—JIPO</i> |
| 3:05 | Remarks | |
| | Course Director | <i>Mr. Franklyn St. Juste—Caribbean Institute of Media and Communication CARIMAC</i> |
| 3:10 | Guest Speaker | <i>Mr. Bernard Jankee—Director, African Caribbean Institute of Jamaica Jamaica Memory Bank (ACIJ)/(JMB)</i> |
| 3:30 | | <i>Viewing of work of Trainees</i> |
| 3:40 | | <i>Presentation of Certificates</i> |
| 3:50 | Vote of Thanks Trainee | <i>Mr. George Wilson, Rastafari Youth Initiative Council</i> |
| 3:55 | Remarks | <i>Queen Mother Moses—Rastafari Community Colonel Frank Lumsden - Maroon Community</i> |
| 4:00 | Closing Remarks | <i>Mr. Marcus Goffe, Manager, Trade Marks, Designs and Geographical Indications, JIPO</i> |

UWI Blocks Trademark Registration

A CASE STUDY FOR RASTAFARI TO OBSERVE

The Jamaica Intellectual Property Office (JIPO) has ruled in favour of the University of the West Indies, Mona (UWI), thwarting Carolyn Cooper's efforts to claim ownership of the names Global Reggae Conference and Global Reggae Studies Centre.

The university contested Cooper's efforts to register the names, saying they were associated with her work as an employee of the institution and, as such, she had no legal right to the intellectual property.

Cooper applied in May 2009 to trademark the names, which were accepted for publication by the Trade Marks Registry two months later in July. The marks were gazetted in January 2010.

UWI filed a 'notice of opposition' to JIPO more than four months later in mid-May 2010 via its law firm, Myers Fletcher & Gordon. It argued that Cooper's application was made in bad faith as she is an employee of the UWI "and in that capacity assisted in the organisation of the Global Reggae Conference"; and that Global Reggae Studies Centre appears to be a combination of the names of a conference which was sponsored and hosted by the university.

The name 'Reggae Studies Unit' was also noted by UWI to be a unit of its Faculty of Humanities and Education.

UWI further contended that it was the rightful owner of the "unregistered" marks Global Reggae Conference and Global Reggae Studies, and that Cooper's registration of them would be an infringement of its rights.

It also asked JIPO to consider the marks as unregistrable, on the basis that registering them would "likely deceive or cause confusion" to the public.

JIPO in its decision dated May 6 found that Cooper "acted in bad faith when she applied to register both marks, contravening Section 11(4) of the Trade Marks Act", and that "use of the marks by the applicant is liable to be prevented by the law of passing off".

No order was made regarding costs.

"The JIPO decision is an important ruling for the UWI Mona," said Carroll Edwards, director of marketing and communications, in a comment to **Sunday Business** on the decision.

Edwards said the University "is satisfied that the outcome reflects the expectation which it has always had with respect to names used in the hosting of conferences and other events under its auspices".

Cooper, who joined the academic staff of UWI Mona in 1980 and was made a professor in 1992, said in her case to JIPO that in 2001 she proposed that the university host a conference on 'Global Reggae'.

She said she launched the Global Reggae Studies Centre in January 2010, "which is intended to function in complete independence of the UWI", and that there was no agreement by the parties for her to relinquish her right of ownership of the central elements of the Reggae Studies academic programme that she pioneered.

The registration of the mark 'Global Reggae Studies Centre' is an assertion of her right to her own intellectual property that was developed independently of her employment as a lecturer of the UWI, Cooper argued.

The UWI countered that Cooper "assisted with aspects" of the preparation and hosting of the conference in her position as lecturer; and that the names were generated in meetings and discussions among faculty and administration members.

Additionally, UWI said Cooper held no records or files to show that she had coined the names.

When contacted, Cooper said she was not aware a ruling had been handed down by JIPO, that she had no further comment, and referred **Sunday Business** to her attorney, Denise Kitson.

However, a response has not been forthcoming from Kitson.

INTELLECTUAL PROPERTY CONTRACT

This Contract is made between the ETHIO-AFRICA DIASPORA UNION MILLENNIUM COUNCIL (referred to herein as “the Millennium Council”) AND the- NAME -..... (referred to herein as “the Contractor”).

WHEREAS

- A. The Contractor wishes to carry out one of the protected activities⁵⁷ in relation to the indigenous Rastafari communities represented by the Millennium Council; and
- B. The Millennium Council is prepared to authorise and facilitate the Contractor to carry out such activities, subject to the terms and conditions set out in this contract

THE PARTIES AGREE AS FOLLOWS

- 1. The Contractor, whose details are set out more fully below, wishes to carry out the following protected activities:
 - (a) the filming and/or recording of individuals or groups or of performances within one or more traditional Rastafari communities; and
 - (b) the interviewing of individuals for media publication.
- 2. The information and images recorded by the Contractor will be utilised in the following manner only:
.....
.....
- 3. The Contractor undertakes to abide by the guidelines set out by the Millennium Council with regard to engaging with the Rastafari communities and collecting information/ images. In particular the Contractor undertakes to:
 - (a) allow designated representatives of the Millennium Council to view the draft edited version of the programme(s) before the final version is published or presented, so as to ensure that accuracy and consistency is maintained and that the image of Rastafari is not misrepresented or misinterpreted;
 - (b) abide the requests of the Millennium Council to omit sensitive footage or inaccurate commentary from the edited drafts, in keeping with the objectives above;
 - (c) provide each person who was interviewed, filmed or recorded, with one (1) copy each of the final product(s);
 - (d) provide the Millennium Council with two (2) copies of the final product(s);
 - (e) in the event of prospects for further commercialisation of the raw audio and/or video material, or the final product(s), in any manner not foreseen by the parties, to promptly inform and enter into negotiations with the Millennium Council as to an appropriate financial compensation for the Rastafari community, before any further commercialisation is agreed to.
- 4. As there is no agreed compensation for the Millennium Council and the Rastafari communities for their collective and individual contributions to the content of the audiovisual material to be obtained by the Contractor, copyright in the raw audio and video material and final product(s) shall be shared equally between the Contractor and the Millennium Council, with moral rights in particular remaining with the

⁵⁷ A) the filming and/or recording of individuals or groups or of performances. B) the collection of medicinal plants C) the interviewing of individuals for media publication, D) Anthropological research

8. UNESCO INTANGIBLE HERITAGE WORKSHOP SEPTEMBER 4th – 11th 2013

The 2nd National Workshop on Implementing the Intangible Cultural Heritage Convention was launched yesterday with an opening that included.

The Workshop opened at 11:30 am with

- Introductions and Expectations from Participants – some who had attended the first workshop in December 2012 and new representatives
- Rapporteurs were selected from various community based representatives to promote inclusion and activist incorporation in the learning objectives of the workshop
- There was a review of the main concepts of the Convention and an overview of the Workshop Folder.
- The main focus of the workshop is to activate the ‘Inventorying’ of the Intangible Cultural Heritage which along with a 6 year reporting on this activity by the State are the two obligations of the State having signed on to this Convention.
- The role of the State and the Communities under the Convention was expressed in a variety of settings and approaches. Both as obligations and suggestions, designed to encourage cooperation, respect and recognition. This was a major theme that was at the center of the design of the Inventorying Process.
- The Hon. Bunny Wailer’s Case Study was presented that highlighted the Rastafari Community and Reggae Music and their potential listing as ICH elements.
- It was stressed that the ICH process was not a Rights issue but one to encourage Communities transmission of heritage and in the process assist with the types of conversations that were needed both internally and externally to the Community/State continuum.
- With no fixed guide on the Inventorying process, the Workshop is designed as the process to engage the best practice of creating a Pilot ‘Community Based Inventory’ project that incorporated related research institutions and Government.
- Two additional Conventions that had overlapping roles in how ICH was viewed and framed were the Diversity of Cultural Expressions and
- How Heritage was framed was listed as three distinctive lens that also sometimes overlapped which were Places, Product & Practices.
- A Case Study on the RL of Batik in Indonesia was inscribed was discussed in group settings to encourage this process of observation and categorization related to Inventorying was achieved.
- Critical thinking was encouraged to weigh benefits vs. risks of inventorying and different reasons for State versus Community interest of having particular Elements listed.
- The State’s responsibility to create a receptive environment for ICH safeguarding through National Laws were identified as ‘encouragements’ from the Convention. Issues related to poor or archaic legal frameworks were identified as obstacles.
- ICH was highlighted as not being only ‘National’ but also those of minority or even immigrant communities and could also incorporate diaspora groups and external groups that had adopted and were practicing a community’s ICH.
- The Operational Directives were explained, and the characteristics of the various Lists.

- The ICH Funding for Inventorying was explained as well as the challenges to applying for these Funds. Review of successful applications and the development of joint applications were encouraged.
- The sharing of expertise and international cooperation were identified as objectives of the Convention.
- The day was described as a review of the first workshop, wherein the following days would be relating to the practical development of the Inventorying process.



The Hon. Neville O. Livingston CD., OJ. Being Presented with Certificate.



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RASTAFARI & REGGAE INTANGIBLE CULTURAL HERITAGE (ICH).

Nyahbinghi & Reggae as the Rastafari ICH Elements whose listing and safeguarding as distinctive community element will mutually reinforce and support the safeguarding and transmission of a range of traditional Rastafari and Afro-centric community ICH and knowledge expressions.

The RMC acronym and sub theme indicates the community's innate incorporation of the various strands that is incorporated and its representative intent as 'Jamaica's 'Afro-Centric' Commission' and so this responsibility is in the natural focus and leadership as the most known and accessible ICH in Jamaica.

The focus on nomination of elements from the Community perspective would be for Nyahbinghi & Reggae as two separate but intertwined elements, whose inventorying would roadmap the Rastafari Culture inextricable links to the past and transmission into the future in a vertical national sense and a horizontal global sense.

We are well advanced in the Nyahbinghi ICH related to inventorying through the current Rastafari Exhibit process and IP negotiations with the State organizations/JIPO & IOJ. The Exhibit process will in the next phase be explicating the linkages to Reggae and Global Transmission.

The Rastafari Community is threatened by how Reggae has evolved into both a 'genre' and a 'name' informally and so the inventorying of it as a cultural element will very much assist formal linkages to the Community both internally and externally. This is actually proposed as an outcome of a cultural valuation and conference proposal that has been submitted. Reggae as an art form incorporates the economic wealth creation and transmission of the Rastafari culture nationally and globally and quid pro quo the issues with safeguarding, protection and promotion are also linked. Its evolutionary and changing borders outside of Jamaica are best to be understood under the inventorying process, obligations and best practices of the ICH convention.

INVENTORYING NYAHBINGHI & REGGAE AS A RASTAFARI ICH THROUGH PLACE & PRACTICE & OBJECT

NYAHBINGHI – Philosophy, Space, Drum, Rhythm, Chants:

- is the traditional Rastafari ICH Element that defines best the evolution of the culture and is incorporated in the evolution of Reggae as a genre and lifestyle. It contains the elements and lifestyle that is most identified within the Reggae ICH – human personality, philosophy, dreadlocks, ital, irie language.
- is a style of ritual drumming performed as a communal meditative practice in the Rastafari Community that evolved from the drum ceremonies, most notable Kumina and Burru that enslaved Africans of various tribes brought with them to Jamaica.
- as a name and philosophy is inspired by the African warrior Queen Nyabinghi, the reincarnation of the leonine Kemetic warrior goddess Sekhmet. Queen Nyabinghi was known for playing her powerful, mystical trance drum. Her Ugandan female followers, called bagiwas, were so fearsome in victory that the invading colonialists had them branded as witches performing rituals with the drum. The drum was eventually outlawed.
- The Nyabinghi Order became the central spiritual order of the Rastafari rising in 1958 after the destruction of Pinnacle in St. Catherine, where up to that point Kumina was the central ceremonial drumming in developing and performing Rastafari Rituals.
- **Originally Nyabinghi tradition begun with Melcizedek who is the High Priest in the Order of the Nyabinghi, the Drummer Master & Mystical Jah Dancer "without father, without mother, without descent, having neither beginning of days, nor end of life; but made like unto the Son of God; abideth a priest continually " (Heb 7:3).**
- **Nyabinghi, the word is also a title of the Theocratic Priesthood and Livy Order of the hola dreadlock ones. The roots of this Order are much deeper in time than in the ages of anti-colonialist war in Africa, because Iyahcongo " is the most ancient order of Rastafari, as from the earliest time, when Cherubims and Seraphims chanted songs of praise around the Rainbow Circle Throne of the Almighty Omnipoten Majesty Emperor Haile Selassie I.**
- The Order was influenced by the Mau Mau uprisings and the incorporation of the most significant identifier of the ‘dreadlocks’ and an:

The Nyabinghi rhythms of resistance have long played a major role in Rastafari Culture.

PRACTICES

Niyabinghi drumming is not exclusive to the Niyabinghi or, and is common to all Rastafarians. Its rhythms are the basis of Reggae music, through the influential ska band, the Skatalites. It is said that their drummer revolutionized Jamaican music by combining the various Niyabinghi parts into a 'complete' "drum kit," which combined with jazz to create an entirely new form of music, known as ska. Niyabinghi rhythms were largely a creation of Count Ossie, who incorporated influences from traditional Jamaican Kumina drumming (especially the form of the drums themselves) with songs and rhythms learned from the recordings of Nigerian musician Babatunde Olatunji.

ELEMENTS – BASS; FUNDE; AKETE. NYAHBINGHI CHANTS to REGGAE LYRICS.

he chants contain ideas of black redemption and repatriation. They help people to participate and feel

included in the Rastafarian community.

The name 'Reggae' as a brand for all Jamaican music is attributed to the success of the combined musicianship and practices of three distinctive Rastafari Community proponents in Count Ossie & Mystic Revelation of Rastafari, The Skatalites & The Wailers, Ras Michael and the Sons Of Negus, Cedric Myton & The Congos, Denroy Morgan & Morgan Heritage to the current Reggae Revival with stars such as Kronix, Protoje, Jah Nine, No Madz and the like. From Oh Carolina to Freedom Sounds to One Love the lifestyles and cosmology that transformed the collective members of these groups to be Rastafarians began earlier between 1930-50's with The Howellites where the practice and drumming of Kumina informed the early years of Rastafari formation in those earlier hills of Pinnacle in Sligoville St. Catherine.

What exactly is the 'practice of Reggae'. As it has transformed the world globally its most clearest expression and indicator is the adoption of the symbolism and lifestyle of the Rastafari Community and is regarded in all research and studies as the culture bearer of traditional Rastafari music practice.

PRODUCT

Combining Jamaican traditions with newly acquired African ones, Count Ossie and others synthesized his country's African traditions that in the most part were outlawed under 'Obeah' and reinvigorated them with the influences of Nigerian master-drummer Babatunde Olatunji, as a comparison of Count Ossie's Tales of Mozambique and Olatunji's earlier Drums of Passion will reveal. Indeed, it is that combination of inherited traditions and conscious rediscovery of lost African traditions that makes Niyabinghi drumming—and Rasta—so powerful.

It's elemental position in the Rastafari food chain, while incorporating other folk forms and representative musicianship from the wider African-Jamaican milieu, is clear. Rastafari informed the development of Jamaica's unique indigenous sound in how its philosophy and practices transformed the euro-centric stylizing of the Military Bands, American Jazz & Rhythm & Blues into Ska by the horns men, pianists and guitarists bending their sounds and thoughts around days and nights of practicing around the Nyahbinghi drums, smoking the ceremonial herb/Ganja, shedding the Babylonian thinking in the hills of Wareika and the communal spaces and Rasta Burru camps of West Kingston.

PRACTICE

The duality of drum and bass of Lloyd Knibbs and Lloyd Brevett that created the blue print of Ska when fully researched will locate the interplay of their practice of Ska that has become transmitted as a style without the outward trappings of the culture. The slowing down to the pace of the Roots Reggae is directly related to the Nyahbinghi drumming patterns and the rise of the Rastafari culture in the center of Jamaica, influenced by the visit of H.I.M. Emperor Haile Selassie 1st's visit to Jamaica in and around 1966 and the formation of a Rastafari Mansion, the Twelve Tribes Of Israel in 1968, whose incorporation into the philosophical expression of Rastafari and adoption of the 'Sound System' Jah Love as its central musical space, and other relaxation of the strict traditional rules of the Nyahbinghi Order and Bobo Shanti.

HOW RASTAFARI – REGGAE WAS TRANSFERRED TO MANY COUNTRIES AND CULTURALLY ADAPTED

Much is trying to be made of separating or trying to minimize the Rastafari practices and philosophical influence to not give the Rastafari Community its rightful place in identifying Reggae as its ICH Element

based on the huge economic benefits associated and the governance structure that will have to include Rastafari customary practices.

COMMUNITY VS. GOVERNMENT INVENTORYING

From 2007 to 2012 the Rastafari Community through the Rastafari Millennium Council has done a series of inventorying as embodied in the current Rastafari: Unconquerable Exhibit itself informed by another Millennium Council project developed through WIPO/JIPO, the Creative Heritage Project.

During these formative years that saw several reports and legal research and development as an expert in the Reggae music industry, informed by familial roots where my Uncle Clement Sir Coxon Dodd, a Maroon with roots in Charles Town, is considered the 'Father of Jamaican music' due to his seminal role in the development and popularization of the sound system, the development of Ska, Rocksteady and Reggae and being the first and most successful African Jamaican to own and operate a recording studio.

Through my advocacy for the development of a Reggae Museum with involvement of Rob Bowman, now a WIPO consultant to this overall area, that faltered at its non-inclusion of Intellectual Property as a central plank of its development I went on to specifically identify the Rastafari Community IP as a central part and thus necessary to present the Community as a major stakeholder in its articulation. This inspired me to transfer the work and mechanisms related to the IP of the music to the Rastafari Community and formally introduced Community to the international indigenous best practices of forming a Council, Trust Fund and IP Authority.

I was primarily assisted in these developments by Ras Marcus Goffe, who advanced the legal research and inter-relationship with WIPO. These actions overlapped with the JIPO/WIPO mandate and the RMC became a member of WIPO Indigenous group, similarly to the provisions within the UNESCO Convention to also allow Experts and or NGO's related to the ICH being considered to also be incorporated in the Nomination process.

A real time divergence and conflict has now occurred where Ras Marcus Goffe went to work for JIPO and merged the Community works within JIPO to inform a local indigenous protocol. This has so far resulted in a Practice Note. On the other hand it has removed the independent forthright legal representation of the Community leading to an internal and external Community conflict as regards the Community rights advocacy and protection within the Jamaica/State space. This is identified within the proposed listing of Reggae as a generic Jamaica ICH rather than the Rastafari Community ICH that had been developed.

The inventorying process of the Convention is therefore a very necessary guide in establishing the Rastafari Community's rights, as is the current application by the RMC to the UNESCO IFCD Fund to establish the Rastafari Community's majority stakeholder valuation in the process.

We are currently looking to meet with the Attorney General of Jamaica and the Prime Minister Office representatives to discuss this matter and again the Convention Inventorying process has helped to inform this upcoming debate by the mandate that the Rastafari Community's self identification of the process must be incorporated.

This conflict extends to even the Expert that JIPO/WIPO has hired to conduct their recent study, who is someone that I personally and independently introduced to support the development of a Music Museum process that had the IP of the artists and musicians put in a central space to level the playing field vis a vis the local producers who had acquired these rights through a 80% illiterate community and international industrialists most pointedly Chris Blackwell/Island Records and Universal Music Group.

This was necessary as coming from a 80% illiteracy rate in the country pre-independence period where the creative works of these artists and musicians were entered into contractually and where neither them nor their parent/guardians/associates could neither read nor write, has led to the wholesale misappropriation of these rights. While a upgraded IP law was put in place in 1993, it was not retroactive to this period of massive appropriation where the blueprint of the music and culture is located.

It is therefore an urgent priority that the Rastafari Inventorying and safeguarding listing for Reggae be directly attributed to the Rastafari Community so that the provisions that are being generated for the Culture both on the IP and ICH platforms can go not only to the Rastafari Community but the African Jamaican class of musicians and artists who have no other recourse under Jamaican law to benefit from the ICH of the music.

All of the other heritage forms that are transposed in Rastafari and Reggae are being secured under their own specific ICH elements, while Rastafari/Reggae are being challenged for its evolutionary incorporation.

The Trench Town Rastafari Reggae Heritage Site that has been identified as a driver of an overall Rastafari Economic Village Plan has been presented as the way to practically map and inventory the culture since 2008. It is itself synonymus to recommendations from WIPO/TKE to UNESCO/ICH that strongly suggests that the music and culture of Jamaica must be developed as the living heritage of the whole island and not in any physical museum. Any physical space must be considered a portal directing the people and the communities to the heritage in its own environment.

The recent WIPO Study by Rob Bowman, though not yet officially presented, concurs with this assessment. This has reflected itself in community tension with the Hon. Bunny Wailer based on his Nyahbinghi Elder/Reggae representation. Again the Convention insistence on transmission as a means of safeguarding reframes and balances the issue in favour of the Community's ownership, governance and rights to represent project developments.

Defining Rastafari ICH - Trench Town Rastafari Reggae Heritage Space In The Context Of The 'Name' Reggae & The 'Kingston' Plan:

Safeguarding Reggae – Damion Crawford Wants UNESCO Protection For Cultural Heritage

Published: Saturday | July 6, 2013 4 Comments



Damion Crawford

Daraine Luton, Senior Staff Reporter

ARGUING THAT Jamaica could reap real benefits if it moves to protect the name 'Reggae', Damion Crawford, the junior minister with responsibility for entertainment, has told Parliament that the Government is getting ready to secure the brand under the UNESCO Convention for the Safeguarding of Intangible Cultural Heritage.

"UNESCO recognition of 'Reggae' as distinctly Jamaican would also attract funding geared towards the preservation and maintenance of traditional reggae art forms and practitioners," Crawford told legislators on Tuesday as he made his contribution to the Sectoral Debate in the House of Representatives.

Under the UNESCO convention, intangible cultural heritage is defined as the practices, representations, expressions, knowledge, and skills that communities, groups and, in some cases, individuals recognise as part of their cultural heritage.

Such intangible cultural heritage is manifested either in oral traditions and expressions, including language, performing arts; social practices, rituals and festive events; knowledge and practices concerning nature and the universe; and traditional craftsmanship.

According to Crawford, the Ministry of Tourism and Entertainment has been working alongside the Jamaica Intellectual Property Office (JIPO) and the Ministry of Industry, Investment & Commerce on measures to ensure the protection of Reggae.

"A Cabinet submission from both ministries will be sent to Cabinet with further collaboration expected between JIPO, ourselves and the Ministry of Youth and Culture," Crawford said.

UNESCO, which is the only specialised agency within the United Nations system with a specific mandate in culture, assists its member states in the elaboration and implementation of measures for an effective safeguarding of their cultural heritage.

OPPORTUNITY FOR INVESTORS

Crawford said he is convinced that the potential exists to attract more investors as well as visitors to Jamaica.

The minister noted that Argentina and Uruguay have got similar designation under the UNESCO convention in relation to Tango. He noted that the UNESCO's representative commented that 'Tango' is a musical genre that includes dance, music, poetry, and singing, and is considered one of the main manifestations of identity for the inhabitants of the R'o de la Plata region'.

"Reggae fits perfectly in designation and we are going for Reggae, Dancehall, and Ska," Crawford said.

"There are a multiplicity of benefits, one in particular is that any use of the term 'Reggae' will also have to include Jamaica," the minister said.

The junior minister, speaking at Wednesday's Jamaica House press conference, said that in addition to further exposure for Brand Jamaica, the protecting of Reggae's name would also help in positioning Kingston as an entertainment capital.

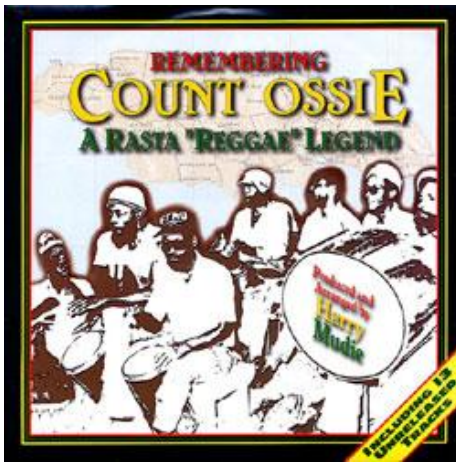
'We are trying to have Kingston designated a creative city, and if we can show that Reggae emanated out of Jamaica, especially out of many Kingston areas, it will contribute to having Kingston being seen as a creative city,' Crawford said.



Open house - Leading musicians who latter merged with Count Ossie to become Mystic Revelation of Rastafari

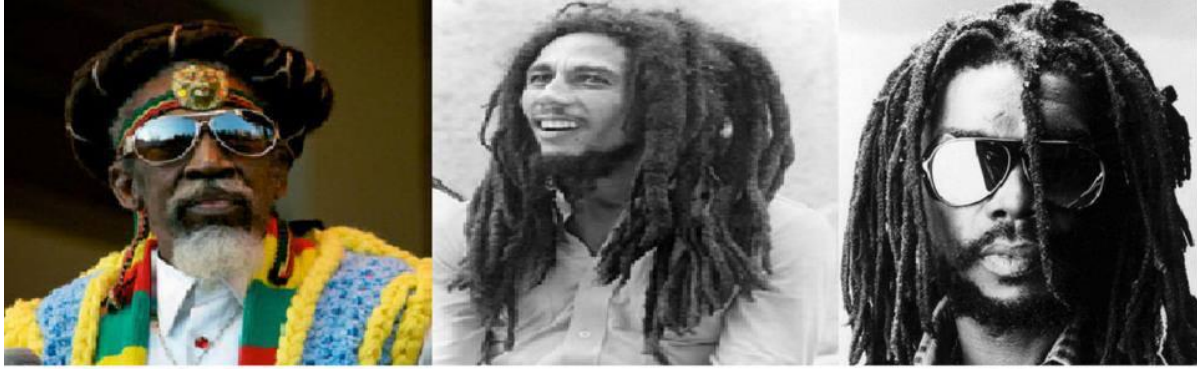
Count Ossie, Cedric Im Brooks, other horn players

The Skatalites



- Lloyd Knibbs – Drums
- Lloyd Brevett – Upright Bass
- Jah Jerry - Guitar
- Jackie Mittoo – Keyboards
- Don Drummond – Trombone
- Tommy McCook – Tenor Saxophone - Flute
- Roland Alphanso – Alto Saxophone
- Dizzy Johnny Moore – Trumpet
- Lester Sterling – Saxophone

**THE WAILERS – HON. NEVILLE O. LIVINGSTON OJ, CD pka BUNNY WAILER
HON. ROBERT NESTA ‘BOB’ MARLEY O.M.
HON. WINSTON HUBERT MCINTOSH O.M. pka PETER TOSH**

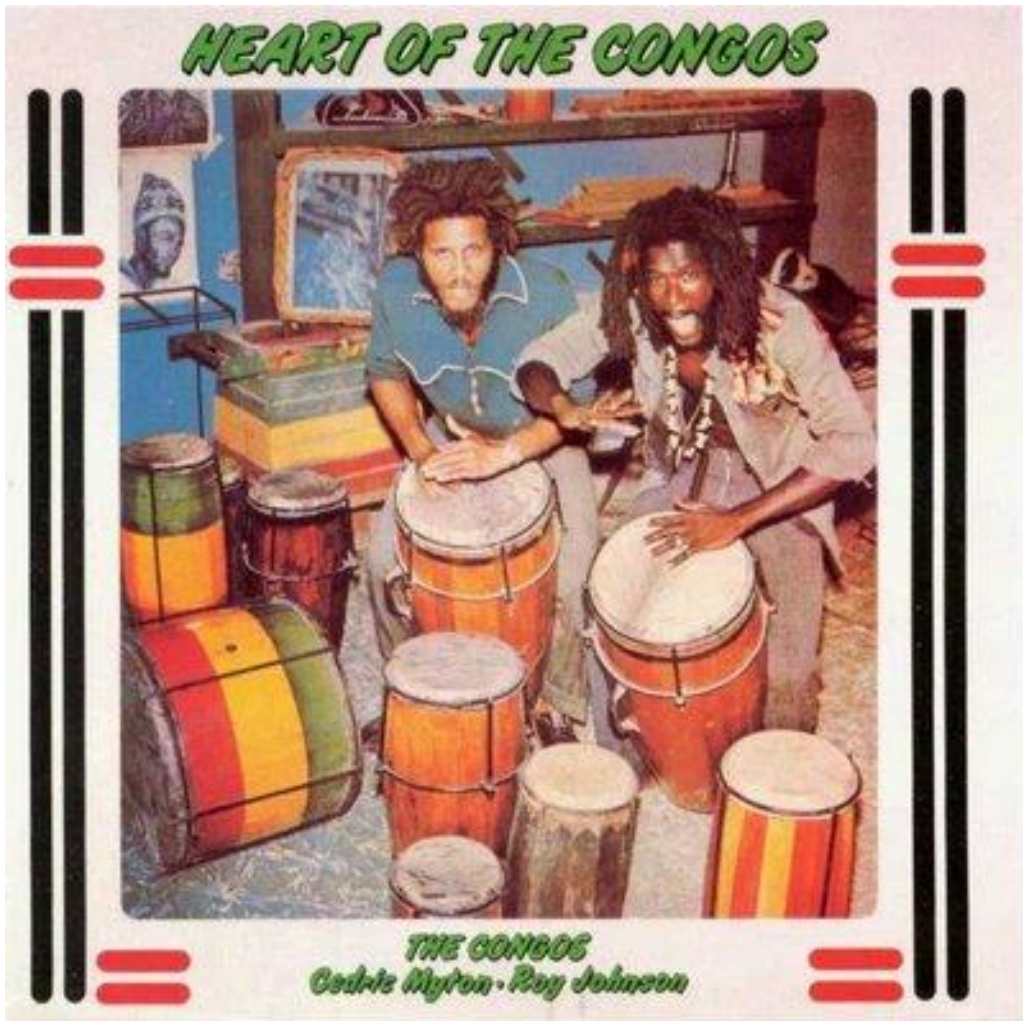


LLOYD BREVETT (SKATALITES) BUNNY WAILER (WAILERS)





RAS MICHAEL & SONS OF NEGUS



REGGAE RASTAFARI BIBLIOGRAPHIES

<http://haraldhammarstrom.ruhosting.nl/alphaomega.htm>
891 Books and Papers on the Subject

Reggae, Rastafari, and the Rhetoric of Social Control

Who changed Bob Marley's famous peace-and-love anthem into "Come to Jamaica and feel all right"?

When did the Rastafarian fighting white colonial power become the smiling Rastaman spreading beach towels for American tourists?

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The first page of every section is available free to non-members – click a section heading to start reading now!

Reggae, Rastafari, and the Rhetoric of Social Control*

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<http://mord.mona.uwi.edu/biblio/view.asp?rid=3774&pid=825&i=2>

Reggae, rastafari and popular culture: A bibliography

Brings together references to books, conference papers, dissertations, periodical articles, sound recordings of speeches and lectures and gives coherence to the scattered resources on Jamaican popular culture done at the University of the West Indies and elsewhere. Seeks to complement the teaching of Reggae Studies at the Mona Campus. The sources are available locally and may be accessed through the various collections at the Main Library, UWI, the Library of the Spoken Word, the collection of Caribbean Studies research papers in the Faculty of Arts and Education and the Institute of Social and Economic Research (ISER)

RMC LETTER TO THE A.C.I.J.



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**Bernard Jankee
African Caribbean Institute of Jamaica
(ACIJ) Kingston, Jamaica, W.I.**

February 14th, 2014

Blessed Greetings Mr. Jankee;

“Glory to Word, Glory to Sound, Glory to Power; Glory to H.I.M. Emperor Haile Sellassie II!”

Re: Intangible Cultural Heritage In Jamaica

We, the Executives of the Ethio-Africa Diaspora Union Millennium Council *aka* Rastafari Millennium Council (RMC), are seeking clarity on the brochure/poster on Intangible Cultural Heritage in Jamaica that was brought to our attention at the Executive Meeting of the RMC on Tuesday, February 11th, 2014 based on Sister Maxine Stowe’s attendance at the stakeholders meeting and its submission for distribution within the Rastafari Community.

The use of the Ethiopia Africa Black International Congress’s (EABIC) Banner that is being displayed on the brochure as well as the narrative is unacceptable. It has put the RMC in a compromising position with the EABIC in particular and the other representative Mansions in general that needs urgent clarification as to how and why it was chosen to represent the Culture wherein it was done without any consultation with the RMC. The narrative suggests a ‘vague’ foundation for our culture that we consider as a marginalized terminology and leads to the kind of assumptions related to the use of the EABIC symbol.

It highlights the need for the GOJ agencies to become fully abreast of the standards that have been set by the Community and to procedurally consult with the RMC. It is unfortunate in the spirit of what the ICH Inventorying process is seeking to accomplish, the ongoing MOU negotiations with IOJ/National Museum of Jamaica re the Rastafari Exhibit, the Traditional Knowledge activations at JIPO and the heightened media sensitivity related to Pinnacle as a cultural Heritage Site, that this is occurring. We are therefore asking for an urgent meeting and the immediate removal of this poster from public consumption.

At the **Intangible Cultural Heritage (ICH) Workshop presented by UNESCO** in September, representatives gained and established clarity from the UNESCO Convention experts about the Rights of the Rastafari Community in owning, managing and protecting our cultural symbols and expressions.

It was stated in summary:

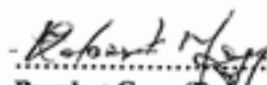
All cultures are established primarily by the communities and therefore it is the communities that have the rights to their Culture. The duty of the Government is to protect these cultures in accordance to signed UN International Conventions.

The Rastafari Culture been established by its Community cannot be 'adjectivized' by national language, terms or policy by the Jamaican Government because of its noted cultural symbols/expressions being tied with the Sovereign/Monarch of Ethiopia and therefore such utilized authority of Ethiopic symbols has to be brokered with respect to the Crown Council Of Ethiopia and the Rastafari Community.

We request that a process whereby this information that was raised and submitted in the UNESCO ICH workshop be acknowledged, incorporated, and disseminated to all related Government agencies urgently to firmly establish the Intellectual Property Rights of the Rastafari Indigenous Culture established in Jamaica and being represented by the RMC.

Respectfully,

One Perfect Love!


.....
Prophet Greg (Robert Mogg)
Gen. Secretary

Cc: E.A.B.I.C

J.I.P.O

Hon. Burchell Whiteman

Rupert Lewis

E.A.D.U.M.C. LETTER TO H.I.H. PRINCE ERMIAS HAILE SELASSIE



Ethio-Africa Diaspora Union Millennium Council

Jamaica Afro-Centric Commission
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May 12, 2008

BY HAND

His Imperial Highness Prince Ermias Sahle-Selassie Haile-Selassie
President
Crown Council of Ethiopia
US Legation
164 D Market Street #311
Charleston, SC 29401
United States of America

Dear Prince Ermias,

Re: Intellectual Property of Imperial Ethiopia

Greetings in the holy name of the Most High His Imperial Majesty Emperor Haile Selassie I, King of Kings, Lord of Lords, Conquering Lion of the Tribe of Judah, Elect of God, Defender of the Faith. Give thanks for the continuity of the Throne of David and the Solomonic Dynasty through your unceasing work and that of the Crown Council.

The Ethio-Africa Diaspora Union Millennium Council (EADUMC) is a non-governmental organization registered in Jamaica, representing and acting under the authority of all major Mansions of Rastafari. The aims of the EADUMC are the overall development and upliftment of the Rastafari community and other descendants of Africans in the diaspora, including repatriation to Africa, reparations for the African holocaust and African unity. One of the priorities of the Rastafari

community, at this the dawn of the new Ethiopian Millennium, is to preserve, protect and enforce Rastafari intellectual property and cultural heritage against misappropriation by others, which has become internationally and quantitatively significant, especially over the past 30 years and more recently since the advent of the internet. This has manifested itself in widespread commercial use of notably the Imperial Ethiopian 'Lion of Judah' Flag which, as you know, has been the most used and recognized symbol of the Rastafari for over 70 years.

The EADUMC on behalf of the global Rastafari community has taken proactive steps in this regard, namely soliciting the assistance and guidance of the World Intellectual Property Organization and the Jamaica Intellectual Property Office, in the development of a Rastafari intellectual property/traditional cultural expressions policy, so as to stop unauthorized use and exploitation of Rastafari imagery, symbolism and cultural identity and develop the capacity of the Rastafari community to manage its cultural heritage and intellectual property in an economically viable and self-sufficient way. This is of critical importance to Rastafari who historically have been oppressed and marginalized because of our faith and culture which, despite immense popularity today, especially through Reggae music, has not accrued any material benefit to the Rastafari culture and community as a whole.

We therefore see the pursuit of clearly established rights and policies in relation to the use of photographs of His Imperial Majesty Emperor Haile Selassie I and of Empress Menen, certain Imperial Ethiopian emblems, symbols, standards, coat of arms, medals and heraldry, as crucial for a proper and necessary formalization of the alliance of Rastafari and the Crown Council, vis-à-vis the rest of the world. Rastafari, being perhaps among the most prolific unofficial ambassadors of Imperial Ethiopia and the Solomonic Dynasty today, have always been and remain willing to aid in whatever way possible to secure the restoration of the Solomonic Monarchy from exile. Due to many similar aims and objectives, the Crown Council and the Rastafari community are natural allies, which is how the international press reasonably views the relationship. Thus a concerted strategic alliance between the Crown Council and the Rastafari community will only serve to strengthen our mutual aspirations.

Such an alliance would be consistent with the Crown Council's mandate to:

1. Provide visible leadership on matters affecting Ethiopia and its Monarchy;
2. Strengthen the role of the Crown inside and outside of Ethiopia and remain in communication with leaders of foreign countries who might be able to assist the Ethiopian people in their current plight;
3. Ensure that the Crown remains and be seen to remain the key to unity and reconciliation among the major groups and institutions of which the Ethiopian people and Ethiopian national life are composed;
4. Play a leading role in legitimate efforts to safeguard the historical, cultural and religious patrimony of Ethiopia;

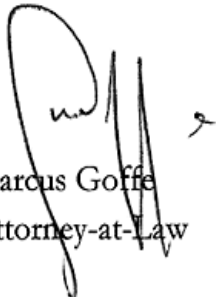
5. Identify key individuals who might be capable of assisting in these efforts and to recognise and honour publicly or privately those individuals who have so assisted.

There is enormous sentiment for Imperial Ethiopia in the diaspora and undoubtedly, Rastafari has carried high, far and wide the banner of the Conquering Lion of the Tribe of Judah and the Solomonic Dynasty for many decades. Your partnership would further the Crown Council's outreach to the African diaspora and beyond, in keeping with your focus on cultural and humanitarian affairs.

For these reasons we seek at some point in the not too distant future, a focused audience with Your Highness to discuss and develop in detail a plan of action and co-operation in relation to the "intellectual property" of Imperial Ethiopia, namely photographs of His Imperial Majesty Emperor Haile Selassie I and of Empress Menen, as well as certain Imperial Ethiopian emblems, symbols, standards, coat of arms, medals and heraldry, including the Imperial Ethiopian 'Lion of Judah' flag, the Imperial Coat of Arms and the Imperial Standard. The Executive and the Intellectual Property Committee of the EADUMC are optimistic that this is an initiative which is destined to bear good fruit, if we work together in one accord, in the spirit of His Majesty.

May the Almighty guide and inspire our collective efforts towards achievement of our mutual aims and objectives, as we continue the mission of His Imperial Majesty Emperor Haile Selassie I and the cause of Imperial Ethiopia, in this new Millennium.

Yours faithfully,



Marcus Goffe
Attorney-at-Law

cc. Maxine Stowe
Queen Mother Moses
Junior Manning
Howie Wright
Bobo Greg
Irie Lion

9. RMC Response To The Possible National Framework for the Protection of Genetic Resources, Traditional Knowledge and Traditional Cultural Expressions in Jamaica

Introduction

- 1. The intellectual property (IP) system grants exclusive rights to creators and inventors for a given period of time that allows them to exercise control over the use, reproduction and dissemination of their protected works. In so doing, the system helps convert creativity and innovation into tradeable, economic assets which can generate financial gains. THE ETHIO-AFRICA DIASPORA UNION MILLENNIUM COUNCIL AKA RASTAFARI MILLENNIUM COUNCIL (RMC) WAS FORMED AND REGISTERED IN 2007 UNDER THE GUIDANCE OF WIPO EXPERTISE/LAWYER ROGER CHENNELS (ATTACHMENT 2) TO UTILIZE THE INTELLECTUAL PROPERTY (IP) SYSTEM AS DESCRIBED. OUR ARTICLE OF INCORPORATION DECLARES ALSO:**

“To protect, administer, and agitate intellectual property rights of all indigenous and afro-centric culture.”

T. To protect, administer, and agitate intellectual property rights of all indigenous and afro-centric culture.

- 2. In the 1990s, well-documented instances of misuse and misappropriation of traditional knowledge (TK) and genetic resources (GRs) led to a greater awareness of their economic and commercial potential and the need to ensure that the ongoing contribution of TK to development is acknowledged and rewarded. THE RASTAFARI COMMUNITY HAD SINCE 1983 IDENTIFIED THE MISUSE AND MISAPPROPRIATION OF THE TK OF THE CULTURE PRIMARILY THROUGH THE MUSIC INDUSTRY. THE HISTORICAL OUTLINE OF THE DEVELOPMENT OF A JIPO PRACTICE NOTICE CAN BE REVIEWED IN THE: ‘PROPOSAL FOR REFORM OF JAMAICA’S IP LAWS’ – PROTECTING THE TRADITIONS OF MAROONS AND RASTAFARI. A PHD RESEARCH PAPER THAT INCORPORATES THE CONSULTANCY OF MARCUS GOFFE (ATTACHMENT 3) WHICH PRIMARILY INFORMS THE RMC MANDATE. THE GENESIS OF THIS TK/TCE EFFORT ON IP IS DRIVEN BY SEEKING TO IDENTIFY AND CODIFY RASTAFARI IP IN THE REGGAE INDUSTRY. THE RMC WORKING WITH JIPO AND WIPO, A PRACTICE NOTICE (ATTACHMENT 4) WAS DEVELOPED IN APRIL 30TH 2012 BY JIPO.**
- 3. With the emergence of modern biotechnologies, GRs have assumed increasing economic, scientific and commercial value for a wide range of stakeholders in the chemical, pharmaceutical, biotechnological, agricultural, veterinary, healthcare, cosmetics, beverages, bio-pesticides and horticultural industries, to name a few. The development of a robust Geographical Indications portfolio for Jamaica, including for the new medicinal cannabis industry, depends to a large extent on the effective protection and regulation of GRs. THE TK AND TCE OF THE RASTAFARI COMMUNITY IS ALSO INCORPORATED IN EFFECTIVE PROTECTION AND REGULATION OF THE GR OF CANNABIS BOTH AS BEING PROTECTED WITHIN ITS FAITH BASED USE AND THE COMMERCIAL BRANDING INCORPORATED. THIS WAS NOT EMPHASIZED PREVIOUSLY DUE TO THE ILLEGAL LAWS SURROUNDING GANJA. THE FOCUS WAS JUST ON LEGALIZATION *via* SACRAMENTAL RIGHTS, NOW INCORPORATED AS AN IP RIGHT.**
- 4. In similar vein, TK and Traditional Cultural Expressions (TCEs), which are important parts of a community’s heritage and cultural patrimony, can be economically significant in fields such as art,**

arts and crafts, cultural tourism, entertainment, music, multimedia, publishing, architecture, fashion and the culinary arts. THE RASTAFARI TK/TCE IS ECONOMICALLY SIGNIFICANT ACROSS THE CULTURAL INDUSTRY LANDSCAPE, NATIONALLY, REGIONALLY, THROUGH INTL. DIASPORA AND THROUGH REGGAE FANBASE. REFERENCE TO PAGES 32 – 42 IN ‘PROTECTING THE TRADITION OF MAROONS & RASTAFARI’ FOR RASTAFARI TK/TCEs.

5. **TK is usually owned by communities rather than individuals, is increasingly being recognized as IP, which needs to be protected from misuse and misappropriation just as individual IP is protected from misuse and misappropriation.** THE COMMUNITY IP THAT IS OWNED BY THE COMMUNITY IS INCORPORATED IN INDIVIDUALS THROUGH MUSIC INDUSTRY IP WHERE THE COMMUNITY OWNERSHIP IS NOT PROTECTED FROM MISUSE AND MISAPPROPRIATION e.g. BOB MARLEY, SNOOP DOGG. THIS IS AT THE HEART OF THE NEGOTIATIONS RELATED TO IP REGULATION AND BENEFIT SHARING. THE DISTINCTION BETWEEN THE CULTURE AND INDIVIDUALS ADOPTING RASTAFARI AND CREATING INDIVIDUAL VALUE THROUGH IT BY THEIR RESPECTIVE CONTRACTUAL ARRANGEMENTS WITH THE CULTURAL & LIFESTYLE INDUSTRY.
6. **While conventional IP laws provide protection for TK and TCEs, such protection is limited, as conventional IP like copyright, patents, trademarks and designs are limited in time and scope, with protection being conditional upon compliance with certain formalities such as a formal application and payment of fees. By virtue of the deliberations at the international and regional levels over many years, the consensus has developed that a *sui generis regime for the effective protection of GRs, TK and TCEs is what is required.* JAMAICA'S APPLICATION OF TK/TCE WILL HAVE TO TAKE IN MORE COMMERCIAL MODALITIES RELATED TO RASTAFARI/REGGAE AND GANJA. THERE WAS A CLEAR RESISTANCE TO ACCEPT 'RASTAFARI' AS AN INDIGENOUS GROUP BASED ON THE IMPLICATIONS AND GOVERNANCE RIGHTS ASSOCIATED TO THIS HIGH LEVEL OF COMMERCIAL IMPLICATIONS. WE RECOGNIZE THE INCLUSION OF THE TERM 'LOCAL COMMUNITIES', NOT CLEAR ON THIS TERMINOLOGY. IDENTITY RIGHTS ARE AT THE CORE OF THE RASTAFARI DISCOURSE WITH THE SOCIETY.**

Background to the Proposed Legal Regime

7. **Under Article 64.6 of the Revised Treaty of Chaguaramas, “COTED shall co-operate with the Member States and competent organisations to devise means of protecting, developing and commercialising local knowledge about the value and use of the Region’s biodiversity for the benefit of their populations, especially their Indigenous Peoples.”**
8. **Article 66 of the Revised Treaty of Chaguaramas provides *inter alia* that “COTED shall promote the protection of intellectual property rights within the Community by...**
 - (c) the identification and establishment, by the Member States of mechanisms to ensure:**
 - (ii) the preservation of indigenous Caribbean culture; and**
 - (iii) the legal protection of the expressions of folklore, other traditional knowledge and national heritage, particularly of indigenous populations in the Community;**
9. **By virtue of ARTICLE XI of the CARICOM Charter of Civil Society, CARICOM member states undertake to *protect the historical rights* of Indigenous Peoples and *respect their culture and way of life.* THE MAROON/RASTAFARI MATRIX IN JAMAICA OPERATES AS AN AFRICAN RETENTION/PAN AFRICAN BELIEF SYSTEM INDIGENOUS TO THE CARIBBEAN AS AN AFRICAN SURVIVAL MECHANISM.**

WHILE BEING CLASSIFIED AS INDIGENOUS AND OR LOCAL COMMUNITY, IT IS AN ACTIVIST RESISTANCE TO COLONIAL AND STATE GOVERNANCE RELATED TO IDENTITY RIGHTS. THE MODEL LAW CLASSIFICATION BEING APPLIED THROUGH CARIBBEAN STATE MECHANISMS IS ANOTHER CHAPTER IN THE ONGOING HISTORICAL PROCESS OF AFRICAN IDENTITY IN NATIONAL IDENTITY. THE SUI-GENERIS ACCEPTANCE TO INCORPORATE THIS CLASSIFICATION AS INDIGENOUS TO JAMAICA/CARIBBEAN IS IN THE CONTEXT THAT JAMAICA/ CARICOM PRESENTLY INCORPORATES THE BROADENED DESCRIPTION OF CARICOM AS THE 'STATE' REPRESENTATIVE OF THE 6TH REGION OF AFRICAN AND JAMAICA'S INCORPORATION IN THE AFRICAN UNION. THE RASTAFARI COMMUNITY IS RECOGNIZED AS THE PROGENITOR LINKAGE.

10. **CARICOM Heads of Government have therefore determined that CARICOM Member States shall *protect, develop and commercialise local knowledge about the value and use of the Region's biodiversity and* establish mechanisms to preserve indigenous Caribbean culture and protect expressions of folklore, other TK and national heritage, particularly of indigenous populations in the Caribbean.** DITTO THAT JAMAICA/CARICOM HAVE RECOGNIZED STATE EXTENSIONS OF AFRICA *via* THE AFRICAN UNION THAT THE RASTAFARI COMMUNITY IDENTITY POLITICS ARE INTEGRATED IN AND THROUGH.
11. **In 1999 WIPO conducted a Fact Finding Mission to a few countries in the region, namely Jamaica, Trinidad & Tobago and Guyana, to identify the needs of TK holders in the region. A Cooperation Agreement was subsequently executed by the World Intellectual Property Organization ("WIPO") and the Governments of the Caribbean.** THE RASTAFARI COMMUNITY WAS NOT CONSULTED AND OR INFERRED IN THIS FACT FINDING MISSION AND COOPERATION AGREEMENT.
12. **At the Sixth WIPO Ministerial-level Meeting on Intellectual Property for Caribbean Countries, held in Barbados in November 2006, Ministers, recognizing the importance of protecting GRs, TK and TCEs and the need for harmonized laws and administrative practices in respect of IP, as reflected in Articles 66 and 74 of the Revised Treaty of Chaguaramas, requested WIPO's assistance in developing an appropriate framework for the protection of GRs, TK and TCEs.** THE RASTAFARI COMMUNITY WAS NOT CONSULTED AND OR INFERRED IN THESE TERMS OF REFERENCES.
13. **Following the request by Ministers to WIPO, a Regional expert meeting was held in Jamaica in March 2008. At that meeting, a working group was established to gather information, conduct regional consultations and prepare draft materials for review, consideration and policy and political decisions by Caribbean states.** THE RASTAFARI COMMUNITY ASSERTED ITSELF IN THIS PROCESS THROUGH THE FORMATION OF THE RASTAFARI MILLENNIUM COUNCIL AND ACTIVE NGO REGISTRATION WITH WIPO IN 2007.
14. **Consultations were undertaken by the Working Group from March to October 2009 in Belize, Dominica, Jamaica, Saint Lucia, Saint Vincent and the Grenadines, Suriname and Trinidad & Tobago and by Coordinator of the Working Group, Ms. Mary-Ann Richards, from January to July 2013 in Antigua & Barbuda, The Bahamas, Barbados, Belize, Dominica, Grenada, Jamaica, Saint Lucia and Saint Vincent and the Grenadines. Consultations were held with Government Ministers, Permanent Secretaries and Representatives of Government Ministries, Departments and Agencies; Indigenous Peoples and Local Communities (IPs&LCs); representatives of Academia, NGOs, civil society, the private sector, the legal fraternity, scientists, researchers, cultural and artistic communities, musicians, ethnomusicologists, anthropologists, regional organizations,**

herbal/traditional/spiritual healers, historians, curators, Directors and staff of Cultural and Heritage institutions, environmentalists, publishers, authors, the elderly and private individuals.

15. Jamaica has been very active within the regional TK processes outlined above. Jamaica has also been active for many years at the WIPO Intergovernmental Committee (IGC) on IP and GRs, TK and Folklore (GRTKF), which serves as a forum where WIPO member states can discuss the IP issues that arise in the context of access to GRs and benefit-sharing, as well as the protection of TK and TCEs. THE RASTAFARI COMMUNITY WAS MARGINALIZED AND OR UNREPRESENTED IN THE PROCESSES AND INSERTED ITSELF BETWEEN THE 6TH MINISTERIAL MEETING IN 2006 AND THE REGIONAL EXPERT MEETING IN 2008, WITH THE FORUM AND REGISTRATION OF THE RASTAFARI MILLENNIUM COUNCIL IN 2007. THE RMC HAS BEEN AN ACTIVE REPRESENTATIVE AT THE IGC'S WHERE IT CAN CLAIM ACTIVIST LOBBYING FOR THE WIPO CREATIVE HERITAGE TRAINING PROGRAM.
16. WIPO and JIPO have also worked collaboratively in the area of TK capacity building, as both co-operated in the planning and implementation of the WIPO Creative Heritage Training Programme on Cultural Documentation and Intellectual Property Management for Indigenous and Local Communities, Part 1 of which was held in Jamaica in December 2011 and Part 2 in January 2013. The objective was to train the communities to document and archive their own cultural heritage and to safeguard their IP rights in their heritage, including regulating the use of the recordings by third parties through sound IP management policies. The Project involved representatives of the Maroon and Rastafari communities. Members of the Revival community were invited to the training but were unable to participate. THE RASTAFARI MILLENNIUM COUNCIL HAS REMAINED A MAIN AGENT/CATALYST IN THE ADVOCACY AND INCORPORATION OF THE TK CAPACITY PROGRAM. THIS HAS CREATED SOME FRICTION WITHIN RELATIONSHIP/PROCESS WITHIN JIPO AS THE RMC IS THE ONLY TKE GROUP OUT OF JAMAICA THAT IS INCORPORATED DIRECTLY THROUGH WIPO AND ATTENDED THE IGC INDIGENOUS CAUCUSES IN GENEVA. AN UNRESOLVED CONFLICT OF INTEREST RELATED TO NEGOTIATIONS, EXISTS WITH THE INCORPORATION OF MARCUS GOFFE FROM THE RMC IN THE STAFF OF JIPO. THE RMC UTILIZED THE WIPO/JIPO TRAINING PROGRAMME BY CREATING THE RASTAFARI ARCHIVING CULTURAL EXPRESSION (RACE) PROJECT WHICH WAS FIRST ACTIVATED IN THE RMC & IOJ MOU.
17. Based on the findings of the Working Group from the extensive regional consultations done, a TK Policy Paper and a GRs Policy Paper were prepared by Trinidadian Dr. Sharon Le Gall, member of the Working Group, for the consideration of Member States. THE RASTAFARI COMMUNITY IS NUANCED IN THESE GATHERINGS/CONSULTATIONS BECAUSE THE CULTURE IS AN ACTIVIST BELIEF SYSTEM THAT, THROUGH ITS CULTURAL UPTAKE AND GLOBALIZATION, IS A CONSTANT CHALLENGE TO STATE PROCESSES RELATED TO IDENTITY AND CLASSIFICATION. THE MAROONS IN JAMAICA ARE DOCILE, WITH MINIMAL ACTIVIST LEGAL OR POLITICAL CHALLENGES RELATED TO TREATY LANGUAGE. THE MAROONS OF SURINAME FOR EXAMPLE ARE ACTIVE AND CONTINUE CHALLENGES TO THE STATE WHERE THEY SECURED REPRESENTATION IN STATE GOVERNANCE. RASTAFARI MARGINALIZATION WAS APPARENT IN MANY OF THE WORKING GROUP NEGOTIATIONS AT BOTH THE NATIONAL AND REGIONAL LEVEL RELATED TO THE UNRESOLVED IDENTITY CONFLICT THAT EXISTS NOT ONLY IN JAMAICA BUT BY EXTENSION THE CARIBBEAN.
18. The Working Group met in Jamaica in December 2013 to craft the Elements of a Possible Regional Framework for the Protection of Genetic Resources, Traditional Knowledge and Traditional Cultural Expressions. The Main working document was a draft Framework Protection Document

prepared by an expert. The discussions, proposals and recommendations from that meeting were further worked upon and finessed by the 'TK' expert to create two documents for regional consideration - "Explanatory Notes Regarding Elements of a Possible Framework for Protection" and the "Draft TK Model Law". THE RASTAFARI COMMUNITY THROUGH THE RMC HAS NOT OFFICIALLY RECEIVED ANY OF THESE RECOMMENDATION DOCUMENTS AS THE DISCONNECT WITH JIPO GREW IN CONFLICT RELATED TO MARCUS GOFFE'S INCORPORATION AND THE SNOOP DOGG/LION TRADEMARK OPPOSITION IN JIPO. THE **RASTAFARI INTELLECTUAL PROPERTY-RIGHT ACT (RIPA; ATTACHMENT 5)** AS AN ACT AND AUTHORITY TO MANAGE THE RASTAFARI IP HAS BEEN ADVOCATED DIRECTLY TO THE JAMAICAN GOVERNMENT IN THE PERIOD UNDER REGGAE AND NOW GANJA. THE OPPORTUNITY TO ENGAGE THE DRAFT TK MODEL LAW IS USED AS THE BASIS FOR ITS OPERATIONALIZATION. WHAT THE RMC WAS INVOLVED IN DURING THIS PERIOD WAS THE WIPO CONSULTANCY REPORT WITH ROB BOWMAN MAJORLY DUE TO PRIOR CONNECTIONS WITH SIS. MAXINE STOWE OF THE RMC.

The Use of Intellectual Property in the History and Development of Jamaican Popular Music by Dr. Rob Bowman: August 2013. (**ATTACHMENT 6**)

IN MAY 2013, THE RMC ENGAGED WITH THE UNESCO ICH PROCESS WHICH INVOLVED AN APPLICATION TO UNESCO TO SUPPORT THE CAPACITY BUILDING AND ASSUMPTIONS OF THE RASTAFARI IP GOVERNANCE. THIS APPLICATION WAS ENDORSED BY JIPO AS A PARTICIPATING PARTNER. THIS APPLICATION WAS ALSO SUBJECT TO PREJUDICIAL ACTIONS AS THE APPLICATION WAS NOT PROPERLY PACKAGED BY THE NATIONAL COMMISSION AND WAS REJECTED.

COMPETITIVELY, IN JULY 2013 THE MINISTRY OF TOURISM AND ENTERTAINMENT ANNOUNCED AN AIM TO REGISTER REGGAE UNDER THE UNESCO ICH PROCESS WITHOUT ANY LINKAGES TO THE RASTAFARI COMMUNITY. THIS HAS BECOME A CONTINUING POINT WITH AGAIN ANOTHER CURRENT EFFORT BY **JARIA** IN MARCH 2015 TO DO THE SAME WHILE THE RMC IS IN ACTIVIST NEGOTIATION RELATED TO GANJA.

THE NATIONAL UNESCO COMMISSION RESUBMITTED THE UNESCO APPLICATION IN 2014, (**ATTACHMENT 7**) WHERE IT GATHERED A POSITIVE REVIEW FOR ITS SCOPE AND ASSUMPTIONS, BUT WAS REJECTED BASED ON THE NON-IDENTIFICATION OF THE EXPERTS THAT WERE INFERRED. TWO OTHER COMPETITIVE APPLICATIONS WERE PUT IN BY NATIONAL ORGANIZATIONS THAT WERE IN A DIRECT COMPETITION TO THE AIMS AND OBJECTIVE OF THE RMC/RIPA CAPACITY BUILDING, BY SEEKING FUNDS TO 'REHABILITATE' CULTURAL MODES THAT CHALLENGED CULTURAL IDENTITY.

THE UNESCO APPLICATION WILL BE RESUBMITTED INCORPORATING THE GANJA INDUSTRY AND IDENTIFIED EXPERTS IN 2015.

THESE COMMENTS ARE BEING MADE TO REINFORCE THE RECOGNITION OF THE COMPETITIVE CONDITIONS THAT REQUIRES A **RASTAFARI INTELLECTUAL PROPERTY ACT (RIPA)**.

Policy Objectives

- 19. The Draft Document containing Elements of a Possible Regional Framework for the Protection of Genetic Resources, Traditional Knowledge and Traditional Cultural Expressions in the Caribbean Region is a draft model law which proposes a protective regime, consistent with international law**

and policy, for the recognition and protection of rights over GRs, TK and TCEs. It outlines access and benefit sharing (ABS) principles and procedures that must be followed by persons seeking to gain access to and utilize the region's GRs, TK and TCEs.

20. The Draft Model Law is being developed in response to the needs and aspirations of the people of the region, especially the indigenous peoples and local communities (IP&LCs), in response to the increasing incidence of exploitation and unauthorized commercialization of their GRs, TK and TCEs.
21. Its goal is to assist Caribbean countries to legally protect GRs, TK and TCEs within their territories, as well as to facilitate cooperation between and among countries in the region in protecting GRs, TK and TCEs that are, or which may be jointly found, held or shared across national boundaries.
22. The Draft Model Law is a core set of rules, principles and procedures that CARICOM Member States wishing to enact legislation for the protection of GRs, TK and TCEs, may wish to adopt. The Model Law is to be regarded as a starting point, a base document, which may be modified subsequently based on further consultations, members' experiences in enacting and administering the law and on further international law developments in regards to the subject matter.
23. The Draft Model Law seeks to encourage tradition-based creativity and innovation, including commercialization of said creativity and innovation, where appropriate, subject to free, prior and informed consent (FPIC) and fair and equitable benefit sharing (F&EBS), on mutually agreed terms (MATs).
24. The Draft Regional Protective Framework for the Caribbean has been informed by a number of frameworks adopted in other regions including Africa, the Pacific and the Andean Community. It has also been informed by ongoing developments and negotiations at the WIPO IGC, in particular the IGC's 25th Session and its Consolidated Document relating to Intellectual Property and Genetic Resources (WIPO/GRTKF/IC/25/5), the IGC's Draft Articles on the Protection of TK (WIPO/GRTKF/IC/25/6) and the IGC's Draft Articles on the Protection of TCEs (WIPO/GRTKF/IC/25/7).
25. The Draft Regional Protective Framework has also been informed by several national laws and policies established by individual states for the protection of their GRs, TK and TCEs. THE RASTAFARI COMMUNITY/RMC HAS ADVOCATED FOR RIPA UNDER NATIONAL LAWS AND POLICIES TO AFFECT THE DRAFT REGIONAL PROTECTIVE FRAMEWORK. THE RMC REGARDED THE IP CONTRACT, JIPO PRACTICE NOTE, AND THE SNOOP DOGG TRADEMARK OPPOSITION PROCESS AS PART OF THE PROCESS AND JURIDICIAL CERTAINTY TO SUPPORT THE NATIONAL LAW/POLICY FRAMEWORK. THE GANJA BILL STRENGTHENS THE EXISTING EFFORT.
26. The Draft Framework seeks to establish a new legal regime for the Protection of GRs, TK and TCEs by outlining rights for traditional owners of GRs, TK and TCEs and new procedures as to how GRs, TK and TCEs may be accessed, to ensure that such GRs, TK and TCEs are not accessed without the free, prior and informed consent (FPIC) of traditional owners including IPs&LCs (called beneficiaries in the Model Law) upon mutually agreed terms (MATs) and that there is fair and equitable benefit sharing (F&EBS) with the traditional owners. The Framework also seeks to ensure that IPs&LCs and other traditional holders enjoy full and effective participation (F&EP) in all decisions concerning their GRs, TK and TCEs. THE SCOPE OF APPROPRIATION OF THE RASTAFARI IP REQUIRES JAMPRO AND JIPO TO TAKE MAJOR INSTITUTIONAL STEPS TO REQUIRE INCORPORATION OF THIS WITH FOREIGN INVESTORS, WORKERS/TOURISTS etc. THAT COME TO JAMAICA.

27. The Draft Act makes it clear that access and use of GRs, TK and TCEs in the traditional and customary context by IPs & LCs does not require conformity with the provisions of the Act. Such access will be governed by customary laws, protocols and procedures. Access to GRs, TK and TCEs outside of the traditional context will require conformity with the Act. Access to GRs outside of the traditional context for purposes other than biodiscovery, for example for the commodities trade, will continue be governed by existing applicable legislation. BECAUSE TRADITIONAL AND CUSTOMARY HAS BEEN SUBJECT TO DECADES OF COMMODITIES TRADE THROUGH REGGAE MUSIC AND BRANDING, THE IMPLICATIONS FOR RASTAFARI IP MANAGEMENT IS THE MOST CONTENTIOUS NEGOTIATION RELATED TO THIS LAW, AS ALSO THE NOW PRESENT INCORPORATION OF THE GANJA/NUTRACEUTICAL INDUSTRY. MEMBERS OF THE COMMUNITY MUST BE INFORMED WHAT IS TRADITIONAL AND CUSTOMARY SUCH AS THE COMMERCIAL IMPERATIVE OF REGGAE MUSIC. THE CAPACITY TO DO THIS WAS ADDRESSED IN THE UNESCO ICH APPLICATION.

The Draft Model Law

28. Specific provisions (following the format of the WIPO Draft text currently before the WIPO IGC) include:

- Objectives;
- Scope of the Subject Matter to be Protected;
- Identification of Beneficiaries;
- Scope of Protection;
- Administration of Rights;
- Exceptions and Limitations to Rights;
- Term of Protection;
- Formalities;
- Access and Benefit Sharing
- Disclosure Requirement in Intellectual Property Applications;
- Sanctions and Remedies;
- Transitional Measures;
- Trans-Boundary and Shared Resources.

Part 1 - Preliminary Provisions:

29. The Draft Model Law starts with a **Title - Section 1** - “An Act for the Protection of Genetic Resources, Traditional Knowledge and Traditional Cultural Expressions”. The Title is followed by “Definitions” which are quite significant in number and scope.

30. In Section 2 - Definitions - “traditional knowledge” is defined as “the content or substance of knowledge resulting from intellectual activity in a traditional context, and includes the know-how, skills, innovations, practices, teachings and learnings of Indigenous Peoples and Local Communities, where the knowledge is embodied in the traditional lifestyle of an Indigenous People or Local Community, or contained in codified, oral or other forms, passed on intra-generationally or from generation to generation. The term shall not be limited to a specific

technical field, and includes agricultural, environmental or medical knowledge, and traditional knowledge associated with genetic resources, as well as traditional knowledge which is maintained by non-traditional means or maintained by methods which are not linked to custom". NON-TRADITIONAL MEANS/CUSTOM - RASTAFARI CULTURE TRANSMISSION THROUGH REGGAE MUSIC AND ARTISTS.

31. Definition of "traditional knowledge associated with genetic resources" means knowledge of the properties and/or uses of genetic resources and their derivatives or by-products, held by Indigenous Peoples and/or Local Communities. RASTAFARI SACRAMENTAL RIGHT IN GANJA FALLS IN THIS CATEGORY.

15. Definition of "traditional cultural expressions" means any forms of expressions, whether tangible or intangible, in which traditional culture and knowledge are expressed, appear or are manifested, and include but are not limited to expressions of folklore and the following forms of expressions or combinations thereof: (a) phonetic and verbal expressions, (b) musical and sound expressions, (c) expressions by movement or action (dances, plays, works of mas, ceremonies, rituals, sports and traditional games and other performances,) and (d) tangible expressions including but not limited to art, drawings, designs, paintings including body-painting, masks, carvings, sculptures, pottery, terracotta, mosaic, woodwork, jewelry, basketry, needlework, textiles, glassware, carpets, costumes, handicraft, musical instruments, and architectural forms. SEEKING CLARIFICATION THAT 'REGGAE' IN IT'S MEANING OF A GENRE WHOSE SUCCESS IS DIRECTLY RELATED TO INCORPORATING RASTAFARI CULTURE, REQUIRES A SUI GENERIS DESCRIPTION AS INCORPORATING THE TK & TCE OF THE RASTAFARI COMMUNITY. (REFERENCE TO PAGES 32 – 42 IN 'PROTECTING THE TRADITION OF MAROONS & RASTAFARI' FOR RASTAFARI TK/TCEs.) THE FACT THAT REGGAE THROUGH THE POPULARITY OF THE RASTAFARI CULTURE HAS COME TO BE ASSOCIATED WITH ALL FORMS OF POPULAR JAMAICAN MUSIC, CANNOT BE USED AS A DISINCENTIVE TO RASTAFARI IP RIGHTS. THE RMC HAS BEEN TACKLED ON MANY OCCASIONS THAT THE PRIMACY OF THE CULTURE IN REGGAE DOES NOT CARRY OVER TO THE FACT THAT THIS VERY PRIMACY IS WHY ALL JAMAICAN MUSIC IS NOW BRANDED AS REGGAE. THIS IS WHY IT IS IMPERATIVE THAT INTERNATIONAL EXPERTS BE INCORPORATED TO DELINEATE AND DEFED THIS RIGHT.

32. Bearing in mind the particular history of the Caribbean in relation to its Indigenous Peoples, the colonial importation of Africans as slaves and subsequent emigration of other communities and cultures to the Caribbean, "Local Communities" requires a broad definition that includes the several different types of communities in the region who qualify as beneficiaries of protection. The intention within the Caribbean, as reflected in the Revised Treaty of Chaguaramas, is to implement legislation and measures for the legal protection, development and, where applicable, the commercialization, of the knowledge, expressions and national heritage of "Indigenous Peoples and Local Communities".

Specific Provisions:

Part II - Substantive Protection Provisions:

33. Section 4 - The subject matter of protection - The Act shall apply to all genetic resources, traditional knowledge and traditional cultural expressions, whether existing at the moment the provisions come into force or subsequently. Protection shall extend to genetic resources and derivatives thereof, whether in situ or ex situ, excluding human genetic resources. Further, recognizing that TK and TCEs are dynamic and evolving, protection shall equally extend to TK, TCEs and derivatives and

by-products thereof which are modern and contemporary. REGGAE, GANJA, AND NUTRACEUTICAL INDUSTRY. (REFERENCE TO PAGES 32 – 42 IN 'PROTECTING THE TRADITION OF MAROONS & RASTAFARI TK/TCEs.)

- 34. Section 5 - Beneficiaries of Protection - The identification of beneficiaries should be determined by the source community according to customary laws, practices and protocols where such exist, or by national laws or authorities of the country of source where beneficiaries cannot be properly identified.** THE RASTAFARI BENEFICIARY PROVISION REQUIRES THE UNIQUE ADOPTION OF THE **RMC/RASTAFARI TRUST FUND/RIPA** IN TANDEM WITH THE NATIONAL LAW AND AUTHORITY THROUGH THE REGISTRATION MECHANISMS. THE VERY REGISTRATION OF RASTAFARI IP AS COMPANIES AND TRADEMARKS SHOULD BENEFIT THE COMMUNITY. THE RMC/RASTAFARI TRUST FUND/RIPA INCORPORATES DECISION MAKING FROM A RASTAFARI CREED, COUNCIL OF ELDERS – PRIMARILY THE NYAHBINGHI ANCIENT COUNCIL, AND THE EABIC (BOBO SHANTI), AND ELDERS FROM THE COMMUNITY SUCH AS SAM CLAYTON AND PRIEST NEVILLE HAY (ETHIOPIAN TEWAHEDO CHURCH), BROTHER BRISSET (ETHIOPIAN WORLD FEDERATION) WHO HAVE REMAINED ACTIVE IN THE ADVOCACY AND LOBBYING OF THE COMMUNITY. THE JURIDICAL CERTAINTY HAS ALREADY BEEN ACHIEVED FROM A COMMUNITY PERSPECTIVE IN THE RMC. ANY DISCONTENT HAS BEEN IN RELATION TO THE MANY YEARS OF RESISTANCE FROM STATE INSTITUTIONS LIKE IOJ & UWI AND NON RESPONSE FROM GOVERNMENTAL AGENCIES TO CODIFY THE LAWS AND OPERATIONALIZE THE STRUCTURES AND METHODOLOGIES.
- 35. Regarding “Beneficiaries”,** where genetic resources, traditional knowledge or traditional cultural expressions are not specifically attributable **the State may designate a suitable national entity or authority defined by legislation to hold in trust for the nation, the rights and benefits in the GRs, TK and TCEs and derivatives and by-products thereof.** DEFINITION OF SPECIFICALLY ATTRIBUTABLE REQUIRED TO BE A CONSENSUS DECISION IS ALREADY CODIFIED UNDER RMC. **RMC/RASTAFARI TRUST FUND/RIPA** e.g. IN GANJA AND NUTRACEUTICAL INDUSTRY WOULD BE SECURING A NEGOTIATED VALUE SHARE FOR THE RASTAFARI TRUST FUND. THESE VALUES ARE INFERRED IN THE UNESCO ICH APPLICATION. SEVERAL REQUESTS TO JIPO/WIPO HAVE BEEN MARGINALIZED THROUGHOUT THE PERIOD RELATED TO THE COMPETITIVE NATURE OF PHILOSOPHICAL DEVELOPMENT AND NON-CAPACITY OF RMC TO EMPLOY ATTORNEYS, RELYING ONLY ON CONSULTANCY OF SISTER MAXINE STOWE.
- 36. Section 6 - The Scope of Protection - provides for mandatory disclosure so as to enable identification of the genetic source, TK and or TCE holder, country of origin and/or source, community of origin and/or source, as well as evidence of compliance with free, prior and informed consent, mutually agreed terms, benefit sharing requirements, and country of origin procedure** in intellectual property applications. **Section 6(2) (a) provides for the moral rights of beneficiaries associated with genetic resources, traditional knowledge and traditional cultural expressions, rights which are inalienable, non-transferable and unwaivable.** THE RMC HAS IDENTIFIED THE ICH/CULTURAL MAPPING MECHANISMS TO ACCOMPLISH THIS. HOWEVER THERE IS A COMPETITIVE PROCESS WITH THE NATIONAL ORGANIZATIONS LIKE ACIJ/IOJ etc. THAT HAS NOT FORTHRIGHTLY ALLOWED THIS PROCESS. DIRECT EVIDENCE OF THIS IS REFLECTED IN THE UNESCO ICH PROCESS THROUGH THE UNESCO APPLICATION PROCESS OF 2013 AND 2014. THE LIMITATIONS OF FUNDING AND DESIGN OF PROCESS THROUGH ACIJ. THE RATIONALE FOR THE RMC IS TO SECURE 'COUNTRY OF ORIGIN' INDICATOR IN APPROPRIATED IP APPLICATIONS IN A MULTI-BILLION DOLLAR LIFESTYLE INDUSTRY NOW TO BE FURTHER AMPLIFIED BY THE GANJA/MEDICINAL/NUTRACEUTICAL ONE. SIMILAR ISSUES HAVE AROSE IN THE MOU PROCESSES WITH IOJ re THE RASTAFARI EXHIBIT,

UWI re CONFERENCES (2013) etc., AND JIPO. THE RMC IS CLEAR THAT THESE DELAYS ARE THE RESULT OF LACK OF PAID LEGAL REPRESENTATION.

- 37. Section 7 - Administration of Rights - Beneficiaries shall be entitled to administer their rights in accordance with their traditional decision making and governance processes. However, where the competent National Authority or other agency designates an entity to hold rights in trust for the nation, any monetary and non-monetary benefits arising from the use or exploitation of GRs, TK, TCEs and derivatives and by-products thereof, shall be used for conservation, preservation, education, research and development (R&D) of GRs, TK and TCEs and related purposes only. RMC/RASTAFARI TRUST FUND/RIPA - CLARITY IS BEING SECURED IN THE GANJA BILL SACRAMENTAL PROVISIONS THAT THE MINISTER OF JUSTICE DOES NOT BECOME A NATIONAL AUTHORITY MECHANISM OVER THE SACRAMENTAL, IP, AND CULTURAL RIGHTS INCORPORATED. WITH THE JUDICIAL CERTAINTY ALREADY LOCATED IN THE RMC, THIS IS WHERE THE GANJA BILL AND THE IP BILL WILL CONVERGE.**
- 38. Section 8 - Exceptions and Limitations provides for exceptions and limitations in the use of genetic resources, TK and TCEs for purposes of teaching, learning, research, private study for non-commercial or non-profit purposes, preservation, display and presentations in archives, libraries, museums or cultural institutions for non-commercial cultural heritage purposes, and use in scientific and cultural institutions. However, it should be noted that secret and sacred traditional knowledge and traditional cultural expressions shall not be subjected to any limitations and exceptions. THE CURRENT MOU BETWEEN THE RMC AND IOJ OVER THE RASTAFARI EXHIBIT PROCESS AND LEGACY STRATEGY WHERE RASTAFARI TK AND TCE ARE TO BE GOVERNED BY THE DEVELOPMENT OF COMMUNITY OWNED SPACES. A TRENCH TOWN RASTAFARI INDIGENOUS SPACE AND PINNACLE NEGOTIATIONS HAS BEEN STALLED BY LACK OF LEGAL REPRESENTATION FOR THE RMC. THIS HAS ALLOWED QUASI GROUPS THAT HAVE NO LEGAL CERTAINTY TO 'MUDDY' THE TERMS OF REFERENCE OF THE NEGOTIATIONS.**
- 39. Section 9 - Term of Protection - This has always been a very contentious issue since traditional knowledge historically has had no time limits on protection as is the case with conventional, individual IP rights. To bring the protective legislation in line with IP practices, the Act provides that the term of protection shall be unlimited for TK and TCEs which have remained sacred or secret (9(2)). For non-sacred, non-secret GRs, TK and TCEs, protection shall last as long as the resource, knowledge or expression fulfils the criteria of eligibility for protection under Section 4 - Subject Matter of Protection. CLARITY IS SOUGHT ON THE DUALITY OF RIGHTS RELATED TO COMMUNITY AND INDIVIDUALS IN THE RASTAFARI/REGGAE CONTINUUM.**
- 40. Section 10 - Formalities - the protection of GRs, TK and TCEs shall not be subject to any formalities. However competent authorities and relevant national authorities including National IP Offices may maintain registers, databases or other records subject to the free, prior and informed consent and full and effective participation of IP&LCs, for purposes of identification, preservation and protection of their genetic resources, traditional knowledge and traditional cultural expressions. RIPA WOULD ACT IN TANDEM WITH JIPO AND IOJ.**

Part 3 - Access and Benefit Sharing

- 41. Section 11 - Applications for Access - shall be deemed to be lawful if done pursuant to the terms and conditions of an access and benefit sharing contract and relevant ancillary contracts, permits**

and/or licenses concluded and obtained in accordance with the provisions of the Act. RASTAFARI INTELLECTUAL PROPERTY CONTRACT AND ITS ASSUMPTIONS SHOULD BE INCORPORATED IN ALL GANJA AND NUTRACEUTICAL NEGOTIATIONS.

42. Section 12 - Application Procedures - The procedure involves the presentation, admittance, publication and approval in writing of an application, the signing of a contract, the issuing, publication and registration of the corresponding decision, authorization, permit and/or license related to the application for access, and the deposit of samples, derivatives, and related technical and scientific information, except that the access procedures for IP and LCs shall be determined by the relevant, competent authorities of those communities. RASTAFARI INTELLECTUAL PROPERTY AUTHORITY (RIPA).

43. Section 13 - The Access and Benefit Sharing Contract - a core element of the protection of GRs, TK and TCEs, itemizes the very detailed information that must be provided in fulfillment of the grant of access and agreement on benefit sharing, including a number of stipulated terms and conditions that had been flagged by stakeholders across the board in the course of consultations. These include, *inter alia*, ((13)(3)):

(f) the obligation to inform the competent authority about the results of the research carried out;

(g) the participation of nationals and IP&LC members in the research on GRs, TK and TCEs, their derivatives and by-products;

(h) support for research within the jurisdiction of the resource provider(s), including the country of origin and the community of origin;

(i) the strengthening of mechanisms for the transfer of know-how and technology, including biotechnology, that is culturally, socially and environmentally healthy and safe, to the country of origin and the Indigenous Peoples and Local Communities;

(k & l) the strengthening and development of the capacities of the State and of the relevant IP&LCs in relation to GRs, TK and TCEs, their derivatives and by-products;

(m) compliance with all relevant environmental provisions in effect as stipulated;

(n) the sharing of monetary and/or non-monetary benefits that arise from the access, use, utilization and/or exploitation of genetic resources, biological resources, TK and TCEs including compensation, fees, royalties or other payments, research funding, joint ventures, technology transfer and the sharing of intellectual property rights.

CLARITY BEING SOUGHT ON THE VARIOUS DEALS WITH THE GANJA INDUSTRY re MOU'S WITH UNIVERSITIES etc. RMC HAS REQUESTED LANGUAGE IN JAMPRO, JIPO, AND GANJA LICENSING AUTHORITY TO OPERATIONALIZE EXISTING CONTRACT LANGUAGE.

44. Section 14 - Ancillary Contracts - these shall grant to applicants for access, access to the tangible property which contains the GRs, TK or TCEs, their derivatives and by-products and shall be signed on mutually agreed terms between the applicant and the owner of the land, the ex situ conservation or research centre, the owner of the biological resource, the owner of the tangible property, the owner of the intellectual property, the relevant national institutions which hold GRs, TK and/or TCEs and/or research related thereto. WILL SEEK TO GET THIS LANGUAGE REVIEWED BY RMC ATTORNEY.

Part IV - Disclosure in Intellectual Property Applications:

45. Section 16 treats with Disclosure Requirement in Intellectual Property Applications and requires that any use or utilization of GRs, TK or TCEs which is incorporated into an IP application (whether copyright, patents, trade marks, designs, geographical indications) must e disclosed by the Applicant to the IP Office. Section 17 with the Contents of Disclosure, Section 18 with Disclosure Related Actions of the Intellectual Property Office requiring the IP Office to notify IPs&LCs whenever their GRs, TK or TCEs are used in IP applications. Section 19 deals with Disclosure Related Sanctions, while Section 20 encourages the creation of TK Databases and Registers, provided that it is not a condition for protection and any IP in the database vests in the relevant community or other beneficiary. REFERENCE TO RMC ATTORNEY AND ALSO DRAWING ATTENTION TO RESEARCH AND DEVELOPMENT BEING TAKEN UP THROUGH RASTAFARI COMMUNITIES BY INTERNATIONAL COMPANIES/MOU'S.

Part V - Offences and Remedies:

46. Section 21 treats with Criminal Offences, Section 22 with Administrative Sanctions, Section 23 with Civil Claims, Section 24 with Judicial Remedies, Section 25 with Dispute Resolution. CLARITY BEING SOUGHT ON THE EXISTING SNOOP DOGG/LION TRADEMARK OPPOSITION.

Part VI - General Provisions:

47. Section 26 treats with Regulations, Section 27 with Transitional Measures, Section 28 with Consistency with the General Legal Framework, Section 29 with National Treatment and Mutual Recognition, and Section 30 with Trans-Boundary and Shared Resources, which are those GRs and aspects of TK and TCEs which exist in several countries in the region. REFERENCE TO RMC ATTORNEY.

THE RMC HAS IDENTIFIED TWO INTERNATIONAL ATTORNEYS IN SIMON VUMBACA/ASV LAW WHO WILL BE THE LEAD STRATEGIST THAT WILL INCORPORATE ROGER CHENNELS PRIOR REPRESENTATION RELATED TO THE FORMATION OF THE RMC AND HIS CURRENT TK/TCE/GR NEGOTIATIONS. THE RMC HAS IDENTIFIED THAT ALL NEGOTIATIONS WILL BE SUBJECT TO THE SECURITIZATION AND FUNDING OF THIS REPRESENTATION.

THE NUANCES OF THE COMPETITIVE ENVIRONMENT OF THE RIGHTS INVOLVED AND THE CONFLICT OF INTEREST, INAPPROPRIATE CREDIBILITY FACTORS, AND COMPETITIVE REPRESENTATIONS BY IDENTIFIED COMMUNITY LAWYERS, WHERE INTERNATIONAL TRADE & COMMERCE AND COMPETITIVE PRIVATE SECTOR INTERESTS DENY ANY REPRESENTATION BY CORPORATE LAWYERS LOCALLY DUE TO 'CONFLICT OF INTEREST', REQUIRES THIS AS A REQUISITE.

AN URGENT FUNDING LETTER TO SEVERAL NOTABLE PERSONS HAS BEEN ESTABLISHED AS ALSO AN INTERNATIONAL CAMPAIGN APPEAL INCORPORATING THE HON. NEVILLE O. LIVINGSTON OJ., CD. *pka* RAS BUNNY WAILER AND THE PETER TOSH ESTATE THAT IS BEING LAUNCHED THIS WEEK.

THE RMC IS CONFIDENT THAT SOFT NEGOTIATIONS WITH SEVERAL INTERNATIONAL COMPANIES THAT ARE INTERESTED IN ENGAGING THE COMMUNITY PARTNERSHIP ARE DIRECTIONAL IN BEARING FRUITS.

February 2015

Prepared by JIPO using documents prepared by Ms Mary-Ann Richards, Coordinator of the Regional TK Working Group.

APPENDIX

RIPA

The Rastafari Cultural and Intellectual Property Protection Act 2014

Object of Bill

The purpose of this law is to protect Rastafari cultural and intellectual property rights, including Rastafari traditional knowledge and traditional cultural expressions, such as Rastafari images in pictures, figures, symbols, illustrations, as well as the cultural elements of their history, music, art, craft and traditional artistic expressions, through a special registration and authentication system, in order to prevent unauthorised usage and exploitation of Rastafari cultural and intellectual properties and instead foster the consensual use of the said properties, for the just and economic benefit of Rastafari and by extension Jamaica.

1. This Act shall be cited as the Rastafari Cultural and Intellectual Property Protection Act 2014.
2. Interpretation:-
3. The customs, traditions, beliefs, spirituality, religiosity, folkloric expressions, artistic manifestations, traditional knowledge and any other type of traditional expressions of the Rastafari communities, constitute part of their cultural assets and therefore cannot be the object of any form of exclusive intellectual property right by unauthorised third parties unless the application is filed by the Rastafari community.
4. Objects of protection: -
5. Registering objects susceptible of protection, as this Law determines to protect their originality and authenticity, are deemed to be collective rights.
6. These Rastafari cultural and IP rights shall be collective rights, capable of registration with the Jamaica IP Office, by the EADUMC on behalf of the collective Rastafari community.
7. The registration of the collective rights of the Rastafari communities will not expire, neither will it have duration.
8. The Rastafari Intellectual Property Authority (RIPA) is hereby (shall be) established for the purposes of this Act.
9. All individuals and entities desirous of using, recording, photographing, or incorporating any Rastafari TK or TCEs for their own purposes, shall be required to apply to the RIPA for permission to so use any aspect of Rastafari TK or TCEs.
10. RIPA may charge a one-time fee or recurring fee and/or may enter into benefit-sharing agreements for issuing said permission for the use of Rastafari IP and may limit the term/duration of said authorized use of same, as well as impose any other reasonable conditions, including the usual IP rights of proper accreditation, respect for moral rights, respect for integrity and where applicable secrecy of certain aspects of Rastafari TK and TCEs and respect for the principle of prior informed consent.
11. RIPA may waive any fee or part thereof and condition in relation to an application by a member of the Rastafari faith.
12. Where any desired use of Rastafari IP is wholly non-commercial, no fee shall be charged by RIPA, save and except for authentication services provided if any.
13. Whether any desired use is wholly non-commercial shall be conclusively determined by RIPA after allowance is made for the applicant to explain otherwise.

14. RIPA shall also perform authentication services in relation to Rastafari products and services.
15. For authentication purposes, RIPA shall formulate, after official written consultation with and consent of the EADUMC, a certification mark by which all genuine Rastafari artistic work, dress, art, craft, music or other form of Rastafari cultural intellectual property is certified by RIPA to have been made by means of the traditional Rastafari procedures and or by Rastafari hands. For this purpose, the RIPA is authorised to inspect the workshops, materials, finished products and procedures used, as well as to interview the relevant persons involved in its creation.
16. The importation and/or sale of non-original products, recorded, embroidered, weaved or any other articles that imitate, in whole or partly, the making of the traditional art, craft, clothes, music, instruments and artistic works of the Rastafari, shall be an offence under this Act.
17. The possession of non-genuine Rastafari products that imitate in whole or part, the traditional art, craft, clothes, music, instruments and artistic works of the Rastafari communities, shall be an offence under this Act.
18. Of the Customs and/or Court fines imposed on persons found in breach of the preceding section, fifty percent (50%) will be for the benefit of the Consolidated Fund and the other fifty percent (50%) will be for the benefit of the Rastafari community, as represented by the EADUMC.
19. The reproduction, either total or partial, of the traditional art, craft, clothes, music, instruments and artistic works of the Rastafari and other collective rights recognized in this Law, shall be an offence under this Act, unless it is authorised by the RIPA.
20. All offences under this Act shall be punishable in the first instance by a fine not exceeding \$100,000.00 and in the case of a second or subsequent breach, by a fine not exceeding \$500,000.00 and or one year imprisonment at hard labour.
21. Any fines imposed may be in addition to the forfeiture and destruction of the products in violation of this Act.
22. The rights recognized and granted in this Act shall be subject to intellectual property rights which exist prior to December 31, 2007, provided that the owner of any such pre-existing intellectual property rights which may be said to incorporate any aspect of Rastafari culture and intellectual property, shall enter in an agreement with the Rastafari community as represented by the Ethio-Africa Diaspora Union Millennium Council for the Rastafari community to benefit from all future exploitation of same.
23. If the said owner refuses to so enter into an agreement, the Council shall have the authority to apply for the cancellation of any such intellectual property right including copyright, trademark, patent, trade, as well as any business or company name.
24. The Ministry of Commerce and Technology and Ministry of Tourism and Culture shall ensure the participation of Rastafari artists and craftsmen and women in national and international fairs and the exposure of their handcrafts to national and international markets.
25. In the national and international presentations of the Jamaican indigenous culture, the exhibition and expressions of Rastafari culture, shall be approved by RIPA.
26. The Ministry of Education shall include in the national school curriculum contents related to the history, customs, values and artistic and traditional expressions of the Rastafari communities, approved by RIPA, as an integral part of the national culture.

Suggested Amendments to Jamaica's existing IP laws

(1) In order to be capable of copyright protection, the subject matter need not meet criteria of originality, fixation, nor intended for trade, as a condition for its protection. It should however be traditional, that is,

have been created for traditional purposes, be inter-generational, pertain to a particular traditional community and be collectively held, such “traditionality” criterion to be determined by the community itself according to our traditional authorities and customary law.

(2) The communities shall own and exercise the intellectual property rights themselves, through their own organizations or organizations of their choice. The community may however authorise (licence) an individual or group of individuals, whether members of the community or not, to exploit some or all rights in any of the traditional cultural expressions. Additionally, individual creators may, with authorization from the community, be allowed to own and/or exercise rights on trust for the community, or enter into benefit sharing agreements with the community.

(3) The IP rights should not be lost nor expire. Protection should be indefinite.

(4) As regards previous unauthorized registration of community traditional knowledge (TK) and traditional cultural expressions (TCEs), community rights should be retroactive, possibly with a grace period to allow registered proprietors to enter into benefit-sharing agreements with the community.

(5) In the absence of an international treaty at this time, the national law should provide for protection of TK and TCEs, wherever, by legislating that the Rastafari community may seek protection and enforcement of our TCE rights in Jamaica, regardless of where the TCEs are being misappropriated.

(6) The communities must be able to prevent and/or challenge the registration of their traditional words as copyright and their traditional signs, symbols, emblems and logos, as trademarks by others.

(7) The administration and enforcement of the rights should vest in the community itself, represented RIPA Rastafari organization, with the requisite government and international (WIPO, UNESCO) assistance being given to the community to train personnel and staff and fund the Authority. The Authority would be responsible for the administration and enforcement of Traditional Knowledge and establish the regime for full disclosure, prior informed consent and benefit sharing in relation to TK.

The Jamaica Intellectual Property Office (JIPO) would play a major role in the implementation of any TK/TCE law as well as in the awareness-raising and training programmes for Governmental officials and the public, including the traditional communities and the private sector.

WIPO CONSULTANTY REPORT

The Use of Intellectual Property in the History and Development of Jamaican Popular Music

By Dr. Rob Bowman: August 2013

This report is the result of (1) fieldwork carried out in June 2013 under the auspices of the Jamaican Intellectual Property Organization in which I had the opportunity to speak to a number of stakeholders in the Jamaican music and dance communities. Stakeholders included members of the Jamaican Intellectual Property Office (JIPO), the Jamaican Association of Composers, Authors and Publishers (JACAP), Jamaica Music Society (JAMMS), the Jamaican Reggae Industry Association (JARIA), the Jamaican Music Museum, the Reggae Studies Unit at the University of the West Indies, Mona, the Edna Manley College, the Rastafari Millennium Council, the Jamaican Association of Vintage Artists and Affiliates (JAVA), Jamaican Promotions Corporation (JAMPRO), government ministers past and present and other

interested practitioners; (2) interviews conducted with Jamaican musicians going back to 1975; and (3) extensive reading of secondary sources, including those listed in the bibliography at the end of the document.

Introduction

Given the size of its population, Jamaica has had an extraordinarily influence on popular music worldwide. In Bob Marley, the country has produced one of the most iconic artists of the twentieth century, arguably as important as Elvis Presley, James Brown, the Beatles or Bob Dylan. Arguably, Marley has had an even greater influence than any of the above named artists on indigenous peoples worldwide. Perhaps even more impressive is the fact that the dominant modes of popular music over the past twenty years—rapping, beat juggling and remixing—all have their roots in Jamaican popular music practices of the past 50 years.

As is the case in any country, Jamaican popular music has moved through a series of genres including Mento, Ska, Rock Steady, Reggae, Deejaying, Dub and Dancehall. Collectively all of these genres are often referred to under the umbrella term *reggae*. Many local aficionados object to this nomenclature, feeling quite rightly that the term reggae should be reserved for a particular genre that was most popular in the years 1968 to 1980. This report will refer to the complete range of Jamaican music genres popular since the mid-1950s as Jamaican popular music and will use the term reggae only to refer to the specific genre that was predominant in the 1970s.

History: Early Days

Beginning in 1954, the New York-based Folkways Record label issued a handful of recordings of Jamaican folk music. The first of these, entitled *Jamaican Cult Music*, was recorded by George Eaton Simpson and featured examples of Revival Zion church music, a Rastafari Youth Group, Junkanoo (also known as Jonkanoo or John Canoe) music and Kumina drumming. Two years later Folkways issued an album of recordings made by future Jamaican Prime Minister Edward Seaga. *Folk Music of Jamaica* included further examples of Revival Zion singing, Kumina drumming as well as Pocomania drumming, work songs and ring play games. These were followed in 1975 by two albums of material recorded by Kenneth Bilby. Entitled *Bongo, Backra and Coolie: Jamaican Roots Vol. 1* and *Vol. 2*, the two albums included examples of Revival Zion singing, Kumina drumming and Quadrille and Fife and Drums Bands. All of the recordings for these two albums were done in St. Ann. In 1992, Folkways issued a final album of recordings by Bilby, *Drums of Defiance: Maroon Music from the Earliest Free Black Communities of Jamaica*. In addition, in the 1950s Folkways issued two albums by Jamaican poet, writer and folklorist Louise Bennett-Coverley consisting of singing games and folk songs.

In the years immediately following World War II, American swing music became extremely popular in Jamaica, especially among the upper classes. Also popular was mento, a style of Jamaican folk music closely related to calypso. Mento musicians used a variety of instruments to accompany their lyrics including the fife, penny whistle, bamboo saxophone, banjo, hand drums and an oversized kalimba (also known as a rhumba box) for a bass. The latter three instruments all have strong connections to the music and culture of sub-Saharan Africa.

As is the case with calypso, mento songs were often humorous and, at times, included examples of biting social commentary. A handful of mento/calypso artists such as Lord Fly and the Dan Williams Orchestra, Lord Composer and the Silver Seas Orchestra and Monty Reynold's Calypso Clippers featuring Boysie Grant were recorded beginning in 1952 by Stanley Motta and released on his MRS (Motta's Recording Studio) label. As there were no mastering or pressing facilities at the time in Jamaica, Motta's recordings were mastered and pressed in the United Kingdom.

Motta's early efforts were followed by those of Dada Tewari who in 1956 started Caribou Records, releasing mento and calypso recordings by Count Lasha and Lord Tanamo. In the same period Ken Khoury was recording artists such as Lord Flea for Times Records and later Pioneer Records. In the mid-1950s Khoury built the first important recording studio in Kingston, Federal, where innumerable Jamaican R&B and ska records were cut including Bob Marley's first single, "Judge Not."

Since the late 1940s, the sound system and the dance hall have been at the foundation of Jamaican popular music. The sound system is not only the primary medium for public entertainment, it is a vehicle for

which new recordings, called specials, dub plates or soft wax, are made, as each sound system seeks to distinguish itself from its competitors with unique recordings otherwise unavailable. Sound system clashes (competitions between two or more sound systems at a given dance venue) are legendary in Jamaica, each sound system having supporters that often follow it from dance to dance in a manner similar to the way sports fans support their favourite team. Eventually, artists who proved popular recording dub plates or specials for sound system operators would have these or further recordings released on commercial 45's. This is how the local popular music industry began and, to a large degree, it is the way it continues to function.

By the late 1940s, sound system operators such as Merritone were staging dancehall evenings, often outdoors in enclosed yards such as Chocomo Lawn, King's Lawn and Tile Gardens or at indoor venues such as the Pioneer Club. The music of choice was American jump blues and ballads. By the late 1950s, in the United States jump blues had been replaced by the sounds of African American rock and roll and doo wop. No longer able to get fresh R&B recordings in the style that appealed to the Jamaican public, a number of sound system operators began recording Jamaican artists singing American-influenced boogie and R&B. As noted above, the first examples, recorded as early as 1953, were pressed on what was referred to as soft wax and were cut specifically for a particular sound system operator and were never offered for commercial sale.

The first commercially released example of Jamaican R&B is most likely "Aitken's Boogie," recorded in 1957 by pianist Laurel Aitkens for Caribou Records. Some claim that "Easy Snapping" by pianist Theophilus Beckford with Clue J and his Blues Blasters was recorded in 1956 although not issued commercially until a few years later. In any event, Beckford's heavy emphasis on the off beat was influential and began to shift the American-influenced shuffle groove towards what would emerge shortly as ska. By this point a number of sound system operators, including Duke Reid, Clemont Coxone Dodd, King Edwards and Lloyd "the Matador" Daley, were recording and issuing 45's made by local artists. They were shortly followed in the record business by budding entrepreneurs who did not operate sound systems such as Randy Chin, Chris Blackwell and Leslie Kong.

Ska

In 1958, the nascent sounds of Jamaican R&B began to morph into a new music that became known as ska. Ska grooves were invariably uptempo and had a pronounced accent on the off beats in a four-four bar typically played by the guitar and often reinforced by one or another member of the horn section and the piano. The bass drum accented beats two and four as opposed to beats one and three as was the case in American R&B. The upright bass typically played a walking bass line on all four beats. The off beat accent was referred to as skanking, many practitioners suggesting that the term ska was an onomatopoeic rendering of the actual sound of the off beat. One other common theory is that the term ska derived from bassist Cluett Johnson's propensity to greet people with the term "skavoovee." His band, Clue J and the Blues Blasters, cut one of the earliest ska recordings in "Shufflin' Jug."

Many of the most prominent musicians in reggae, such as the Wailers, Toots and the Maytals, Justin Hines and the Dominoes, Derrick Morgan, Jimmy Cliff and Prince Buster, started out recording ska primarily for Coxone Dodd's Studio One series of labels and Duke Reid's Treasure Isle imprints. While there were literally hundreds of ska recordings that featured vocals, instrumental recordings in many respects dominated the genre. In 1964 a group of studio musicians led by saxophonist Tommy McCook and including such luminaries of Jamaican popular music as saxophonists Lester Sterling and Roland Alphonso, trumpeter Dizzy Moore, trombonist Don Drummond, bassist Lloyd Brevett, guitarist Jah Jerry Haines, drummer Lloyd Knibbs and pianist Jackie Mittoo formed the Skatalites. Over the course of the next year-and-a-half the Skatalites not only provided the backing for a plethora of vocalists, they recorded dozens of instrumental sides under their own name for Coxone Dodd, Duke Reid, Prince Buster, Justin Yap and Leslie Kong. A number of these records, such as Don Drummond's "Addis Ababa," reference Rastafari religion and culture.

Outside of the recording studio, the future members of the Skatalites could often be found at Rastafarian drummer Count Ossie's (Oswald Williams) encampment in the Wareika Hills. Dizzy Moore and Don Drummond actually lived for a time at Ossie's place. Drummer Knibbs learned Burru drumming from

Ossie which ultimately became the basis for Rastafarian drumming. In 1960 Prince Buster hired Count Ossie's drummers to accompany the Folkes Brothers on the remarkable recording "Oh Carolina." Ossie had adopted the Burru drum configuration consisting of a large bass drum, the smaller and higher pitched funde and the repeater. This drum set up would become the standard drum configuration for Rastafari groundations and would be heard on a number of future ska and reggae recordings including Bob Marley's "Rastaman Chant." **From this point forward, the Culture of Rastafari and the history of Jamaican popular music would be inextricably connected.**

The upbeat, joyous sound of ska tied into the euphoria surrounding Jamaica's independence movement and eventual independence celebrations in 1962. Recordings such as Clancy Eccles' "Freedom," Derrick Morgan's "Freedom March" and the Skatalites' "Freedom Sound" and "Independence Anniversary Ska" directly reference Jamaica's independence from the colonial rule of Great Britain. Popular from the beginning with Britain's mods and later skin head subcultures as well as the Jamaican U.K. diaspora, ska enjoyed a second wave of popularity in the late 1970s and early 1980s with British bands such as the English Beat, Selector, the Specials and Madness. A number of these bands were interracial and the scene became loosely known as the 2 Tone Movement after the record label of the same name. Ska enjoyed a third wave of popularity in Europe in the 1980s and the United States in the mid-1990s with groups such as the Mighty Mighty Bosstones and Fishbone developing a hybrid genre often referred to as ska punk.

Rudeboy Music

While examples exist as early as 1963, songs addressing the rudeboy culture of inner city Kingston rose to prominence in early 1965. In some senses, ska, with its jazz and R&B oriented horn solos, was adult music. The rude boy songs, recorded at a much slower tempo, spoke directly to the disenfranchised youth of west Kingston and were written and sung by artists close to their age and from the same impoverished communities of Trench Town, Waterhouse, Tivoli Gardens, etc. Seminal rudeboy recordings include the Wailers' "Simmer Down," "Rude Boy" and the 1966 hit "Jailhouse." When Bob Marley spent a brief period in the United States, fellow Wailers Peter Tosh and Bunny Livingston recorded further rudeboy anthems in "I'm the Toughest" and "Let Him Go," the latter a response to the Clarendonians' "Rudie Gone a Jail." Prince Buster, Derrick Morgan and Alton Ellis also recorded songs that either celebrated or condemned the rudeboy phenomenon.

Rock Steady

From the autumn of 1966 to the summer of 1968, a new genre of Jamaican popular music emerged called rock steady. Rock steady had its genesis in a Hopeton Lewis session for the Merritone label. Lewis asked the rhythm section to slow the tempo down as he was having difficulty fitting the words to his song "Take It Easy" over top of the uptempo ska groove the musicians were working with. Once the track was cut following Lewis' lead, pianist Gladly Anderson commented on the "rock steady" nature of the slower rhythm. The name stuck and Lewis's first album included what Steve Barrow and Peter Dalton have described as the anthemic track "Rock Steady."

In addition to the slowed down rhythm, the new genre featured a number of other stylistic changes. Most importantly, the bass and drums became more prominent in the mix with the relatively new electric bass no longer being used to play the walking lines equally accenting every beat that had been typically played on the upright bass in ska. Instead repeating ostinato bass lines were crafted that were syncopated and broken up. Often the guitar would double the bass an octave higher on its lowest strings. Session guitarist Lyn Taitt was responsible for this latter development. The horns, which had been so dominant in ska, receded to the background playing accompaniment parts. The vocals were typically more sophisticated, tending to be influenced by the newest sounds of American soul music, reflecting a cooler, more laid back aesthetic.

A cadre of vocalists from the ska era, including Alton Ellis, Delroy Wilson and Ken Boothe, had a number of rock steady hits. The genre was also marked by rise of a number of superb vocal trios including the Techniques, the Jamaicans, the Three Tops, the Sensations, the Silvertones, Justin Hines and the Dominoes, the Melodians, the Conquerors, the Heptones, Carlton and his Shoes, the Gaylads, the Uniques, the Ethiopians and the Paragons. The latter's "The Tide is High" would be a hit many years later for the rock band Blondie. The Rock Steady era also marked the emergence of the first productions by

Lee Perry and Bunny Lee.

Reggae

The years 1968 to 1974 mark the beginning of reggae as a genre as well as an incredible diversity in Jamaican popular music. Instrumental hits by groups such as the Upsetters were heard side by side with the vocal group sounds of the Heptones and minor key tracks with Rastafari lyrics by Burning Spear that anticipated what Barrow and Dalton term “the roots revolution” of the mid-1970s. The early seventies also marked the beginnings of both the toasting/DJing and dub phenomena which are discussed below. The first record to actually use the term reggae was Toots and the Maytals’ 1968 recording “Do The Reggay” cut for Leslie Kong’s Beverly’s label.

Bass lines became even more prominent in the mix, syncopated and broken up in reggae. In fact, they often functioned for all intents and purposes as the key or lead instrument on a recording. While horns are heard on a number of early reggae tracks, over time they continued to recede in popularity. Tempos became slower and reggae vocals tended to be rawer and more individualistic than those featured in rock steady, being more influenced by the incipient sounds of funk rather than the cooler sounds of soul. Lyrics addressed a variety of subjects but a number of tracks began to reflect a new degree of social consciousness. Examples include the Heptones’ “Be a Man,” “Freedom Line” and “Time Will Tell” as well as their covers of American hits such as “Message from a Black Man” and “Choice of Colors,” Alton Ellis’ “African Descendants” and “Blackish White,” the Wailers’ “Small Axe” and the Peter Tosh penned “400 Years.”

The period from 1968 to 1974 also marked the emergence of Dennis Brown, Max Romeo, Desmond Dekker, John Holt, Augustus Pablo and the return of Toots and the Maytals (Toots being absent during the rock steady era due to a two year jail sentence for the possession of ganja). The latter’s “54-46 That’s My Number” and “Monkey Man” are among the greatest recordings of the era.

Lee “Scratch” Perry came to prominence as a producer in this period, recording seminal Rastafari influenced records by the Wailers, Max Romeo and Junior Byles (e.g., “Beat Down Babylon” and “A Place Called Africa”). Using Romeo’s former backing band, the Hippy Boys (renamed the Upsetters), who included bass player Aston “Family Man” Barrett and drummer Carlton Barrett, Perry’s recordings in the late 1960s and early 1970s featured slower tempos with edgy rhythms tapping into the dread and apocalyptic lyrics of Rastafari-influenced singers.

In the mid-1970s the term “roots” music began to be used to refer to recordings that addressed the lives of the economic underclass in Jamaica. A significant number of these recordings were informed by the beliefs of Rastafari and involved chanting down Babylon, praising Haile Selassie and/or looking forward to repatriation back to Africa. In addition to already established artists such as the Wailers, this period saw the rise of such conscious artists as Burning Spear, the Wailing Souls, Inner Circle and Yabby You. Burning Spear’s 1975 album *Marcus Garvey*, containing the title cut and “Slavery Days,” remains one of the greatest reggae albums ever released. A few years later, *Black Uhuru*, produced initially by King Jammy and then by drummer Sly Dunbar and bassist Robbie Shakespeare, emerged from the Waterhouse area of Kingston and, as was the case with Bob Marley, Peter Tosh, Bunny Wailer, Burning Spear, Culture, the Gladiators and the Mighty Diamonds, achieved substantial success in the United Kingdom and to a lesser degree in the United States.

In Jamaica producer Bunny Lee scored with a series of Johnny Clarke recordings consisting of Clarke singing new lyrics over old rhythms, many copied from Studio One recordings. Superior mainstream reggae artists in the second half of the 1970s, such as Gregory Isaacs, Dennis Brown and Freddie McGregor, were also massively popular recording both love songs and cultural lyrics.

Dub Music/Versions

The notion of dub tracks or versions went through three phases. The first, beginning in 1967, involved simply removing the vocal track from a given recording. These instrumental recordings were originally used exclusively by sound systems at dancehall events but relatively soon began appearing as the B-side of commercially issued discs labeled as “versions.” Towards the end of 1968, Jamaican engineers began to experiment by bringing the vocals in and out at various moments in the track, adding a DJ at select moments or adding instrumentation. In 1972 King Tubby ushered in the era of radically remixed

“versions,” dramatically boosting the bass and drums, adding copious amounts of phasing, reverb, echo and delay giving the effect of vast space, adding thunder effects, playing with the equalization of different tracks and fading in and out various instrumental and vocal tracks. Effectively turning the mixing board into an instrument, by 1974 B-sides mixed by Tubby would typically contain the credits “King Tubby Version” or “Drum & Bass by King Tubby’s.”

King Tubby and those that followed in his wake, such as Lee Perry, King Jammy and Scientist, can rightfully be considered the fathers of drum’n’bass, jungle and contemporary remix culture at large.

Toasting/DJs

Sound systems had long featured DJs who would use the microphone at dance hall events to “big up” the sound systems they worked for and to encourage the dancers. A few, such as Count Machuki and Sir Lord Cosmic, did similar type exhortations on records during the ska era. The early 1970s saw a steady stream of such DJ recordings. By the dancehall era, the DJ style of toasting or rapping over a rhythm would become dominant. The first such DJ to record on a regular basis in this fashion was King Stitt in the late 1960s. Stitt’s style, like that of Machuki and Sir Lord Cosmic, was modeled on the jive talk of African American radio disc jockeys.

In 1970, Ewart Beckford, better known as U-Roy and a popular DJ for King Tubby’s sound system, recorded a series of hits for Duke Reid including “Wake the Town” (voiced over the rhythm track for Alton Ellis’ “Girl I’ve Got a Date”), “Rule the Nation” (voiced over the Techniques’ “You Don’t Care”) and “Wear You to the Ball” (voiced over the Paragons’ recording of the same name) that introduced a new style of DJ records. Rather than just interject proclamations at various points over a rhythm track, U-Roy would weave his fast paced jive talking toasting style from beginning of the track to its end. His massive success quickly demonstrated the commercial viability of (1) rapping and (2) sampling, given that his voicings were recorded over pre-existent rhythm (later called “riddim”) tracks. As such, U Roy can be legitimately considered the father of rap music.

U-Roy was quickly followed by the DJ for the El Paso Hi-Fi sound system, Dennis Alcapone, who was known for interjecting high pitched whoops into his toasts and infamously recorded the first Jamaican lyric to extol guns entitled “Guns Don’t Argue.” Other premier DJs from this period were Big Youth, I-Roy and Dillinger. Big Youth’s chanting style would prove to be extremely influential for the rest of the 1970s. As the decade progressed DJs often voiced cultural lyrics including lessons in black history, Biblical themes and chronicles of life in the west Kingston ghettos. Prime examples include Big Youth’s “I Pray Thee,” voiced over the Abyssinians’ “Satta Massa Gana,” and “All Nations Blow” voiced over the instrumental “Stalag 17.”

Just as King Tubby can be considered the father of the contemporary remix, U-Roy, can be considered the father of the rap. When one considers just how ubiquitous rapping, sampling and remixing are in contemporary pop music world wide, it becomes clear just how extraordinary the contributions of Jamaican popular music have been.

Dancehall

In the period 1979 to 1985, DJ recordings began to outnumber those by singers. At the same time, cultural lyrics began to take a back seat to rapid fire declaimed vocals that extolled new dances, violence, sexually explicit lyrics (referred to as “slackness”) and sound clashes. While DJs had been doing this for some time in the dancehall context, this new style began to dominate on vinyl. Perhaps most importantly, producers Errol “Don” Mais and later Henry “Jungo” Laws began to use a new studio band, Roots Radics, to recut Studio One “riddims.” For example, in 1982 Mais took the “riddim” originally recorded at Studio One for Slim Smith’s 1968 hit “Never Let Go,” had it significantly reconfigured by the Roots Radics, and used it as the basis for a 1982 hit version by Phillip Frazier. This proved to be so popular that deejays Brigadier Jerry, Josey Wales, Peter Metro and Zu Zu and General Tree all cut hit songs based on the same “riddim.” They were not alone, as singers such as Dennis Brown, Barrington Levy, Patrick Andy and Sugar Minott also cut new songs based on the “Never Let Go” “riddim.”

The early 1980s were dominated by DJs such as Yellowman, Josey Wales, Charlie Chaplin and Brigadier Jerry all toasting or chatting over Studio One or Treasure Isle “riddims.” This mode of recording became so ubiquitous that by 1983 very few Jamaican records had a completely original rhythm track.

In 1985 King Jammy changed the game completely when he released a track by Wayne Smith entitled "Under Me Sleng Teng" that was built upon a newly created, digitally generated "riddim" from a cheap Casio keyboard. "Sleng Teng" proved to be a massive success, generating at least 200 further recordings based on the "riddim" and ushering in the second period of dancehall, sometimes referred to as ragga. No longer were producers assiduously reworking old Studio One and Treasure Isle "riddims." The new direction was to create new digitally generated, somewhat robotic rhythms. While many reggae purists were appalled by this development, the dancehall massive (audience) in Kingston was intoxicated by it. A by-product of all of this voicing over a common set of "riddims" was the advent of the one-"riddim" album containing various voicings over the same "riddim" for a full forty minutes or more. While there were a few examples of such albums before mid-decade, it was with the advent of computer generated "riddims" such as "Sleng Teng" that this phenomenon became common place.

In 1988, Gregory Isaac's "Rumours," produced by Gussie Clarke, demonstrated that in the era of computer-generated dancehall, new "riddims" could be created digitally that had the same sense of dread that was pervasive in so many of the 1970s "riddims."

Eventually a number of ragga stars, such as Shabba Ranks, Buju Banton, Bounty Killer, Beenie Man, Wayne Wonder, Sean Paul, Elephant Man and Chaka Demus & Pliers, were signed to labels in the United States and Great Britain and enjoyed massive crossover success as this new phase of dancehall proved to be as popular as anything Bob Marley had ever recorded. In addition to newly created digital "riddims," producers such as King Jammy also crafted digital versions of old Studio One "riddims." The move to digital largely eliminated the need for studio musicians and consequently made recording much cheaper. Steve Barrow and Peter Dalton suggest that in the 1990s "a staggering five thousand new titles were released" in Jamaica every year. Nowhere in the world has such a small population generated such a phenomenal amount of music.

In late 1990s a number of dancehall artists, including Tony Rebel, Capleton, Shabba Ranks and Buju Banton, elected to forego gun and slackness lyrics in favour of cultural songs, sometimes declaimed over traditional Rastafarian drumming. In the early years of the twenty-first century tracks such as Wayne Wonder's "No Letting Go," voiced over the Diwali "riddim," demonstrated a new fusion of hip hop and dancehall. Originally a hit in Jamaica in 2002, it was picked up by Atlantic Records a year later and turned into a mega crossover hit, reaching #11 in the U.S. and #3 in the U.K. That same year, Sean Paul, Lumidee and Missy Elliott all recorded over the same "riddim." Other dancehall stars such as Bounty Killer have also proven to be popular with recordings that fused contemporary dancehall with rap.

Dancehall gospel

In the 1990's, a number of artists started singing gospel songs in dancehall style, creating the subgenre of dancehall gospel. For many Christian churches and their congregations this has remained controversial, some feeling that a style of music so directly connected to the secular world and lyrics extolling violence and slackness should not be used to sing the Lord's praises. Nonetheless, dancehall gospel recordings by artists such as Papa San, Goddy Goddy, DJ Nicholas, Prodigal Son and Lt. Stichie have proven to be very popular. The Jamaica Culture Development Commission (JCDC) has helped in the development of this genre through the annual "Gospel Song Contest."

Roots Revival of the Past Five Years

Throughout its history, there have been a plethora of local Jamaican labels. The vast majority of *internationally successful* Jamaican recordings produced by these labels have been licensed or sold to Island, Trojan, Virgin, Greensleeves and Blood and Fire Records in the UK and Heartbeat, Ras and VP Records in the United States. Island, Trojan and VP were all founded by Jamaicans but, in each case, have been predominantly based on foreign shores. As one Jamaican stakeholder pointedly commented during my visit to Jamaica, there is no music industry *of any consequence* any more on the island. The industrial base has instead moved to the diaspora in North America and Europe. Jamaica just represents a source for raw material.

As consumption patterns have changed due to technology, Jamaican popular music on a national level has been adversely affected. While dub plates or specials remain a part of dancehall culture, there has been a reduction in the commercial production, distribution and consumption of Jamaican popular music in

Jamaica itself. This makes it harder for artists to build up demonstrated local success that could help pave the way to be signed by American or European labels. In addition, since the recession of 2008, the price sound system operators will pay for dub plates has fallen from a high end paid to the biggest dancehall stars of \$1000 U.S. per dub plate to \$200 U.S. per dub plate.

Despite this somewhat depressing state of affairs, there have been two interesting, positive and related developments in the past four or five years. A handful of artists, most notably Chronixx, Protégé and Kabaka Pyriamid, are making Rastafari-informed cultural music using (1) live bands and (2) attempting to launch their careers through social media and live performance rather than through the dancehall and local releases in commodified form.

Chronixx has so far been the most successful of these artists. He has put together a team of people in their early twenties who have worked at building him a profile through social media platforms such as youtube, facebook, twitter and websites such as reverbNation and last.fm. The latter two websites also facilitate the purchase of individual tracks for download. On youtube, Chronixx has a handful of self-produced videos and at least four mix tapes, two of which are over an hour long which anyone, of course, can listen to and/or watch absolutely free. He has yet to release any of his music on CD but he has been able, through the buzz generated by the sharing of his music on the internet, to play live shows in Europe, Africa, Costa Rica and Canada and has offers to perform in the United States once he is able to get a visa.

His team operates very much as a family and has been assiduously learning about the music business from the ground up. Consequently, Chronixx has been able to garner substantial international profile without any consideration of signing with a foreign label or giving part of his publishing away. To my mind, this is extremely exciting and represents a viable avenue going forward for Jamaican artists to achieve international success and to make the majority of their revenue through touring, merchandise sales and songwriting royalties generated through domestic and foreign radio play, cover versions, ringtones and, with some luck, the use of their music in commercials, movies and/or video games, all the while controlling their own IP.

In addition to the above cited artists who all insist on performing exclusively with their own bands (rather than singing to tracks or working with different local groups when they perform overseas), there are a number of other talented relatively new bands, such as C-Sharp, Blueprint and Raging Fire, that have come out of the Reggae Studies program at the Edna Manley College of the Visual and Performing Arts due to the teaching of keyboardist Michael “Ibo” Cooper formerly of the reggae group Third World. Taken together, these developments suggest a potential healthy way forward for young Jamaican artists.

Jamaican Popular Dance

It seems redundant to stress that different styles of dance have always been an integral part of Jamaican dancehall culture. Not surprisingly there were dance styles associated with ska, rock steady and reggae. In fact, rock steady and reggae were used as terms for specific dances. In more recent years, dancehall has generated at least 400 different dance steps. Unfortunately, as is the case in most places in the world, popular dance has been little valued in Jamaica and consequently has been little studied. While this is partially due to the fact that until the recent past and the advent of commercial Dancehall DVDs, popular dance in Jamaica did not exist in commodified form, it is also a result of the general under valuing of popular culture and, more specifically, kinetic corporeal culture throughout the world.

While the late Professor Rex Nettleford wrote extensively on formal and folk Jamaican dance, Dr. Sonjah Stanley Niaah, in her dissertation and resulting book *Dancehall: From Slave Ship to Ghetto*, is the first person that I know of to devote a modicum of space to Jamaican popular dance. Dr. Niaah writes extensively about Jamaican dance legend Gerald “Bogle” Levy who created innumerable dancehall steps such as the Willy Bounce, Wacky Dip, Urkle Dance, Sesame Street, Pelper, LOY, Jerry Springer, Zip It Up, Hotti Hotti Bogle, World Dance, Pop Yuh Collar, Row di Boat, Out and Bad, Sweeper, Stuckie and, most famously, the Bogle Dance. Gunned down following a dance in January 2005, Bogle has been followed on the dancehall scene by his protégé Ice as well as notable dancers such as Kid Harold, Pam Pam, Baskin and Persian the Cat. DJs such as Elephant Man and Buju Banton in recordings such as “Willy Dance” and “The Bogle” have paid direct tribute to Bogle’s dance legendary status in the dancehall.

In 1996, Big Head Promotions mounted the first International Dancehall Queen competition. Not surprisingly, for the first several years the winners were Jamaican. In 2002, though, the competition was won by a Japanese dancer and in 2007 and 2008 Canadian and American dancers were crowned the winners. According to Dr. Niaah, there are dancehall Queen contests annually in Europe, the United States, Australia and Japan.

Jamaican dancehall steps are a form of IP. While it is impossible to copyright dance moves, remuneration can flow to Jamaican dancers via the sale of Dancehall DVDs (although more than likely no royalties are paid by the producers of these DVDs), the teaching of dancehall steps and through the use of such dancers in promotional music videos.

Jamaican popular dance styles need to be documented and studied. On a positive note, that work is beginning to be done as a student at the University of the West Indies, Mona, Maria Hitchens, is presently writing a master's thesis on dancehall dance steps. Hopefully, this will be the first of many rigorous studies of this Jamaican phenomenon.

Recommendations

In her 2010 book *Dancehall: From Slave Ship to Ghetto*, Dr. Niaah writes that “there still has been no government that has addressed issues such as . . . the allocation of resources for infrastructural development that could produce, market and distribute Jamaican music, or for investment and incentive schemes for Jamaican musicians and producers” (p. 17). When Dr. Niaah visited with me at JIPO in June 2013 she unequivocally stated that state support for Jamaican popular music has been “deficient, piecemeal and ineffective.”

The consensus of the majority of stake holders that I spoke with during my mission to Jamaica was that in the past there has been little interest and/or will power within the governing class to actively support a music industry with such close ties to Rastafarianism and ganja. It was pointed out by a number of stake holders that, while the British government grants knight hoods to popular music artists such as Paul McCartney, Mick Jagger and Elton John, an artist of the stature of Bob Marley is not officially celebrated in Jamaica by the Jamaican government in any meaningful way.

Given Jamaica's size, the majority of remuneration from the flow of Jamaican IP will always come from subpublishing deals, overseas touring and merchandise sales. That said, there are a number of things that could be done in Jamaica which would help grow a healthy industry on the local level which would, in turn, help prepare a greater number of songwriters and artists for international success.

Removal of General Ignorance with Regard to what IP is and what value IP has

Despite significant efforts by JIPO, JACAP, JAMMS, JAMPRO and other organizations, there is still large-scale ignorance, especially among Jamaican youth, as to what Intellectual Property is and what value it has in terms of their creative efforts and potential future remuneration. I strongly recommend, given the level of copyright illiteracy in Jamaica, that the Jamaican government introduces Intellectual Property Knowledge into the basic school curriculum. This could be done at escalating levels of sophistication from grades 7 through 12. The materials covered in such a curriculum would be directly relevant for Jamaican youth who choose to participate in a variety of creative endeavours including music, film making, writing, dance and visual art. Such a curriculum of study might also direct potential lawyers to pursue IP as one of their specialties at law school and would certainly be useful to individuals who choose to work in the entertainment industry as managers, publishers or radio station personnel. It would also help future bankers and investment capitalists understand the way that money works in the culture industries.

In addition to communicating a basic understanding of what a copyright is, what a trademark is, and how to register and protect copyrights and trademarks, there is a need to educate the general populace in such basic things as the benefit of retaining one's publishing rather than selling copyrights for short term financial gain and the importance of writing a will in which any copyrights and trademarks that are owned by an individual are clearly assigned upon his or her death. Numerous Jamaican artists have died in the past thirty plus years, including Bob Marley, without a will and consequently the state of their copyrights falls into a no man's land where (1) no one is set up to collect any potential revenue or (2) prolonged court battles ensue over who should share in how much of the deceased copyrights.

Hopefully, over time, such educational initiatives will help change the overall Jamaican culture from one that does not respect or understand copyright to one that values the benefits that IP can have for people working within the culture industries and their descendants. Such an attitude change could also help tremendously with the compliance issues noted below.

As an addendum, Dr. Dennis Howard, lecturer at the University of the West Indies, Mona, stressed that a Venture Capitalist culture needs to be created in Jamaica. To have any chance of accomplishing this, the private sector needs to be educated so that they understand there is substantial money to be made from investing in the creative industries. Obviously, efforts in the present to accomplish this are desirable. In the long run, though, education for all Jamaicans in the public school system as to the value of IP will help to create a future generation of Jamaican business people who have a much better sense of the financial opportunities available in the culture industries. In this regard, one stakeholder whom I met with at JIPO told me that she was studying business in school and that the text books she was reading provided numerous examples of American entrepreneurial success stories but had no similar stories about Jamaican entrepreneurial successes. Such Jamaican-specific material, including the stories of popular music entrepreneurs, needs to be created for all levels of education in Jamaica.

Quotas for Jamaican content on Jamaican airwaves

It was estimated by various stakeholders that I spoke with in Kingston that only about 10% of the music played on Jamaican radio is music made by Jamaicans. This means that 90% of all monies being collected for radio play with regard to IP flow out of the country. This is obviously not a desirable situation. More to the point, it means that a very small number of Jamaican recordings and recording artists are gaining national exposure and the concomitant publicity that comes with such exposure. Airplay in one's home country is absolutely essential to establish a base of popularity from which initial revenue flows. More importantly, such local airplay provides credibility that can help serve as a launching pad for overseas marketing. Given Jamaica's population base of approximately 2.7 million people, overseas marketing is absolutely essential for Jamaican writers, producers and musicians to make a living from the creation of IP.

A similar situation existed in Canada in the 1960s and the beginning of the 1970s with most Canadian radio stations preferring to play American and British recordings over Canadian ones. In 1971 the Canadian Radio-television and Telecommunications Commission (CRTC) made a bold and, at the time, extremely controversial move of mandating that Canadian radio stations had to play a minimum of 30% Canadian made music. Canadian radio stations were virulent in their opposition to the ruling claiming that there was not enough Canadian music of adequate quality to fill this kind of quota. The CRTC's attitude was that there was certainly enough quality Canadian recordings to satisfy this quote but, more importantly, the CRTC argued that the establishment of such a quota would serve as a catalyst for the development of an infrastructure for the recording industry on a national level. The need for more high quality recordings by radio would stimulate the creation of more high quality recording studios and local record labels which would further stimulate the need for higher quality producers and recording engineers. Further, as these new record labels released records by artists that would now receive national airplay, the artists would find themselves in demand for more and better paying live appearances, both at home and abroad. It would follow that the creation of such a demand would create a need in the marketplace for professional management, agents, entertainment lawyers (with specialized knowledge of IP) and tour promoters.

The CRTC's initial goals have been realized beyond anyone's wildest dreams. With artists such as Drake, Celine Dion, Knickleback, Justin Bieber, Shania Twain, Alanis Morissette, Avril Lavigne, Bryan Adams and Rush, Canada has a much greater share of international superstars than its population of 33 million people would warrant. Canadian artists also make up the vast majority of the world's most successful English language children's music artists. In the process, an extraordinary capable infrastructure has developed to service this IP in all aspects of the music industry. This kind of infrastructure is desperately in need in Jamaica where the absence of professional level management, entertainment lawyers and promoters is notable.

Related entertainment arts such as comedy (the founder of Saturday Night Live is Canadian as have been

a number of the show's stars) and spectacles such as Cirque de Soleil have also benefited from the infrastructure originally created around the music industry due to the establishment of airplay quotas in 1971. Prior to the establishment of such quotas, Canadian musicians who wished to establish an international career, such as Leonard Cohen, Neil Young, Joni Mitchell and the Band, had to move to the United States. In 2013 there are dozens of Canadian artists who are internationally successful and able to continue to live in Canada, which means the income they generate through the creation of IP flows back to Canada and, in turn, flows to the hundreds of Canadian employees these artists have on staff (accountants, roadies, office workers, promotion staff, publicists, etc.). The money their employees get paid, in turn, flows into the wider Canadian economy. At every stage in this chain, the staggering amount of money made by these artists generates significant tax revenue (income, property and retail) for all levels of government. The quota of Canadian content that all mainstream stations must meet is now 35% and there is no reason to believe that it might not be raised again in the future.

The logic of the quota system as articulated at various times by the CRTC has been to (1) stimulate the health of the local industry; (2) to defend Canadian culture and economic activity; (3) to promote diversity by making room for domestic content; (4) to encourage local cultural creation; (5) to develop and reflect a better perception of identity, character and cultural diversity; (6) to develop, protect and promote cultural identity on a regional and national level and to establish a dynamic and creative industry in this domain; (7) to ensure that the public has access to local music performances; (8) to build record sales (and/or legal downloads) of local music and thereby create cause for increased production; and (9) to support the development of local culture and national identity.

Australia, France and many other countries have similar quotas for airplay of domestic artists and have experienced similar success. France requires that 40% of all music played on French airwaves be in French, half of it by new artists. In Australia the current quota is 25% for CHR, Mainstream Rock and Alternative stations, of which one quarter (6¼ %) has to be new material by local artists. In Nigeria the quota for broadcasting local music is 80% and music is officially considered to be a cornerstone of traditional life and rituals. In South Africa, commercial radio stations have to play 25% South African content while public broadcasting and community stations must play 40% South African content. There are similar quota systems in Ireland, Portugal, Spain, the Ukraine, Uruguay, and Venezuela. It is important to note that virtually all of these quota systems specify that the quotas must be met during daytime and early evening hours to avoid stations meeting most of their quota requirements between midnight and six in the morning when listenership is at its lowest.

Given the significant amount of recording activity in Jamaica and the thousands of recordings made by Jamaican artists since the mid-1950s, there is no reason at all that the Jamaican Broadcasting Commission could not immediately establish a graduated quota for Jamaican content on Jamaican radio. I would suggest that they start with 30% and increase the amount by 5% every year until it reaches 50%.

One further note, in September 1959 the Jamaican Broadcasting Corporation (JBC), modelled on the CBC (Canadian Broadcasting Corporation) and the BBC (British Broadcasting Corporation), went on air. As is the case with both the CBC and the BBC, for many years, the JBC actively supported Jamaican music and Jamaican culture at large, shows such as Michael Campbell's 4-hour "Dread at the Controls" conveying a comprehensive knowledge of the history of Jamaican popular music to the populace at large. Unfortunately, the JBC was dismantled in 1997 leaving a significant gap in the national support of Jamaican music. It is strongly recommended that a public station such as the JBC be once again put in place by the Jamaican government. In addition to playing the recordings of both vintage and new artists, such a station should be mandated to create programming that focuses on various aspects of the history and cultural context of Jamaican popular music. This would not only help boost the careers of Jamaican artists in general but would serve to instill both knowledge and national pride in the incredible accomplishments of Jamaican musicians over the past sixty years.

Grants

Part of the perennial problem for Jamaican popular music is the fact that the majority of creative personnel come out of the economic underclass. With little infrastructure in place to launch a professional career, the odds are (1) extremely low that they will be successful and (2) even lower that, if they are

successful, they will maintain full control of their IP.

In countries such as Canada, there are a number of granting agencies that assist various participants in the music industry. For example, the Foundation Assisting Canadian Talent on Recordings (FACTOR) is a private non-profit organization founded in 1982 whose mission is to provide assistance toward the growth and development of the Canadian music industry through the administering of grants to support Canadian recording artists, songwriters, managers, labels, publishers, event producers and distributors. Funding is available for the following activities: recording demos, recording full length albums, marketing and promoting already recorded albums and national and international touring. As per the mandate statement on FACTOR's website, "FACTOR supports many facets of the infrastructure which must be in place in order for artists and music entrepreneurs to progress into the international arena."

FACTOR was initially founded by three private broadcasters, the Canadian Independent Record Producers Association (CIRPA) and the Canadian Music Publishers Association (CMPA). In 1986, the government of Canada created the Sound Recording Development Program (SDRP), investing \$25 million Canadian dollars over an initial five years into the development of the recording and radio industries. FACTOR was charged with administering 60% of those funds, the remainder being used to support French-language music through the Montreal based foundation Music action.

At the same time, the Canadian Radio-television and Telecommunications Commission (CRTC) decided to build into the license and license renewal fees of all commercial Canadian radio stations a fee which would be donated to FACTOR to provide additional grants. Further, through the CRTC, FACTOR also receives a percentage of the sales figure from any change of ownership of commercial radio stations. In 2012, FACTOR had a budget of \$18 million Canadian dollars, \$8 million of which came from the ongoing government-funded Sound Recording Development Program and \$10 million coming from the mandated contributions of Canadian radio stations.

Since its inception, FACTOR grants have helped launch or advance the careers of such internationally successful artists as K'Naan, Metric, Alexisonfire and Blue Rodeo. A sister organization, VideoFACT, was created in 1984 with funds mandated from the granting of licenses to music video television channels, MuchMusic, MusiquePlus (1986) and MuchMoreMusic (1998). The latter channel also funds PromoFACT which provides grants to assist in the creation of Electronic Press Kits (EPK) and website productions for Canadian artists, independent record labels and artist management companies. Internationally successful artists such as Celine Dion, K-os and Sarah McLachlan have all benefited from VideoFACT grants.

Further grants are administered at the federal (Canada Council), provincial (e.g., the Ontario Arts Council) and city level (e.g., the Toronto Arts Council) for music projects. These latter three granting agencies are not exclusively devoted to popular music. Instead they fund classical, popular and traditional or folk music projects by residents of their respective jurisdictions.

The combined efforts of all of the above granting agencies has created an extraordinarily healthy Canadian popular music scene that has produced innumerable nationally and internationally popular music stars long beyond what could be expected from Canada's population base of 33 million people.

While it is recognized that the Jamaican government does not have the tax base that the Canadian government has, organizations such as FACTOR and VideoFACT could be created via funds applied to the granting of commercial radio licenses and license renewals and perhaps augmented by only a modicum of government funding.

Compliance with Copyright Law

While Jamaica has had an updated copyright law of its own since 1993 (prior to that the island was governed by British copyright laws), the government and constabulary seems little interested in enforcing the laws. Problems in this area exist on two main fronts: (1) the selling of unauthorized burned CDs and DVDs by individual entrepreneurs and (2) the fact that the majority of radio stations and sound system operators refuse (sometimes pleading ignorance) to pay an appropriate fee to legitimate collection agencies such as JACAP and JAMMS.

It seems that no one, including JIPO, has a figure for the amount of dollars involved in the selling of unauthorized burned CDs and DVDs. In all likelihood, it does not represent a substantial revenue stream.

Nonetheless, the fact that it routinely occurs out in the open with the police seemingly little interested in arresting the people involved and confiscating the illegal goods helps to feed into a general cultural ignorance of IP and an attitude that copyright is of little concern. More than one stakeholder at the meetings I had at JIPO suggested that education remains a significant problem in this regard: both in terms of the public and the police. If the latter do not understand the importance of IP and copyright and the laws relating to it, they will have no motivation or basis to enforce the law. While JIPO, JACAP and other local organizations have worked very hard at educating musicians and, by extension, the general public, a concerted effort is needed within the police force from the top down to educate the general constabulary and to insist on the enforcement of the law as it pertains to IP.

The lack of compliance by commercial radio stations in Jamaica is particularly troubling. Representatives from JACAP informed me that only 3 out of the 18 commercial stations in Jamaica currently pay fees to JACAP for the use of JACAP-controlled IP in their radio programs. This is a situation that simply would not be tolerated in most first world countries. Every radio station is licensed by the Jamaican Broadcasting Commission. A condition of this license should be a payment of the appropriate licensing fees to JACAP and JAMMS for the IP that they control and a proper reporting of all playlists (the latter could also be monitored by JACAP and/or JAMMS via digital readouts). If a station is late in paying their fees or providing accurate playlists, the Jamaican Broadcasting Commission should be empowered to (1) fine the station and (2) if the problem persists, rescind the station's license. This is an incredibly simple solution and only needs the government to have the will power to force radio stations to respect Jamaican copyright law and allow Jamaicans who create IP to be properly compensated for their efforts.

A related problem is the collection by JACAP and JAMMS of fees from dancehall events. According to Dr. Niaah, in the first decade of the twentieth century there were 150 registered sound systems with The Sound System Association of Jamaica. She also notes that in 2008, there were 15,700 permits issued by the 14 parishes in Jamaica for various events, the vast majority of which were dancehall events (p. 48, 66 *Dancehall: From Slave Ship to Ghetto*. Ottawa: University of Ottawa Press, 2010). That equals slightly more than 43 licensed events for each and every day of the calendar year. The majority of these licensed events are not making payments to JACAP or JAMMS for the use of the IP these two organizations control. As is the case with radio stations that are non-compliant, the Jamaican government could make it a condition of granting a license for such an event that the appropriate IP payments are made. In fact, they could simply make the IP payments due JACAP and JAMMS a part of the license fee which the local government would then turn over to JACAP and JAMMS.

Further compounding this problem is the fact that the vast majority of dancehall events do not even apply for a license which local parish governments turn a blind eye to. Dr. Niaah, citing an article printed in the *Jamaica Observer* in 2009, suggests that many believe that there are actually more than 1,400 dancehall events a day across the island. If the latter figure is even remotely accurate, approximately 97% of the dancehall events held in Jamaica are not in compliance with the country's copyright law. Given that very little music is now sold in the format of CDs and the vast amount of downloading is done illegally, remuneration for play at dancehalls is one of only two possible revenue streams for Jamaican songwriters who do not attain international success (the other being radio play which was addressed above). Further compounding these problems is the fact that the majority of locally owned hotels tend to be unwilling to pay the requisite fees to JACAP or JAMMS for the use of the IP that these organizations administer. This obviously needs to be addressed so that Jamaican songwriters and performers can be appropriately compensated for their IP.

Representatives from JCAP and JAMMS also suggested that they were generally not receiving royalties from other Caribbean countries for radio airplay of IP that they control. The Jamaican Minister of Foreign Affairs needs to address this issue with government ministers throughout the Caribbean.

On the positive side, foreign owned hotels and events held in government owned parks do pay both JACAP and JAMMS.

CD and Download Sales

As is the case worldwide, CD stores have all but disappeared in Jamaica. What CDs are sold, as noted above, are generally illegally burned CDs containing material neither owned nor licensed by the vendor.

Over the past ten years, the record industry in the United States and Western Europe has fought vigorously against illegal downloading and file sharing platforms such as Napster and Gnutella. Over time, iTunes has emerged as the leading legal platform to purchase music in downloadable form as mp3s. Unfortunately, iTunes and similar services are all but irrelevant in Jamaica where the vast majority of citizens are unable to obtain credit cards that are necessary for online purchases.

Dub Plates: Work for Hire?

As stated earlier in this report, the sound system has always been at the heart of the Jamaican music industry. To this day sound systems continually pay established and up and coming disc jockeys to record original sets of lyrics over both new and more often already established “riddims.” General practice involves the sound system operator making a one-time only cash payment for the creation of these acetates a.k.a. dub plates (originally known as soft wax) discs. In most cases there is no paperwork whatsoever. As the majority of these recordings are made only for play at the dancehall and are never sold to the general public, there has generally been no thought or discussion about royalty payments. Instead, the original cash payment is treated as if the IP was made on a “work-for-hire” basis with all interest in the IP owned from that point on by the sound system operator. What is left out of the equation is that, if sound systems are forced to pay royalties for the playing of IP at their dancehall events, then the DJ who voiced the new lyrics over a pre-existent “riddim” should be due at least half of the writer’s royalties and potentially all of the performance royalties. The majority of DJs waxing these voicings are not even aware that they could potentially negotiate a royalty payment, taking the cash as an advance against future royalties.

Given the current system where there are far more young artists wishing to get their ideas recorded on dub plates (hoping that such activity might serve as a stepping stone towards a career) than there are opportunities to record, they will never have the leverage to negotiate ongoing royalty payments from sound system producers. Instead, the Jamaican government needs to create legislation which, in effect, would make it illegal to purchase such IP as a work-for-hire. Such legislation would create a mandatory royalty making it impossible for anyone to sign their rights away whether due to ignorance or undue duress. If the Jamaican government were to carry this through *and* enforce the current IP laws, a greater amount of the substantial revenue generated by sound systems at dancehall events would flow to artists, the majority of whom are from the economic underclass and are integral to the IP that dancehall events are dependent on.

The Culture of the Version or Remix

As noted above, for many years much Jamaican popular music has been created in the form of remixes, popularly known as dubs or versions. The entire genre of dub is founded on taking an original recording and remixing the basic elements of the recording via muting, applying reverb, echo, delay, phasing and equalization and often adding new sounds to the original recording. At present, the producer of the remix effectively claims ownership of the IP inherent in the remix, thereby collecting any songwriting and recording royalties that the track may produce. This is inherently unfair as the creator of the original song and the performer of the original recording should both be compensated for their IP that forms the foundation of the remix. The question becomes how best to have all parties involved paid for their IP without limiting the creativity of dub producers? In the U.S. and Europe anyone sampling pre-existing tracks, which is essentially what remixing in the dub tradition is, must work out an agreed upon fee with the owner of the IP inherent in the original track. Given the longstanding practice of not doing this in Jamaica, the country’s copyright act would need to be rewritten to directly address this situation.

In dancehall, where DJ’s sing/rap voicings over top of pre-existent “riddims” a related issue exists. The question becomes who owns the IP in the original “riddims”: the session players who created the “riddim,” the producer of the original session or the artist who wrote the song that the “riddim” was originally created to accompany? This is a complex issue with no easy answer. Historically in the record industry worldwide, sessions players create parts on a work-for-hire basis and are paid one time only for their work on the session. Given that in practice the original melody and words of the track for which the “riddim” was created are not used in these new voicings, it is questionable whether the original songwriter has any IP interest in the “riddim” unless he/she paid the session players for their work. More than likely

the producer of the original recording paid the session players and probably should be due a royalty payment for the use of the “riddim.” These issues need to be worked out and written into a new version of Jamaican copyright law.

Static versus Active Music Publishing

Jamaica is in dire need of what could be termed *active* rather than *static* music publishers. At present the majority of Jamaican music publishing companies do not actively “work” their copyrights by trying to place songs they control in movies, commercials and video games. As CD sales have declined in the majority of the world, money in the music industry has become predominantly made through the sustained exploitation of music copyrights through the sales of ring tones, the use of music in commercials, films and video games. Given the small percentage of Jamaicans who are able to obtain credit cards, ring tone sales are unlikely to generate much revenue locally.

Part of the problem, of course, is that most Jamaican publishers are not positioned so that they have connections to movie houses, advertising agencies or video game companies. Consequently, even if they made considerable efforts to “work” their copyrights via song pitching or attempts to encourage their songwriters to tailor material appropriate to upcoming films or ad campaigns in any of these venues, they are at a disadvantage compared to American and/or European publishers who have already established networks and contacts. Given the present state of affairs, it is recommended that Jamaican publishers work out subpublishing deals with leading American and/or European publishers. Many Jamaican publishers have already done this but, due to the general lack of knowledge about the music industry and IP in general, there is a need to educate all those involved in the industry as to how music publishing and IP works in terms of revenue flow.

Collecting Royalties for Vintage Jamaican artists

One of the most disturbing situations when it comes to IP and Jamaican music is the case of vintage artists from the 1960s and 1970s who receive absolutely no royalties for their recordings or songwriting efforts. The majority of these artists came from the economic underclass and knew nothing about copyright and IP when they first started recording. Common practice at the time was that record company owners and/or producers paid a cash fee at the session and as far as they were concerned that was the end of any financial obligation they had to the artist or songwriter (who were often, although not always, one and the same). These record label owners and producers, in turn, licensed or sold the masters to foreign record labels who typically did create contracts specifying what payments would be due to the Jamaican producer and/or record label. Many of these older recordings continue to be in print in Europe, North America and Japan while the original creator of the IP is in Jamaica often living in abject poverty.

This issue needs to be addressed in the following manner. Given that the original Jamaican producers and/or record company owners rarely, if ever, drew up contracts, legally the artist/songwriter did not enter into a work-for-hire arrangement and should be due royalties. Unfortunately, to pursue force the original producers or their heirs to either produce the original contracts or pay royalties, lawyers need to be involved, something that none of these vintage artists can afford. The only way that any of these artists are ever going to be able to collect what is rightfully theirs is via pro bono legal help or government employed lawyers. While this will involve considerable cost, it is the only moral thing to do.

When contracts from the earliest days of the Jamaican music industry do exist, they were typically signed without legal representation and under duress. As such, they can and should be challenged but, once again, legal help needs to be provided for these artists. The situation is so dire that an artist of the stature of Bunny Wailer presently does not receive a dime for the sale of any of the dozens of Wailers recordings that he sang on and often co-wrote.

In the United States, a similar situation existed for many of the rhythm and blues artists from the 1950s and 1960s. In 1988 the Rhythm and Blues Foundation was formed. In addition to honouring R&B pioneers and helping those in dire need of medical attention, the R&B Foundation went after major record companies such as Time-Warner and Universal who owned valuable rhythm and blues catalogues from such labels as Atlantic and Chess. Using pro bono legal work and the pressure of contemporary stars such as Bonnie Raitt, Time-Warner and Universal were shamed into (1) making contributions of several million dollars to the R&B Foundation to help vintage artists who were in dire straits and (2) to start

paying standard contemporary royalty rates to all their vintage artists regardless of what contracts may or may not have been signed in the 1950s and 1960s. While no retroactive payments were ever made, at least from 1988 forward this has obviously helped to redress what had been an inexcusable morally bankrupt situation.

As an addendum to this section, I should mention that a number of stake holders who visited me at JIPO in June referred to a list in France of unpaid royalties due Jamaican artists. Apparently these recordings cannot be collected as the names that the artists recorded under are often not their legal names and the French holding company says that they cannot pay out monies due, for example, to the artist Bunny Wailer to someone named Neville Livingston (which, of course, is Bunny Wailer's real name). The Jamaican government needs to get involved by simply asserting that artist X is the recording name of person Y so that these royalties can be paid out.

In a related situation, royalties now accrue to performers and record labels (as opposed to songwriters) from the broadcast and public performances of sound recordings (collectively known as neighbouring rights in Europe or digital performance rights in sound recordings in the USA). Dean McKellar pointed out to me that an increasing number of Jamaican artists and record producers are members of PPL in the UK and Sound Exchange in the USA and are receiving royalty income from these sound recording collecting societies. In August 2012, according to McKellar, "Sound Exchange published a list of more than 50,000 recording artists and labels owed millions of dollars in unclaimed digital performance royalties with the names of several Jamaican artists appearing on the list."

Import duties on Jamaican content manufactured elsewhere

Virtually all Jamaican CDs are manufactured overseas. Jamaican artists consequently often find themselves in a situation where they have to pay customs duty and taxes to get their own IP into Jamaica. This is problematic and counter-productive when the goods are slated for sale directly by the artist (who has already had to pay for the manufacture of the goods) at their live performances. It is even more problematic when the CDs (and other related materials) are slated for promotional use. The Jamaican government relies heavily on import taxes and duties but, in the case of professionals working within the music industry, these duties and taxes need to be waived. At present, they are serving as a deterrent to developing the local industry.

Issues with regard to Jamaican popular dance

A number of dancehall practitioners and instructors stressed that they are having issues with dancers in countries such as Russia and Italy offering workshops in Jamaican dancehall. The concern is two-fold: (1) such activity affects the ability of Jamaican dancehall practitioners to make their living from what can be rightfully understood as Jamaican IP and (2) many of these workshops do not even use the word dancehall and yet they are teaching dancehall steps. In the latter case the fear is that such activity over time will create a situation where Jamaican corporeal IP is not even recognized as being Jamaican.

While there is no mechanism by which such practices can be stopped, there are a few steps that could be taken by the Jamaican government to help with this situation. As of 2010, in Italy instructors wishing to teach dancehall are certified by the ACSI (Italian Sports Center Association). The first dancer certified, who works under the name Alevanille, teaches dancehall every Monday at a gym in Rome. Jamaican dancehall instructors feel that it would be beneficial if they could likewise be certified by a recognized body in Jamaica. This would not only put them on equal standing at an international level (as many of them are attempting to make their living by offering workshops in foreign countries), but the granting of certification would aid in obtaining visas to travel and teach. This is especially an issue when it comes to entering the United States where it is particularly difficult for Jamaicans to obtain a visa to travel. Given the fact that the most efficient and economical way for Jamaicans to fly to Europe is through the United States, the granting of such visas is a pressing issue not just for working in the U.S. but for work in Europe or Japan. The difficulties for Jamaicans to obtain visas to travel to the United States was also brought up by a number of musicians. Chronixx has successfully performed in Europe, Africa and Canada but as of June 2013 had been unable to get a visa to perform in the United States. This caused him to cancel an American tour that would have generated significant revenue for Chronixx, his band, roadies and management, all of whom currently live and pay taxes in Jamaica.

The most likely institution in which to invest certification to teach dancehall would be the Edna Manley College of Visual and Performing Arts. The problem with this potential solution is that at present, while the Edna Manley College has a vigorous dance program, dancehall is not offered as a recognized course. Instead it is offered in the context of non-credit recreational dance. I strongly recommend that the Edna Manley College begin to offer accredited courses in dancehall and be invested with the authority to certify dancehall instructors.

I should note here that a few of the stake holders that visited with me at JIPO suggested that the Edna Manley College should be expanded so that students in the primary and secondary levels of education could be able to focus on the arts at a much earlier age. Representatives from the Edna Manley College informed me that they were simply not equipped to expand their offerings and that there were offerings in the various arts in the public school system. From what I can gather, these offerings are limited and are not available at all primary and secondary schools. It would obviously be beneficial to either expand the Edna Manley College to be able to teach students at the primary and secondary levels or for the creation of dedicated secondary and perhaps primary schools for those wishing to pursue the performing arts at a deeper level at a young age. A city such as Toronto has three such secondary schools that prospective students have to audition to get into. Many of the graduates from these schools go on to pursue the arts at the university level and subsequently in the professional world. Within the context of such educational offerings could be intensive courses on IP so that future practitioners will know what their rights are and how they can protect them.

Museum, Hall of Fame and Research Centre

As far back as August 2000, Jamaica record producer, radio programmer, journalist and ethnomusicologist, Dr. Dennis Howard, noted in a column for the *Jamaican Observer* that “Jamaicans need to develop a culture of preservation, of our artifacts, memorabilia, videos, photographs and books. In the age of information, content is critical” (reprinted in Howard, *Rantin From Inside the Dancehall*, Kingston: Jahmento Publishing, 2012).

In recent years numerous reggae bands have been established outside of Jamaica leading Dr. Niaah to state that Jamaica is no longer necessarily the reggae capital of the world as the majority of the production and consumption of reggae occurs outside of Jamaica. As evidence she referred to the band Midnite from St. Croix who regularly tour Europe and North America and have never even bothered to perform in Jamaica. It is clearly imperative that Jamaica reinforce its claim to being the home of its native popular music and dance traditions for the benefit of national identity, branding and IP.

In this regard, it is important to note that a number of prominent Jamaicans, such as songwriter and former Peter Tosh manager Herbie Miller and publicist and artist manager Maxine Stowe, have been advocating for years that a museum dedicated to Jamaican popular music be established in Kingston.

In 2007, myself and a number of others spoke at JIPO about the rebranding of Jamaica. I personally spoke about the benefits that a quality state-of-the-art museum dedicated to Jamaican popular music would have specifically for IP as it relates to Jamaican popular music and for revenue flow in Kingston and Jamaica in general.

In the United States, Nashville, the home of country music, has the Country Music Hall of Fame and Museum. Cleveland, the city where disc jockey Alan Freed first applied the words “rock and roll” to a new form of rhythm and blues, has the Rock and Roll Hall of Fame. Seattle, the birth place of Jimi Hendrix, has the Experience Music Project and, most recently, Memphis, Tennessee has the Stax Museum of American Soul Music. Each one of these institutions helps their respective cities capitalize on their particular brand, bringing in significant tourist dollars which, of course, fan out in a direct way to any number of local businesses (taxis, car rentals, gas stations, parking lots, restaurants, hotels, souvenir shops, other tourist sites, local sports teams, general retail and so on) and, via subsequent word of mouth, help to continue to grow tourism. In indirect ways, these various institutions stimulate various local and national economies via the creation and manufacture of merchandise for sale at the institution and at other retail sites, the creation of new or renewed interest in the musical genres and artists featured at the museums which naturally leads to new compact disc and DVD reissues of historical material (which in turn creates revenue streams for the featured artists, producers and copyright holders), stimulates the

sampling of recordings by these artists (generating yet further revenue flow for the featured artists and copyright holders) and can serve as a catalyst for new recordings. This new or renewed interest in the artists and music styles showcased at these museums can also lead to greater performance opportunities for any number of artists at the club, concert and festival level generating additional revenue flow for the artists, promoters, booking agents and the employees of the venues where such performances are held (box office, ushers, merchandise sellers, janitorial staff, administrative staff, etc.). Putting all this together, there is clearly substantial direct and indirect financial benefit on local, national and international levels for Nashville, Cleveland, Seattle and Memphis, much of it tied directly to IP, as a result of these music museums.

Cultural tourism is the highest-yielding and fastest growing area of tourism in general. In this area, as in all others, Jamaica is in competition for the tourist dollar with numerous other countries. On a regional level, Jamaica is competing directly with Trinidad's pan bands and calypso traditions and with the phenomenal success of Cuba's Buena Vista Social club projects. The rich tradition of Jamaican popular music, encompassing ska, rock steady, reggae, dub recordings, DJ records and dancehall (all often subsumed under the generic heading reggae) is known worldwide and is singularly unique to Jamaicans both locally and in the Jamaican diaspora. With few exceptions, these styles of music cannot be authentically replicated by non-Jamaicans. As such, these styles of music represent intellectual property that is, for all intents purposes, already a part of Jamaica's branding and needs to be more fully exploited. There is no better way to capitalize on this than by establishing an innovative, cutting edge museum that presents Jamaican music and its related dance styles and the culture and society that the music and dance grew out of with the richness and dignity it so obviously deserves. I was integrally involved in the Stax Museum of American Soul Music from its conception in December 1997 to its opening in April 2003. I was instrumental in the networking process that put the seed money together with representatives from the Stax community. I then wrote the original 125 page vision for the museum, detailing the ideal contents for every exhibit in every room including all artifacts, and all audio, video and narrative text. I then helped the museum acquire many of the artifacts, advised on the creation of many of the museum's films and wrote the narrative for all the wall panels. I was also commissioned to create the audio guide but the museum ultimately scrapped that part of the project due to cost. I therefore write from experience.

It is interesting to note that the finest collection of artifacts, sound recordings and videos pertaining to Jamaican popular music are located in the Los Angeles area home of reggae historian Roger Steffens. For much of the past thirty-five years, Steffens has assiduously acquired over 12,000 officially released records (about a third of which are autographed by the artists and/or producers featured on the record), over 11,000 hours of unreleased live recordings, radio broadcasts and interviews (the latter conducted with a who's who of important Jamaican musicians) and over 2,000 hours of material on video tape and DVD. Hundreds of the audio and video taped interviews were conducted by Steffens himself and as such are unique to this collection. In addition to his audio and video holdings, Steffens' collection includes several hundred print articles on reggae, hundreds of magazines and books, over 1,500 posters, 25,000 photographs, 2,000 reggae-related business cards and over 800 reggae t-shirts. He has long been interested in selling his collection to one or another party interested in using the collection as a basis for a museum that would be housed in Jamaica. The acquisition of this collection would be an obvious cornerstone for a museum dedicated to Jamaican popular music.

It is curious that such a collection was built up over time by a citizen of the United States. There has been no comparable effort to document and preserve this important heritage in Jamaica. In many ways Steffens' collection is just one example of how reggae up to now has been an "externalized" asset. Historically, the majority of the money made from the creation, dissemination and performance of reggae occurs in foreign markets. While population numbers will always mean that the biggest markets for reggae will be external to Jamaica, there is no reason why revenue streams from foreign commerce shouldn't flow back to Jamaica. A world renown museum would ideally become a focal point for developing linkages between local and international music industry interests. If managed correctly, one important result of such linkages will be an increase in revenue coming back to Jamaica.

Steffens' collection would not only serve as the cornerstone for such a museum. The amazing depth of its

audio, video and print holdings would also serve as the basis for an affiliated (ideally housed in the same building) research center dedicated to Jamaican popular music. Such a research center, if developed and managed properly, would attract researchers on a worldwide basis. Part of the development and management of this research center would be to create direct linkages with the University of the West Indies. Such a center would obviously complement the already established Reggae Studies Unit of the UWI, Mona and would further help to attract high level masters and Ph.D students interested in researching one or another aspect of Jamaican popular music. The resulting articles and books that would be written by these students and their professors, of course, would simply further serve to brand Jamaica as not only a significant producer and creator of such a popular art form but also as a hot bed of research in the areas of popular music and communications and culture, two of the fastest growing areas of academic inquiry. At both the levels of the music industry and academia, the interest of Jamaican IP would be well served by such developments.

Creating still further synergies, the Museum and Research center could host an academic conference in conjunction with the University of the West Indies, Mona on a yearly or bi-annual basis. The Experience Music Project hosts such a conference annually and attracts a couple of hundred graduate students and professors to its site every year. The media coverage of this event, the resulting publications and the verbal buzz that goes back to each participant's community further helps to brand Seattle and the Experience Music Project as a dynamic center of IP with regard to popular music production, consumption and research. I would argue that these kind of efforts have also served to increase the amount of research being done on local musical styles in the northwest United States. There is no reason why a Museum and Research Center dedicated to Jamaican popular music in Kingston should not similarly serve Jamaica's interest in fostering a strong, positive, culturally rich national brand that produces significant scholarship, preservation of Jamaican intellectual property and direct and indirect financial rewards.

As with everything I have already written about, the success of any one of these initiatives will help all the other initiatives achieve success and all will individually and collectively feed into a larger sense of Jamaica as a country and Kingston as a city which is dynamic, wholly capable of managing and celebrating its heritage and worthy of visiting for more than just its beaches and climate.

I feel it is important to stress that if a museum and a research centre are to be built, they have to be of the highest quality possible. They must be innovative in the same way that the Experience Music Project is innovative. They cannot be shabby, ordinary or haphazard. The museum must be outfitted with state of the art technology. It has to be so special that, rather than simply being a tourist "add on" (a site that a tourist might visit if s/he happens to be in the area anyway), it becomes a destination site in and of itself.

The museum should be rich in artifacts and deep in content. It must be entertaining and visually and aurally stimulating while at the same time making sociological, historical and musicological connections that most visitors will not have made prior to visiting the museum. Visitors should come away from their visit to the museum energized and intellectually stimulated by what they have seen, heard and experienced. If this is successfully done, the visitor's emotional and intellectual connection to Jamaican popular music and, by extension, the brand of Jamaica will be that much deeper and more closely bound.

Ultimately, the museum needs to be inclusive. In addition to exhibits, film and audio materials that detail the story of ska, rock steady, reggae, DJing, dub records and dancehall and the major artists of these genres, the museum should have exhibits that explicate precursors to ska such as mento, Jamaican R&B, various Jamaican religious traditions (including Pocomania and burru drumming), Jamaican folk music, Louise Bennett-Coverley (Miss Lou), American R&B, Rastafarianism and the earliest sound system operators such as Tom "The Great Sebastian" Wong, Coxone Dodd, Duke Reid and Prince Buster. The museum should conclude with exhibits that showcase Jamaican popular music throughout the diaspora (London, Toronto, New York), international reggae activity (African artists such as Alpha Blondy and Thomas Mapfumo, the Hawaiian/Jawaiian tradition, native reggae in the U.S. and Canada, Maori reggae in New Zealand), the influence of reggae on other popular musics, specifically rock (Eric Clapton, the Rolling Stones, the Police), punk (the Clash), two-tone (Selector, the Specials, the English Beat, Madness), soul (the Staple Singers, Stevie Wonder), dub poetry (Benjamin Zephaniah, Linton Kwesi

Johnson, Lillian Allen) and hip-hop (Public Enemy, etc.).

The exhibits and narratives pertaining to Rastafari culture are particularly critical. Materials pertaining to the life and ideology of Marcus Garvey and Emperor Hailie Selassie I should be incorporated into this part of the museum. There should also be material on Leonard Howell, arguably the founder of Rastafari culture in Jamaica, his encampment at Pinnacle and its destruction and forced relocation of its members by the Jamaican government in the late 1950s. Other important Rastafarians whose lives and contributions should be detailed in the exhibit would include Joseph Hibbert, Archibald Dunkley, Mortimo Planno and Oswald Williams. In general, the strong, integral connection between Rastafari and Jamaican popular music should be clearly made and Rasta beliefs and lifestyle (including foodways, language, clothing, hair styles, dress and gender relations) should be conveyed. Finally, it is important that the historic systematic repression of Rastafari culture and the community's ability to prevail despite this should be articulated. Conceivably, a wholly separate, but linked, Rastafari Museum could be established, perhaps in Trenchtown where Mortimo Planno first introduced the religion to the three original Wailers, Bob Marley, Bunny Wailer and Peter Tosh.

An integral part of a Jamaican museum should be ongoing outreach programs. These would include (1) educational programs for Jamaican school children at the museum itself, on the web and in the form of museum representatives visiting schools throughout the island; (2) evenings where various artists, producers, etc. are interviewed onstage in front of an audience; and (3) perhaps an ongoing performance series. As part of its outreach efforts the museum could also mount a weekly radio show in partnership with an appropriate Jamaican broadcaster. The interviews done onstage at the museum and for the radio show mentioned above should be filmed and/or audio taped so that they can serve as the foundation of an oral history project in the permanent collection of the Research Center.

All of the above mentioned activities and programs would contribute to an ongoing "buzz" that would be an integral part of the viral branding of Jamaican popular music, these various institutions and the country of Jamaica itself. All would contribute to the further development of the value of Jamaican IP.

An important aspect of the marketing of the museum would be to create synergies with other music-related destinations. In Nashville, music tourists who come to see the Country Music Hall of Fame and Museum are likely to visit Opryland, Music Row, clubs such as Tootsie's Orchid Lounge and Robert's Western Wear and the Hatch Show Print company, where iconic country and western posters have been created for years and where reprints are available for purchase. In Memphis, tourists who come visit the Stax Museum of American Soul Music are encouraged to visit Sun Records, Graceland, the Gibson Guitar Factory, the Rock and Soul Museum and the Civil Rights Museum. Although the latter institution is not a music museum per se, its subject matter ties directly to soul music. This connection is made explicit in exhibits at the Stax Museum and helps to create yet one more synergy, expanding outward toward societal and cultural issues from the music itself.

At present, Bob Marley's house at 56 Hope Road is one of the most visited tourist attractions in Kingston. I understand that Studio One may one day build its own museum. A museum dedicated to Jamaican popular music should be cross promoted with both of these sister museums. This should certainly be done on an international level due to economies of scale but it is also logical that many visitors interested in visiting one of these museums would likely be interested in visiting the others. Toward that end, there should be creative ticketing where one can purchase a multi-day pass for all three Kingston-areas destinations. A visit to the Trenchtown Culture Yard could become part of this as well.

Further, why not create linkages and multi-day passes that include other sites of interest throughout the country. It might even make sense to establish a mini "travel agency" analogous to those found within major hotels within or adjacent to the gift shop at the Jamaican Popular Music Museum. After visitors tour the museum in Kingston and see exhibits for example on the St. Ann's and Nine Mile area where Bob Marley was born and lived until he was a teenager, an interested visitor could then stop at the museum "travel agency" and purchase a ticket to be used on what might be weekly or bi-weekly museum-run excursions to these areas with a museum employee serving as a guide, offering additional in-depth narrative both during the bus ride and at the actual sites. A visit to the Rastafari Indigenous Village near Montego Bay would be a logical extension of such a tour. Such synergies are a logical and obvious way

to create additional cultural tourism revenue via interest in Jamaican IP and to spread that revenue to internal areas of the island which at present receive very little in the way of tourist dollars.

I could imagine over time, this idea being extended to take in various sites and destinations related to the life and work of such cultural icons as Marcus Garvey (the connection between Garvey and the ideology that informs many reggae lyrics is easy to make) or sites related to Rastafarianism (here the connection to reggae is even more obvious). I could even envision a “birth sites” heritage trail connected to icons of Jamaican popular music that covers much if not the whole island.

Going further, why not create a Jamaican Music Hall of Fame with an annual induction ceremony perhaps tied into an annual festival. Such an event, if managed properly, would get mentioned in media throughout the world. That is the kind of advertising that money simply cannot buy. Halls of Fame tend to lend a seriousness and a credibility to whatever they are honouring, creating yet another layer to the overall branding of Jamaica and Jamaican music and IP.

In the mid-1980s, a good portion of the populace of Memphis didn’t even know what Stax Records was. Since the opening of the Stax Museum of American Soul Music ten years ago, Stax has become an indelible part of the brand of Memphis, Tennessee and generates through multiple revenue streams substantial capital for the city and region, all directly related to IP. It would be an overstatement to suggest that all of this activity is a direct result of the establishment of the Stax Museum of American Soul Music. But, I *can state* that the opening of the museum has served as a catalyst for many of these developments and that linkages between the museum and Concord Records, various film makers, tour promoters and the Memphis tourist board have been forged and have individually and collectively worked in consort to bring about the incredibly positive state of affairs that characterize the branding of Stax and Memphis. I should also note that part and parcel of all of this has been a revitalization of the impoverished neighborhood in which Stax was located and a general revitalization of what had been a rather bleak downtown in Memphis just two decades ago.

Further, the establishment of a museum, hall of fame and research center in of themselves make a strong claim by their very existence for ska, rock steady, reggae, dub, DJing and dancehall and related cultural practices including dance and Rastafari to be recognized as the intangible cultural heritage of Jamaica and Jamaicans.

In 2010, Herbie Miller was put in charge of a small space that is referred to as the Jamaican Music Museum, operating under the auspices of the Institute of Jamaica. The museum technically opened in August 2012 with an exhibition of posters and album covers entitled “Equal Rights: Reggae and Social Change” at its interim home, the Waterlane Exhibition Place at the Institute of Jamaica in downtown Kingston. Unfortunately it is housed in wholly inadequate quarters. Miller has three important collections that people would like to donate to the Museum but he simply has no place to house the material and consequently has been unable to accept these proposed donations. With only three employees, the vast majority of tourists are completely unaware of the museum. The Jamaican government needs to get serious about adequately funding such a museum which not only needs to chronicle Jamaican popular music but should also document the dances that were and are associated with the music and the Rastafarian religion which has been so inextricably tied to the music. The museum should also be filming oral history interviews with vintage artists before they pass away. The Rock and Roll Hall of Fame in Cleveland is currently actively engaged in filming such interviews for their educational archive. Jamaica needs to follow suit.

Tourism and Jamaican Popular Music—further thoughts

From 1978 until 1996 Jamaica was the home to a music festival known as Reggae Sunsplash. The festival was an annual event held most years on the north shore in the summer, a time of the year when historically there were few tourists and most hotels were closed. The influx of tourists brought to the island by Reggae Sunsplash served to create an annual summer tourist season in the island bringing in literally millions of dollars to the country every year. While the festival was tremendously popular, it itself was not a financial success and needed either sponsorship or government support to survive. Neither was forthcoming and, amidst a botched power play for ownership of Sunsplash that resulted in poorly organized and attended festivals in 1998 and 2006, the festival ground to a halt. This represents a very

unfortunate lost opportunity to bring in additional tourist dollars and to further cement the branding of reggae and dancehall as integral parts of Jamaican culture and IP.

The Jamaican government would be well served to financially support a new festival that is marketed on a worldwide basis in the way that Trinidad and Brazil market Carnival, New Orleans markets Mardi Gras or Toronto markets Caribana. There is no reason in the world that Jamaica could not and should not be capitalizing on the marketability of its culture industries and the IP that they represent.

Similarly, efforts should be made to establish Trench Town as a mecca for tourism. Well known via the lyrics to Bob Marley songs such as “Trench Town Rock” and “No Woman, No Cry,” every year a handful of the most adventurous reggae aficionados visit the neighborhood that produced so many important reggae artists. The number of visitors could be exponentially expanded. There are already efforts to start this with the establishment of the Trench Town Culture Yard which the Jamaica National Heritage Trust has designated a protected National Heritage Site. But, at the moment the Yard is poorly advertised and consists of little more than a poorly crafted statue of Bob Marley, one of his first guitars and a handful of photographs and documents put up on the walls of a couple of former one room residences that surround the communal yard. Much more could be done in terms of memorabilia and narrative to make this an educational and significant attraction for Jamaican tourists. Trench Town itself can be considered a brand and a form of IP that could be exploited in a positive sense for the benefit of those who live in the community.

Protection of Traditional Knowledge (TK) and Traditional Cultural Expression (TCE)

Ever since the religion, culture and music of Rastafarians became known outside of Jamaica due to the international spread of reggae music in the second half of the 1970s, various iconic aspects of Rastafari, such as the colours red, gold and green, the former Ethiopian flag including the Lion of Judah, and dreadlocks have been appropriated for commercial gain by a variety of concerns that are not part of Rastafari culture. Perhaps the most egregious of these business activities have been conducted by the tourist hotels in Ocho Rios, Montego Bay and Negril where all manner of paraphernalia, clothing and souvenirs are sold to tourists using Rastafari images and symbols. Not surprisingly, none of the profits from such activities have been turned over to the Jamaican Rastafari community. This is a morally untenable situation.

Prior to his employment at JIPO, Jamaican lawyer Marcus Goffe addressed this issue in some detail in a 2009 article entitled "Protecting the Traditions of the Maroons and Rastafari: An Analysis of the Adequacy of the Intellectual Property Laws of Jamaica and Proposals for Reform." In the article Goffe spends considerable time, examining the possibility of adequately protecting Maroon and Rastafari Traditional Knowledge and Traditional Cultural Expressions through current instruments of Intellectual Property Rights including the common law tort of “passing off,” the 1993 Copyright Act, the 2001 Trademarks Act, the 2004 Protection of Geographical Indications Act, the 1937 Designs Act, the Merchandise Marks Act and the 1937 Patent Act. He concludes that, for a variety of reasons, none of these acts adequately protects Traditional Knowledge and Traditional Cultural Expressions in Jamaica.

Goffe cites examples where countries such as New Zealand, the United States and Panama have amended their IP laws to better protect Traditional Knowledge and Traditional Cultural Expressions. He goes on to note that, beginning in 1984, WIPO and UNESCO, responding to pressure from a number of countries to establish an international treaty to protect Traditional Knowledge and Traditional Cultural Expressions, embarked on a number of initiatives to forge such a treaty. Unfortunately, such efforts over more than 25 years have failed to reach a consensus. Given this sorry state of affairs, Goffe proposes a number of national solutions that could be undertaken in Jamaica to protect Maroon and Rastafari Traditional Knowledge and Traditional Cultural Expressions. Given Goffe’s thoroughness, I have elected to quote his work at length.

Goffe lists 7 points that he feels could help protect Traditional Knowledge and Traditional Cultural Expressions in Jamaica:

1. The subject matter to be protected need not meet criteria of originality, fixation or intention for trade, as a condition for its protection. It should however be traditional, that is, have been created

for traditional purposes, be inter-generational, pertain to a particular traditional community and be collectively held. Such “traditionality” criterion should be determined by the Maroon and Rastafari communities themselves according to their respective traditional authorities and customary law.

2. The Maroon and Rastafari communities shall own and exercise the TK/TCE/IP rights. The community may however authorise (license) individuals or other legal entities, whether members of the community or not, to exploit some or all rights in any of the TK/TCE/IP. In addition, individual creators from within the community may, with authorisation from the community, be allowed to own and/or exercise rights in trust for the community or enter into benefit sharing agreements with the community.
3. The rights should not be lost nor expire. Protection should be indefinite.
4. As regards previous unauthorised registration of community TCEs, community rights should be retroactive, with a possible grace period to allow registered proprietors to enter into benefit-sharing agreements with the communities.
5. In the absence of an international treaty, the national law should provide for protection of TK and TCEs, wherever possible, by legislating that the Maroon and Rastafari communities may seek protection and enforcement of their TK/TCE/IP rights in Jamaica, regardless of where the TCEs are being misappropriated.
6. The communities must be able to prevent and/or challenge the protection afforded to others in regard to copyright of their traditional words, and trade mark registration in respect of their traditional signs, symbols, emblems and logos.
7. The administration and enforcement of the rights should vest in the communities themselves, with the requisite government and international (WIPO, UNESCO) assistance being given to the communities to train personnel and staff and fund their community Authority. The Authority would be responsible for the administration and enforcement of their TK/TCE/IP, including establishing and administering the regime for full disclosure, prior informed consent and benefit sharing in relation to TK.

Marcus goes on to state that, “JIPO would play a very important role in the implementation of any new or amended laws, as well as in awareness-raising and training programmes for Governmental officials and the public, including the Maroon and Rastafari communities and the private sector.”

Concluding Thoughts

While many of the recommendations made in this report would require government funding, there are a number of recommendations that the government of Jamaica could implement that would simply require (1) creating new laws and/or regulations; (2) amending current laws and/or regulations and (3) enforcing all laws and regulations as they relate to IP. Despite a less than desirable current state of affairs as regards Jamaican popular music and IP, there is great potential to improve this situation moving forward with the consequent optimization of IP and the resulting increased earning for many Jamaicans active now or in the future in the culture industries.

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Rastafari Intellectual Property Brief

**To: Minister Anthony Hylton –
Ministry of Industry, Investment and Commerce**

This brief is to the Minister of Trade and Commerce prepared by the **Ethio-Africa Diaspora Union Millennium Council aka Rastafari Millennium Council (RMC)** and the Nyahbinghi Ancient Council around the history of representations for **Rastafari Intellectual Property Rights** highlighted by the interests of Hon. Neville ORiley Livingston OJ, CD *pka* Ras Bunny Wailer and The Wailers incorporating Hon. Robert Nesta 'Bob' Marley O.M. and Hon Winston Hubert McIntosh O.M. *pka* Peter Tosh, regarding the passage of a **Rastafari Intellectual Property Act (RIPA)** in tandem with the proposed Ganja regulatory model as it relates to Sacramental Rights, Rastafari Reggae Brand/Brand Jamaica following up advocacy and lobbying to the Ministries of Industry, Investment and Commerce; Justice; Foreign Affairs and Foreign Trade; /JIPO/JAMPRO.

Rastafari Intellectual Property Rights have been a focus for the Rastafari Community since the Roots Reggae era of the late 1970's when the uptake of the culture was at a zenith. Many books and University Thesis's have been written on the Rastafari Culture transmission on and through Reggae Music. This brief is focused on the Rastafari Community taking hold and control of this cultural duality, based on the unfair practices and cultural economic imbalances that have developed. This phenomenon within the Rastafari Community is integrated within the Twelve Tribes of Israel (TTI) as a Mansion that incorporated the Reggae Musician and the Sound System – JAH LOVE, as a centerpiece of its organizational structure. Reggae Music became infused with the Rastafari Culture when Rastafari Singers and players of instruments emerged from and were influenced in Rastafari Camps throughout Eastern and Western Kingston. The Wailers became the foundation Rastafari Reggae Artistes to internationalize the Rastafari Culture while the Skatalites indigenous creation of a Jamaican sound is squarely founded on the Nyahbinghi Drums at Count Ossie's Wareika Camps.

Prior to the passing of Hon. Robert Nesta 'Bob' Marley O.M. where he was also a registered member of the TTI, ongoing negotiations between himself and leading members of the Rastafari Community led by the Nyahbinghi Theocracy Government departed Elder Jah Lloyd and including Ras Lion, had agreed based on the Rastafari Community's incorporation with the group 'The Wailers' and his singular success, to a 10% interest in his holdings and his development of 2-3 recordings to support various Rastafari Initiatives that were to be finalized through his label owner Chris Blackwell. The illness and passing of Hon. Robert Nesta Marley OM in 1981 sidelined these negotiations. As a member of TTI, he had also negotiated the royalties for use of the song 'War', a speech of H.I.M. Emperor Haile Sellassie I, to benefit TTI that is reflected on the related album jacket.

The Marley Estate as the Administrator General, Chris Blackwell, Rita Marley, 56 Hope Road Inc. have to date not continued these Community negotiations though a Bob Marley Foundation and Trust allude to these responsibilities. The focus on Hon. Robert Marley is directly related to his commercial success incorporating a simultaneous increase of Community IP usage and subsequently increased in his Estate's use of his image and likeness as a main economic asset. With Hon. Peter Tosh O.M. having passed in 1987, Hon. Bunny Wailer being the only surviving member of The Wailers trio, has played a horizontal vs. Bob Marley's vertical role in the

Rastafari Community especially after his passing, leading to his singularly intersecting role in defining and positioning the Rastafari IP premise.

With the IP and Copyright provisions of the local music industry being weak, the Rastafari Culture appropriation is externally contracted through Rastafari Reggae musicians as reflected in the Marley Estate offshore enterprises, merchandising platform and the massive non-Marley merchandising as can be seen in the Adidas Rasta Brand. The massive use of Community IP by Adidas combined with their Marley Estate merchandising is a premier example of this problem which was further highlighted by the Company's association with the Snoop Dogg/Snoop Lion issue.

The **Rastafari International Theocracy Assembly Conference** of 1983, the first held at the University of the West Indies outside of the Community based Reasonings referenced with Hon. Robert Marley O.M. sought the institutionalization of the **Rastafari International Trading Association** to deal with this matter. Between this 1983 Conference and the 2003 **Rastafari Global Reasoning Conference**, the Rastafari Intellectual Property Rights remained a focal issue moving from intra-community evolution and reasoning around the challenge of dilution of the traditional norms to the international merchandising and commoditization of Rastafari through Festivals and Lifestyle Industry. The massive proliferation of Chinese knock offs in the Tourism retail industry and general use of Rastafari IP in tourism based marketing and promotion visibly impacts the Rastafari Community indigenous sales and earnings as well as negative associations such as Rasta Wigs, Rasta Rats, Rent A Dreads.

With the Marley Estate sitting at the center several rings of international commercial appropriation have developed as Brand Jamaica has also grown in its own identification and management of international cultural appropriation. Marley Natural clearly frames the problem.

WIPO IP & TKEs' - UNESCO ICH CONVENTION & ARTICLES

Intellectual Property Rights and the 'Knowledge Economy' gained ascendancy in World Trade as a means of earning and poverty alleviation, and a response to an increased attention to the 'Green Economy'. Thus the **United Nations (UN)**, **World Intellectual Property-Rights Organization (WIPO)**, and **UNESCO** began developing protocols and conventions to define and secure these rights that uniquely converged with cultural rights, indigenous knowledge related to expressions, plants and minerals.

In 1998-9, WIPO's Fact Finding Mission (FFM) related to Intellectual Property and Traditional Knowledge to the Caribbean travelled to Jamaica, Trinidad and Tobago, and Guyana. This FFM did not interrelate with the Rastafari Community, but with Government agencies, lawyers, and the Maroon Communities. The Rastafari Community was not sensitized to these developing protocols that identified and sought to provide for various tools and regimes to address the protection and preservation of the Community and Culture. Similarly the UNESCO Convention related to Indigenous Cultural Heritage of 2003 was only formally identified and engaged in 2012 through the RMC.

It was clear from the FFM non engagement with the Rastafari Community in 1998 and subsequent engagement with the WIPO Traditional Knowledge protocols that the Rastafari Community falls in a marginalized grey area, where its unique cultural modalities are intrinsically opposed to State representation and identification. Based on the outcomes of the FFM related to Caribbean cultural formations, Rastafari exhibits all the Indigenous Intellectual Property (IP) characteristics of the non-Taino Indigenous Groups in Jamaica uniquely blended through its individualized membership, all of the cultural manifestations of Africa in Jamaica – Maroon, Kumina, Revival, African Zion Churches, & Garveyism. The influence of African Liberation Movements borne by the spiritual Nyahbinghi Order in Africa and the dreadlocked Mau Mau Warriors of Kenya unites the spiritual with the political as a unique response to the continuing negation of Africa in Jamaica. These merits and cultural acceptance globally through Reggae music created a trans-national community and broadened scope for IP interest and protocols. Rastafari in approaching WIPO/UNESCO was an understood subject that was absent in representation from a State level and accorded all the benefits and capacity building rights for traditional Indigenous Communities. Rastafari Culture widely exhibits the primary motive and rationale of preservation, protection, and promotion related to Intangible Cultural Heritage (ICH) and Traditional Knowledge Expression (TKE), where the high and continuing appropriation in national and global trade, requires the level of representation being sought through National law.

BRAND JAMAICA - RASTAFARI IP - FORMATION OF RASTAFARI MILLENNIUM COUNCIL

The Rastafari Community has since 1983 formulated various collective organizations to represent Community Rights. The Intellectual Property Rights of the Community was given special emphasis with the formation of the RMC based on the following events occurring in 2007

- WIPO's involvement in developing a Nation Branding framework incorporated Jamaica's music as a centerpiece and developing a Reggae Museum & IP Holding Company Framework. Rastafari Culture was identified as an integral IP of Reggae Music whose stakeholding should be properly valued and promoted.
- This converged with national reasonings and focus on Rastafari Heritage the Pinnacle site as the first Rastafari Community led by IRIE FM 'In Search Of Series' that had been the subject of GOJ negotiations and a Court Case.
- The first ever Exhibition of Rastafari Culture at the Smithsonian Museum in Washington DC in September November 2007 that galvanized the Rastafari Community about ownership of cultural property.
- The celebration of the Ethiopian Calendar change of the Millennium on September 11, 2007.

These activities reinforced the introduction of Rastafari Intellectual Property Rights that were initiated and developed through a forum organized by Music Industry Executive and Culture Specialist, Ms. Maxine Stowe. Ms. Stowe's involvement in the Nation Branding process had her inviting Rob Bowman to present the Reggae Museum project to Jamaica's first Nation Branding Forum. Rob Bowman had been hired as a musicologist in a proposed purchase of the Roger Steffens Archives that Ms. Stowe was consultant on, to jump-start the Reggae Museum.

As an outcome of identifying the need to define Rastafari IP in music, Ms. Stowe consulted with the Nyahbinghi Ancient Council, Sizzla, and Ras Denroy Morgan to structure the RMC and through the WIPO/Nation Branding contacts, developed the Indigenous IP Forum with international Indigenous IP expert from South Africa, Roger Chennels that focused on the Rastafari and Maroon Communities which recommended and affirmed a particular template in a Community Council, Trust Fund and IP Authority which have all been set up and activated. **(APPENDIX 1).**

This advocacy framework involved for the first time a Rastafari Collective Entity becoming registered under the Company Office of Jamaica as the culture/community had eschewed any formalization under Jamaican laws. Jamaican law since 2007 now stated that all events or organizations engaged with the public had to be registered entities, and equally importantly, to directly benefit from WIPO's incorporation and subsequently UNESCO's ICH Convention this became necessary.

Rastafari IP represented by the RMC is a direct continuing outcome of Jamaica's IP and Nation Branding process. It is an important component of this major socio-economic exercise to recognize and benefit her various and diverse constituents in promoting the development of an equitable process through the continuing transformation and legacies of the slave plantation economy. 'Creative Industries' as a new GOJ policy formation has to properly structure and value the inputs to incorporate and build capacity within a wide cross-section of the population. The continuing relevance to Nation Branding is captured in the recent WIPO/JIPO report that was prepared by Rob Bowman at the second major Nation Branding presentation this year, as a continuation of this process that was started in 2007.

The RMC has MOU's with:

- UWI around Rastafari IP related to Rastafari Conferences and Rastafari Studies Unit,
- the Institute of Jamaica around the ownership, development, and legacy strategy of the Rastafari Unconquerable Exhibit incorporating the Smithsonian 'Discovering Rastafari' Exhibition, The Rastafari Unconquerable Exhibit Logo has been applied for trade marking under JIPO with the intent to be used as an official Logo to authenticate Rastafari IP projects and negotiations. The position being that the Rastafari Exhibit and its Legacy Strategy to develop a larger framework cultural space is the officiating and authentication of Rastafari Rights.
- JIPO regarding the WIPO funded Creative Heritage Project.

The RMC is a participant in the UNESCO ICH Mapping workshops with ACIJ and has an active application before UNESCO IFCD to support building capacity in Rastafari IP management.

WIPO/JIPO Relations

The RMC engaged WIPO independently as a Civil Society group and then through that process engaged the **Jamaica Intellectual Property Rights Office (JIPO)** related to Government to Government protocols. This independently derived process occurred because of the music entry point and the earlier non-inclusion in the FFM process. The RMC independently attended the TKE Conferences in Geneva and directly advocated to WIPO through this process its needs.

Marcus Goffe, currently working as Trademark Manager at JIPO, is a Rastafari community member and lawyer who consulted, studied, and gained an IP PHD, and developed an active relationship with WIPO through the representational RMC attendance at the TKE Conferences in Geneva along with Ms. Stowe. The RMC in defining the Rastafari IP positioning that resulted in the RIPA and JIPO Practice Note considers his being granted a PHD in this area an acknowledgement of the veracity of the policy position. What was expected next was the structuring of RIPA through JIPO. With his legal relationship being governed by Community volunteerism, his decision to work directly for JIPO presents challenges for what was expected and has been a major source of conflict of interest, that has not yet been rectified. The Regional Framework for TKE is the focus for WIPO and the recent Executive Director for JIPO, Carol Simpson, has now moved on to head their Caribbean focus.

This RMC thrust in creating and advocating our IP framework has not been in the position to hire or provide for the International Expertise having lost the only Jamaica trained/based lawyer to JIPO. The outstanding request to JIPO/WIPO has for the last two years been to replace this void, and has created obvious tensions. This reality is directly related to nuances in the legal representation across traditional and low socio-economic groups in Jamaica and developing countries, where for example the best employment contract lawyers are on retainer by the employers leaving employees shortchanged.

This loss of direct expertise further challenges the specific focus of a Jamaica centric solution for the RMC where the 'Brand Jamaica' issues related to trade and commerce are immediate, as is now happening with Ganja Legalization, making the need for this activist representation to the Minister and Government for incorporation within National Law as the Ganja regulatory framework incorporates Sacramental provisions.

JIPO's brief should capture the above in their terms. We have asked the Secretary General, Mr. E. Hannam at the Jamaica National Council Commission For UNESCO to provide an indication of the Rastafari Community IP position as it relates to the current application and the R&D of various conventions and respective articles that Jamaica and related countries are signatory to, that support Rastafari IP Rights and by extension Brand Jamaica.

RASTA GANJA vs MARLEY NATURAL & SNOOP DOGG/LION

Governmental pronouncements related to the Ganja Industry has outlined the Medical and Sacramental Frameworks, the latter driven by the Rastafari Culture. Sacramental Rights incorporate Rastafari Reggae Ganja IP issues based on cultural uses and the huge trade and commerce implications. The RMC has stressed that this cannot be addressed by internal community negotiations based on the depth and breadth of these rights being interwoven and integrated in offshore commercial contracts, business developments, and Jamaica's tourism market and product offerings.

- The RMC had brought attention since September 2013 that the title 'Ganja' was already incorporated in Rastafari IP through merchandising association through the Reggae Music merchandising and saw that some attempt to register it as a Geographical Indicator was announced giving the impression that it was protected under JIPO. It remains unregulated and we are reinserting this title under Rastafari IP consideration because of the initially stated effect and affect. In response to these market issues the RMC attempted to register a Rasta Ganja company and associated trademark since February of this year which has been turned down because of the title Ganja being considered illegal.
- The Snoop Dogg attempted trade-marking of a Snoop Lion Rastafari Brand in 2012 sponsored by Adidas, through direct filming and musical recording of Community spaces and members in the Jamaica space to

be 'Reincarnated As Bob Marley', is actively being challenged by a Rastafari Community IP Contract and the Practice Note at JIPO. This has taken more focus as Snoop Dogg is a major Urban American Marijuana icon.

- The issues related in this opposition would apply to the Marley Natural brand being launched and developed out of New York and inferring association with the Rastafari Culture and Jamaica space riddled with Community and Brand Jamaica disadvantage and opening up a rat race of other Rastafari Reggae artistes to do similar deals.
- The Marley Natural deal brings us right back to the central unresolved issue of the Rastafari Community and the Marley Estate Rastafari Merchandising being at the center of negotiations around Brand Use and Ganja Trading.
- A Reggae company 'Ras Records'/'Tafari Music Publishing' whose owner Gary Himmelfarb takes the title 'Dr. Dread' has in the first instance created a line of 'Jerk Products intimating Jamaica directly in the packaging credits' produced in Maryland is now aiming to open a Ganja line of products and services in California.
- Ganja Bros a company registered in Canada purporting to have a direct product development process out of Orange Hill, Westmoreland is launching a product line out of Canada and Washington State and had engaged to get an endorsement deal with Bunny Wailer locally, where we were able to get a full prospectus of their business plan and rationale. We understand that there is a Rastafari Reggae Artist company that has now been set up externally, most likely based on the offshore contractual base at companies like VP/Greensleeves out of New York/London.
- Ganja Inc. has been established as a merchandising company developing other products and services in Colorado in association with Marley Coffee.
- Juju Royal via Julian Marley has developed an offshore contract to promote internationally grown seeds.
- Rastafari IP and alcohol promotion is another clear threat that has escalated with the proliferation of new drink formulas targeted at young persons and promotional events. This has been a particular focus of the RMC and will be even more of a focus with Ganja recreational use and marketing. While Jamaica is not currently considering recreational use, the international recreational market has opened up and must be therefore considered as if it is actually opened here, as per the Rastafari cultural use.

The current appropriation by Rastafari Reggae Rights in Branding international Ganja deals epitomized by the Marley Natural Deal, and the use of the word Ganja and Rastafari Expressions in General that abound in California and States on the West Coast such as Colorado and Washington are grave threats to Rastafari IP, and by extension Brand Jamaica value in the global Ganja Industry that has further impacted on the active Snoop Lion Trademark Opposition related to the Rastafari Reggae appropriation. This was clearly outlined and voiced to the Jamaican Government and United States Ambassador since September 2013 that must now be forcefully and rightfully addressed by the Government of Jamaica in its Ganja regulatory regime.

HON. NEVILLE ORILEY LIVINGSTON OJ, CD pka BUNNY WAILER – WAILERS ‘ONE LOVE’

The Honorable Neville ORiley Livingston OJ, Nyahbinghi Elder and surviving member of The Wailers submission of the of the received presentation at the last year's UNESCO ICH Cultural Mapping Workshop indicates his unique role and responsibility in identifying and resolving the complex cultural crossroad that we are currently at and choosing the proper path as relates to Ganja Legalization and Rastafari Intellectual Property Rights. The Peter Tosh Estate as a constituent IP member of The Wailers as a distinctive group in Rastafari Reggae IP incorporating the Marley Estate has been specifically designed to contextualize, clarify and substantiate these ongoing negotiations.

Wailers One Love has been established as the overall Rastafari Reggae Music Brand with the RMC that will partner with RastaGanja as the official Rastafari Community brand incorporating the 'Rastafari Unconquerable Seal' to support the RIPA The RIPA governmental negotiations will set the framework for other Rastafari Reggae Ganja brands and be incorporated in all Investor premises by JAMPRO/JIPO, etc. An extended list of Rastafari Expressions that has been prepared for WIPO will be extended to include several Ganja related titles.

Wailers One Love/RastaGanja has strategically partnered with a Negril based venue owner to develop a Rastafari Indigenous Village Project has earmarked all existing Communal and Rastafari individual owned spaces which will also launch the Rastafari Unconquerable Seal.

It takes its imprimatur from the musical group The Wailers who produced and performed the track 'One Love' in 1966 for Studio One and where 'One Love' is a Rastafari expression and title.

Like The Wailers, The Ras Daniel Heartman Estate range of iconic prints will be incorporated into the merchandising to substantiate a unique Rastafari global IP where both have suffered major appropriation.

RASTAFARI REGGAE ARTISTE SOCIETY

Several activist Reggae Artistes led by Sizzla, Tony Rebel, Cedric Myton, Ras Michael & Sons of Negus, Mystic Revelation of Rastafari, Ras Denroy Morgan have maintained a Rastafari centered approach. We expect that the Wailers One Love and Rasta Ganja brand initiative will spur and deepen best practices related to Rastafari IP across the industry.

The new Reggae Revival Artistes led by Chronixx, Protojé, Jesse Royal, and others will naturally flow into these practices that will send a signal across to the International Reggae groups use of Rastafari IP.

NEXT STEPS

Best Practices can be found in the Masai Tribe Brand, Navajo Indian Brand, Ethiopian Coffee Farmers vs. Starbucks, San Tribe of South Africa Hoodia Pharmaceutical Initiative. Several African Based IP initiatives as to what is being proposed here have been done. The Bolivian initiative around Cocoa Leaf Farmers stands out best from a Governmental support perspective. The RMC has been advised that international legal representation supported by Governmental imprimatur is necessary

Light Years IP engaged a large group of serious organizations to support a protracted struggle to secure the principle of Ethiopian ownership of their own fine coffee brands. After Starbucks had refused all attempts by Ethiopia and the LYIP group to create a non-public settlement, a public campaign began in October 2006. It was ultimately Chairman Howard Schultz who conceded, in part due to collective action but primarily as he was brought to concede by a strategy developed by Ron Layton and applied by Ambassador Samuel Assefa. Schultz adjusted the Starbucks business model as the “right thing to do”, ending the dispute, while knowing that higher prices would enable the farmers to continue to produce the fine coffee that can generate retail prices over \$20 per lb.

This example illustrates the value of what the new African IP Trust (AIPT) will do: Move businesses to negotiate by creating collective action to support the rights of the African producers, indigenous people, farmers and artisans who seek the AIPT protection, while at the same time, demonstrating the mutual benefits of buyers working with these producers. The additional collective or individual negotiating power of the AIPT and or its members will ideally facilitate diplomatic, negotiated solutions, if possible and with additional social pressure as needed.

Morally and legally the Ganja legalization process is uniquely positioned to activate the Rastafari IP Act in the converging realities of the Rastafari World View and that the Jamaica Governmental positioning and responsibility particularly at this juncture in Trade and Commerce, must involve both working together to engage the Regional and South-South trade/indigenous model of Intellectual Property within Ganja legalization as primarily an 'Organic State' as expressed in the national characteristics of Nation State of the United Nations in the related Drug Control Treaty. It is a necessity to get International IP Expertise to support the collective responsibility rather than this Expertise being obtained through social conflict to fight against the proposed Ganja Bill and Rastafari Reggae branding as it relates to Rastafari IP in Medical Ganja, Sacramental Rights, and full legalization. International Expertise and the defense of these rights were ably described in the FFM to the Caribbean in 1999 and the legal responsibility exists under various UNESCO Conventions which we look forward to the requested brief from yourself, from JIPO, and the one that the RMC has requested from UNESCO will surely outline.

The RMC protocols are governed by the Philosophies and Principles of Emperor Haile Sellassie I through the Spiritual Nyahbinghi Order historically grounded in the Nyahbinghi African National Congress in 1958 to the Nyahbinghi All Mansions Ancient Council's representation in 2014 as the highest cultural voice related to Rastafari Rights and Governance. The Nyahbinghi Ancients has so far presided over all the Rastafari formations, including

the RMC, related to representation for and from the Community and has convened practically all major meetings, associations, and conferences from 1983. Their voices and precarious social and health conditions, lends living evidence for immediate action towards preservation, protection, and promotion of Rastafari 'Livivity' presently being monitored by the RMC, and the right to Affirmative Community Cultural self governance as it relates to the responsibility to upholding and advancing the Community's philosophy and standards where Trade and Commerce are engaged with Repatriation, Reparation, and Sacramental Rights, advocacy and lobbying. While the Rastafari Community evolution consists of various constituent Mansions and organizations, the Nyahbinghi Order sits at the cultural center of the Nyahbinghi Mansions and the "Bobo Shanti" Mansion. In respect of WIPO's TKE and UNESCO's ICH, the Nyahbinghi Order contains the expressions and heritage that is identifiable owned and represented through cultural mapping of Rastafari Culture out of Jamaica and form the basis from which the Rastafari IP Act is to be constituted and governed. This cultural mapping through the ACIJ is already incorporated in the Rastafari Exhibitions and the larger Legacy Strategy.

Respectful of the evolution of the Twelve Tribe Mansion and the incorporation of the Ethiopian Orthodox Church and the longstanding Ethiopia World Federation as Ethiopic representations that are fully acknowledged, it is the Nyahbinghi Order that holds the center. In respect of the negotiations with and within Reggae and Ganja it is those traditions that will be protected, preserved, and promoted, and held as the standard from which the respective IP laws and institutions are grounded.

THE RASTAFARI INTELLECTUAL PROPERTY ACT 2015 - 2016

The RIPA is positioned to support a global cultural franchise owned and operated solely by the Rastafari Community through the RMC /Trust Fund/IP Authority to be incorporated into its trans-national aims and objectives. Based on international law, trade and commerce this governance has to occur out of the Jamaica Community as point of origin. This is just a governance issue related to trade and commerce and IP Governance and does not impose any restrictions on the spiritual and philosophical foundation of Rastafari.

Upcoming major events in Jamaica that will help to shape the public education around Rastafari Intellectual Property Rights as a trans-national Africa centric focus in Trade and Commerce to achieve Repatriation with Reparation are:

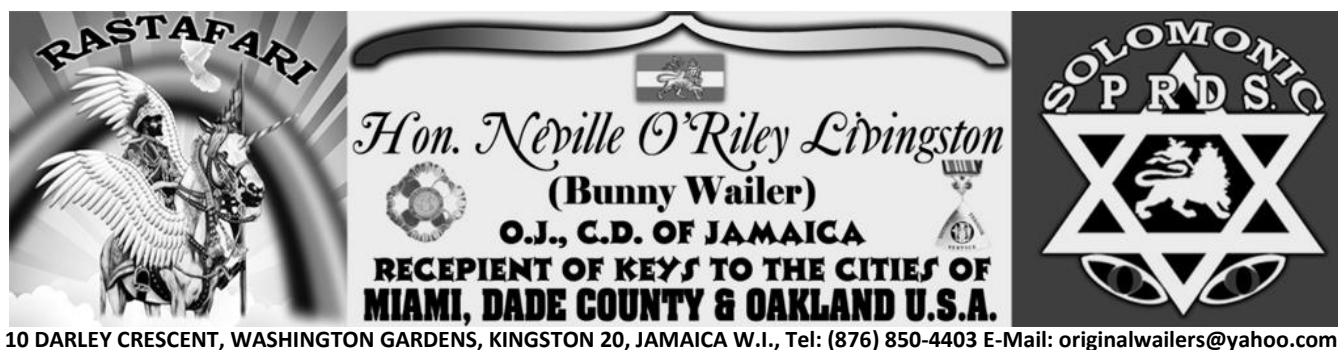
- The twinning of Pinnacle and Ejersa Goro, Harar the birthplace of H.I.M. Emperor Haile Sellassie I ,
- the 50th Anniversary of H.I.M. visit to Jamaica in April 2016 and,
- the 60th Anniversary of the 1958 Nyahbinghi 'Grounation' in March 2018.

This Rastafari IP Act is a fundamental legal action that must be incorporated in Jamaica's GANJA regulatory reform of existing Law for Sacramental Rights.

APPENDICES

1. WIPO/RMC Indigenous IP Forum Report from Expert Roger Chennells
2. Rastafari Intellectual Property Act (RIPA)
3. JIPO TKE PRACTICE NOTE
4. JIPO/WIPO 2014 IP Report
5. Rastafari Economic Village Project (REVP)
6. UNESCO IFCD Application & Review - 2013/2014
7. Hon. Neville O Riley Livingston OJ, CD pka Bunny Wailer UNESCO ICH Submission
8. Sacramental Ganja Rights Submission to GOJ

9. Letter to National and International Agencies Outlining Ganja Rights



Indigenous Rastafari World Views and Intangible Heritage Expressed through Reggae Music Living Legend & Nyahbinghi Elder

Hon. Neville O. Livingston OJ, CD pka Bunny Wailer

The process of identifying intangible cultural heritage through country nominations to UNESCO allows for the possibility of governments privileging some variations of intangible cultural heritage over others or politicizing the content—a phenomenon not limited to Jamaica but nonetheless exacerbated by the Jamaican governmental history with the Rastafari and Maroon Community in the Colonial and post-Colonial Setting. This process and challenge is amplified and reflected in the duality of Rastafari culture and Reggae and their joint identification for protection under the UNESCO Convention.

The challenges the Rastafari Community Intangible Cultural Heritage faces under the UNESCO Convention and WIPO Indigenous Knowledge IPR's and other Indigenous Peoples Human Rights Acts are related to the unsettled identity politics of 'Jamaica' where a majority African descendant population created by the Trans Atlantic Slave Trade has struggled to overcome the limitations of the socio-economic system that has evolved from Emancipation through Independence, and for Rastafari the fundamental Right Of Return to Africa.

Rastafari emerged in the unique urban environment of West Kingston incorporating Trench Town where it took the baton of the Back To Africa/Garvey movement, incorporating the sovereign history and identity of Ethiopia, all African/Black Power Diaspora history and retentions in the related folk forms to create the specifics of a unique Ethiopia-Africa centric world view, liberation theology in the divinity of H.I.M. Emperor Haile Selassie 1st expressed through the 'Nyahbinghi Order' where as a cultural expression crystallized Jamaica's indigenous popular music development and internationalization from Ska to Reggae that became the major vehicle of transmission of Rastafari Culture nationally and globally.

The historical intertwining and duality of Jamaican popular music with the Rastafari culture as expressed and over-commoditized in the genre Reggae, that as a term has come to represent all forms of Jamaican popular music based on the specific success and blueprint of the musical group 'The Wailers' and its constituent members, cannot be separated under the UNESCO Convention. How this duality is dealt with as separate ICH nominations under the Convention is what this case study highlights.

This duality and its respective challenges is ably expressed through the life and work of the Hon. Neville O. Livingston OJ, CD pka Bunny Wailer

- As an individual practitioner and member/owner of the group The Wailers and a Nyahbinghi Elder

- Born in **1947**, growing up in the environment of West Kingston where his father and mother were Maroons in close touch with their heritage, his father was a major urban business personality, with multiple locations and dwellings all across West Kingston, that was fueled by the growing ganja trade that put him in touch as a youth with the Rastafari Community and the cultural developments,
- 1952 experiences as a youth using the Gullies of West Kingston and being introduced to Rastafari livity in the Manholes as a place of safety, incorporating the ascetic lifestyle of the Crocus Bag, Flour Bag, Tire Slippers, Butter Pan – the feared Blackheart Man, that would come to be the title of his most celebrated solo recording.
- Where his father operated a Revival church in his later life, and took his family in 1954 to Nine Miles, St. Ann for that serendipitous incorporation with Hon. Robert Nesta ‘Bob’ Marley O.M. as a family member through partnering with Ms. Cedella Booker and having a daughter, Pearl Livingston, where his introduction and influence of Robert to music would make them later inextricably entwined as The Wailers ,
- their families return to West Kingston in 1956 and his continuing growth and involvement with the Rastafari Community and their incorporation in the developing music industry,
- The forming, naming and creative development and management of the group ‘The Wailers’ in 1960 influenced by their familial roots in Trench Town, Rastafari Community cultural relationships, further enhanced by the incorporation of third main member Hon. Winston Hubert McIntosh O.M. pka Peter Tosh that developed the third familial link by partnering with his sister and having a son Andrew Tosh, himself now a Reggae practitioner.
- The group influence in their communal training and development by Joe Higgs and the Skatalites at Studio One who were informed by the Rastafari culture as members of the Wareika Hill Rastafari Nyahbinghi Camp of Count Ossie & The Mystic Revelation of Rastafari.
- The groups formal adoption of the culture after the visit of H.I.M. Haile Selassie 1st in 1966, their growth and incorporation of the culture leading to the development from their excelling in Ska to the ‘Roots Reggae’ genre and the establishment of the first artist owned label in Wail N Soul M/Tuff Gong
- His arrest in Trench Town in 1967 at a communal Rasta yard and space, regularly used by the group, for Ganja and an illegal incarceration for a case that was dismissed, as an unresolved legal conundrum
- His sojourn into the Rastafari Community of Bull Bay after this illegal imprisonment, as the most active practicing and incorporation of the Rastafari Culture in his livity and musical expression.
- The groups incorporation of Rastafari Chants and speeches of H.I.M. in their repertoire
- The unfair commercial and societal issues within the development of the Jamaican music industry that the group/company/brand encounters that was exacerbated by the passing of Robert Marley in 1980 and Peter Tosh in 1987, complicated by intestacy that is a common feature of the Rastafari culture.
- The many threats, violence and repression that the group encountered in their being emblems of the Ska Rudie into the Rastafari culture that informed the injuries and loss of life of Robert & Peter and many close associates.
- How these commercial and societal issues, affected this group and its individual members as Rastafari adherents and how this period mirrors and identifies the trajectory of the process & duality of the spread of the culture juxtaposed by the continuing marginalization, massive appropriation and dilution of the Rastafari Culture and Reggae globally. The Wailers catalog from 1963-1972 is one of the most pirated works in the global music industry.
- How as a Rastafari Reggae artist and surviving member/owner of The Wailers he has been defined by this problem and how a solution is inextricably embedded to how those aspects of the Rastafari Culture and its relationship to Reggae is properly identified and legally grounded.
- Where his articulation of this Rastafari journey has been in parallel with a communal brotherhood with Binghi Irie Lion (William Holmes), also a Nyahbinghi Elder and Rastafari activist that has further grounded his Rastafari activism and enriched the experience and whose incorporation in this case study will broaden the depth and width of its intent.

The Case study identifies historical developments and current issues and solutions related to Rastafari, Reggae &

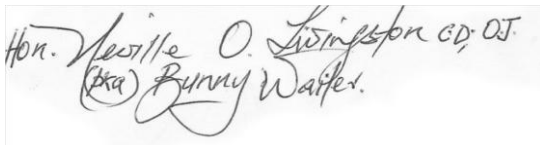
Brand Jamaica and look to inform the Workshop process on some of the major touch points in the GOJ Community conversations that the objective of the Workshop is aiming on upgrading and achieving.

- The problem with the non distinctive incorporation of the 'Brand Rastafari' in the terms of reference of 'Brand Jamaica' as it relates to the major appropriation of the culture in national and global mainstream culture, subjected to international commerce and local tourism private and public sector interests. E.G. Conquering Lion Imperial Rum – Blackwell Reggae Rum – Rent A Dread- Rastamouse- Snoop Dogg/Lion – Adidas Rasta- Vans Dub Rockers & the Rastafari Exhibit.
- The IOJ/RMC MOU of the Rastafari Exhibit issue as relating to trade marking and merchandising the culture by GOJ agencies and Ethiopia symbolic incorporation.
- The identity politics with regard to Repatriation as it correlates to Jamaica private sector increasing trade of goods and services in Africa and Brazil.
- The role and development of the Rastafari Millennium Council (RMC) & Rastafari Trust Fund that has been supported by Hon. Bunny Wailer as an Honorary Chair.
- The unique responsibility of Rastafari Reggae Artists in effecting a mutually beneficial solution by the establishment of a formal economic link to the traditional Rastafari Community Culture

The protection promotion and preservation of the indigenous forms of Jamaica's Afro-centric cultures and expressions must be protected through active legally grounded negotiations with State institutions and national and international entertainment and lifestyle companies and individuals as they face up to the imperatives of Globalization. This is even more highlighted under the current spotlight of CARICOM Reparations.

Successful identification and mapping of the duality of Rastafari and Reggae as ICH will inform a necessary societal partnership in response to the mandate of the UNESCO Convention for both. The Trench Town Rastafari Reggae Cultural Economic Village incorporating 'The Wailers' Museum currently being negotiated by the RMC in partnership with Solomonic Tuff Gong is a tangible space for its articulation.

One Love



.....
Hon. Neville O. Livingston O.J., C.D. p.k.a Bunny Wailer
CEO Tuff Gong Records Ltd.

Cc: Maxine Stowe



The RasTafari TRUST FUND Limited

CERTIFICATE OF INCORPORATION

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CERTIFICATE OF THE INCORPORATION OF A COMPANY



I hereby certify that

RAS TAFARI TRUST FUND LIMITED

was Incorporated under the
Companies Act as a Limited Company

On The

SECOND day of NOVEMBER Two Thousand And Eleven

Given under my hand at St. Andrew this

EIGHTH day of NOVEMBER Two Thousand And Eleven

SHELLIE LEON
For Registrar of Companies

Company Number: 82967



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Rastafari Trust Fund - Registration: RIPA – Registration

In accordance with the framework set for the Governance of the culture which involved the setting up of the Council, a Rastafari Trust Fund and a Rastafari Intellectual Property Authority were mandated. Both of these structures were registered in _____ and _____ respectively. The Council has been acting as the RIPA awaiting the incorporation of the RIPA agenda in national law. The main physical legal documentation and administrative protocol has been the establishment of an Intellectual Property Rights Contract for the Rastafari Community, primarily in the use of audio visual recordings. This has created a legal framework to address current and future appropriation, where a Trademark Opposition case is now in place at JIPO involving Intl. Recording Artist Calvin Broadus aka Snoop Dogg.

RASTAFARI TRUST FUND OUTLINE & PROCESS

The Vision

The vision of the Ethio-Africa Diaspora Union Millennium Council is to establish a Rastafari Trust Fund to generate revenue and donations *from public and private organisations and individuals, to be used for the social, economic and political development of the Rastafari community.*

A trust is the best way of accomplishing those objectives for the Rastafari community because the concept speaks to an impartial, transparent process which is vital for the success of the aims and therefore would appeal to the wider Rastafari as well as non-Rastafari community to invest in and support it.

The Fund would be promoted to solicit grants and contributions from the Rastafari community, including within the reggae industry, as well as from Government of Jamaica, non-governmental organizations and intergovernmental or international organizations, willing and able to contribute to the development of the Rastafari community. The Fund would also be open to receiving contributions from Rastafari and non-Rastafari entrepreneurs and businesses which trade in or otherwise use the Rastafari culture, whether commercially or non-commercially.

The Fund would available to fund projects from individuals and/or collectives within the Rastafari community which advance the *social, economic and/or political development of the Rastafari community. Written and detailed applications, outlining the project/cause, costs supported by invoices, management, personnel and timelines, would have to be submitted by particular individuals and/or collectives within the Rastafari community who seek funding from the Fund.*

The main steps in the process are:

- (1) Establish a Steering Committee, which would eventually evolve into the Board of Trustees.
- (2) Establish an initial vision of why the trust is being established, what it will do, and how it will operate.
- (3) Develop a Business Plan which turns the vision into a portfolio of projects, identifies finance and other resources, and sets out an appropriate management structure.
- (4) Present Business Plan to potential donors and funding agencies to secure core funding.

- (5) Register the formal constitution of the trust – the Trust Instrument/ company articles of incorporation etc., whether as a company limited by guarantee (with non-profit status) and/or as a charitable organization.
- (6) Recruit the Board of Trustees, including a Chair with leadership qualities, representatives of the Rastafari community and individuals of good repute with legal and/or financial competence.
- (7) Recruit staff.
- (8) Host a public media launch.

The primary intention of a trust is to place certain assets under the control of trustees for the benefit of the beneficiaries named or defined in the trust deed. It is a general rule of the law of trusts that a trustee may not carry out any act which is not authorised in terms by the Trust Instrument. The definition, management and operation of the Trust Fund, as well as the accountability of the trustees, will be governed by the Trust Deed, the terms of which would be determined by the Steering Committee in consultation with the Rastafari community (through the Millennium Council).

The term of the Trustees would be limited by the Deed, which could also provide for rotating Trustees. Trustees' powers would be strictly limited by the Deed, which would also prescribe the circumstances under which delinquent trustees can be removed and replaced. The Deed would also be drafted to provide for the Trust Fund to be maintained in perpetuity (forever). The bank account(s) where the funds are held would be determined by the Trustees. Regular accounts and financial statements would be generated, with professional auditing done as required by law. Those accounts and financial statements would be publicly available for full transparency to the community and potential donors. In this way, the integrity of the Trust Fund would be maintained.

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“The Start-up Process

The start up process can easily require the equivalent of two or three days a week from someone at peak time. Budgets will be needed for:

- A development officer
- Communication materials and events
- Specialist advice on projects
- Legal advice and incorporation

The difficulty for trusts is that because they are fulfilling a social purpose many of their activities are unprofitable, and however successful they are in their day to day trading this is unlikely to yield sufficient surpluses to cover their costs. The business plan for a trust is a balancing act between core costs, some core funding and a portfolio of projects.

One solution is for the trust to develop an asset base - some land or a building which can be let to yield income. Many trusts see their hopes of future sustainability in their ability to create this asset base with the help of a local authority or partnership prepared to provide an endowment to them.

To be successful they will need assured funding for several years of operation, offices, ideas for projects and the support of a wide range of local interests.

Resources

A trust getting started will need funds to cover its core costs of staff, office and other overheads, depending on size.

Unless the trust is being sponsored 'top down' the steering group or Board will have to undertake the necessary initial fund-raising. To do this they should prepare a proposal or bid document as a first draft of the business plan to present to potential funders and supporters, setting out their vision and how they plan to realize it.

Management Structure

When formed, the trust will have a Board of company directors who are also trustees if the trust company has charitable status. As a company limited by guarantee the trust will have members, not shareholders - but their rights will be limited. It is important to recognize:

- There should only be two tiers of management - the Board and paid staff. The Board makes policy and staffs carry it out.
- Tight financial and administrative systems are essential from the outset.
- Take the best professional advice, legal and financial.
- High caliber staff(s) is essential, and can only be recruited when the trust can evidently offer attractive employment with secure core funding.

The Prospectus and Launch

Prepare a prospectus or other package of promotional material to bring all information together for the launch and to present to funders and supporters. A good format is a folder bearing the trust design identity and including the business plan, project information sheets and any newsletters.

Trusts need a legal and management structure which balances the two elements of their work: on the one hand carrying out a range of economically, socially or environmentally useful projects, on the other generating income to sustain their operations. As such, Trusts have to be small businesses which also do unprofitable work. They have to be independent and entrepreneurial - yet able to call upon charities and sponsors for support not available to the private sector.

The structure most Trusts adopt is that of a company which does not distribute profits - known as a company limited by guarantee - which may also be able to achieve charitable status. Some Trusts have an associated trading company in addition, if they are a charity and their income generating would jeopardize their charitable status.

Strictly speaking, there is no particular significance in the use of the term Trust in this instance. It is convenient shorthand for a non-profit distributing organization with wide-ranging objectives; it does not signify some particular organizational model.

The Company Limited by Guarantee

This form of company is similar in some ways to a conventional company limited by shares. Its operations are governed by the Company Acts, and it has a Board of Directors.

However, instead of shareholders it has members, and instead of buying shares and receiving dividends they offer a guarantee as the limit of their liability.

Since there is also generally a provision that assets of the company can only be passed to a similar company if it is wound up, there is no way to distribute profits for private gain.

Funders and supporters of the Trust can be sure that any surpluses are either ploughed back into the company to meet its objectives, or distributed for charitable purposes.

Charitable Status

Being a charity is a matter of status, not of organizational structure: it is possible to secure charitable status for a number of different structures. The issue is essentially whether the objectives of the organization are accepted as charitable and it has an appropriate constitution. Because of its not-for-profit nature, a company limited by guarantee with charitable objectives can apply for charitable status.

Among the advantages of charitable status are:

- It presents an image of probity to other people and so helps to gain their support.
- It opens up sources of funds. Generally charities will only give to charities, and other donors prefer to give to charities.
- If there are any surpluses, a charity will not be charged corporation tax, while a non-charitable company limited by guarantee may be.

Among disadvantages are:

- Limitation on trading unless in pursuit of objectives.
- Charities should not campaign politically.
- Obtaining charitable status can take some time.

Members of the Trust

The precise rights and duties of members will depend upon the memorandum and articles of association of the Trust - its constitution. These can be drafted to allow organizations or individuals - or both - to be members.

Members can be given rights to elect the directors - or this right can be restricted to a particular class of member, perhaps the main sponsoring organizations. The structure of a company limited by guarantee is highly flexible and can be tailored to the particular circumstances of the Trust concerned.

Responsibilities of the Board and Trustees

The Board of directors of the Trust Company takes responsibility for the actions of the Trust, but - provided they are not negligent - the personal liability of the directors is limited to the extent of their guarantee.

The directors usually concentrate on policy issues and may delegate action to staff and/or sub-committees. In a charitable company the Board of Directors also acts as Trustees of the charity, and as such has additional responsibility to ensure Trust funds are only used for its charitable purposes.

Since Trusts are action-oriented organizations where swift decision-making is important, there is a strong case for limiting the size of the Board, preferably to less than 12. Other interests can be invited to join sub-committees or act as specialist advisers to the Trust.

Generally the aim should be to have only two layers of control - the directors and the staff. Don't build too much complexity into the constitution - set up sub-committees when they are needed.

The relationship of the chair of the Board and the Executive Director) is crucial to the success of a Trust. The chair is responsible for effective decision-making by the Board, the executive director for servicing the Board and management of staff. The two must be able to work closely together.

Representation on the Board

Directors should be chosen for the benefits they can bring to the Trust in terms of their contacts, personal skills and standing within the community. They should be capable and committed individuals.

There is a case for having a range of different skills represented on the Board - finance, project development, community involvement - so the Board can make a significant contribution to the work of the Trust, not rubber-stamp staff proposals.

In order to maintain its independence and control over its affairs the Trust should provide its own secretarial and financial services.

Trading companies

A charity should not trade unless it does so as a means of directly achieving its objectives (for example, a workshop for the blind). For this reason some Trusts set up parallel trading companies which can sell products or services and covenant profits back to the Trust. If this is done, it is important that the two are linked closely through joint directorships to stop the trading company going its own way.

A separate company can also be used if there is to be an active campaigning arm, or where some activities like job creation don't fit into the narrow limits of what is legally charitable.

Staff

In general a Trust needs one or more full-time paid staff to operate. Once the Trust has a substantial work load, it will probably need more. For example:

- An executive director who is in overall charge, developing policy with the Board, fund-raising, and representing the Trust to the world.
- A project officer who may have specific professional skills.
- An administrative assistant.”

Rastafari IP, Community Involvement and Control

I definitely would recommend a separate trading company from the Trust Fund, which could develop and administer the intellectual property rights of the community. That trading company would be for-profit, but would make regular and regulated contributions to the Fund and be directed by substantially the same or some of the same persons as the Trust.

“An effective Trust must deal with a number of tensions:

- The partners on the Board will come from different backgrounds with different priorities - there may be no initial team spirit.
- To stay in business when initial core funding declines the trust should rapidly develop projects which are income earners. These must help pay for the cost of running the trust and subsidize socially desirable projects which lose money.
- Projects and running the trust will demand a wide range of competences from the small team of staff and Board.
- While struggling to set up the business and develop the first projects, the trust staff and Board must also gain the support of local groups and individuals.

Unless these issues are addressed in the setting up process the trust may spend many years dealing with internal conflict or facing criticism from local people and groups who resent the new-comer.” (© David Wilcox david@partnerships.org.uk.)

In regard to the above, it is suggested that the Board constitute no more than 12 Trustees, the majority of whom must be members of the Rastafari community, elected by the community, through the Ethio-Africa Diaspora Union Millennium Council. Note below as well.

“Choosing the Projects

The projects a trust undertakes may range from clean-ups to major building projects, from training courses to festivals. Some projects will come from professional studies - but the best way to encourage 'ownership' of the trust and gain people's commitment is to hold brainstorming workshops for different interest groups where people can make suggestions that can then be developed and costed in more detail.” (© David Wilcox david@partnerships.org.uk.)

10. UNESCO IFCD Application [2014]



international
fund for cultural
diversity Investing in creativity.
Transforming societies.

UNESCO Workshop - UNESCO IFCD Application Process

The application by the Council that was endorsed by JIPO was similarly torpedoed by this convergence of interests by the UWI Consultative Committee. This after hired facilitator by the Council, Lloyd Stanbury, was caused to withdraw detrimentally by false influence garnered through a similar false premise developed by this Consultative Committee around the Pinnacle Court Case and his personal positioning with members of Occupy Pinnacle. The complexity of this political involvement would see the UNESCO Jamaica Committee continuing to continue to submit the application process, UNESCO grading the application as recommending of support, and then an abandoning of the follow up submission process by the UNESCO Jamaica office.

Application Form for Parties and NGOs

NB: International Non-Governmental Organizations (INGOs) must fill out a separate form

The International Fund for Cultural Diversity (IFCD) provides support for projects undertaken by applicants from *developing countries that are Parties to the UNESCO 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions*⁵⁸. The IFCD invests in projects that lead to structural change through the introduction and/or elaboration of policies and strategies that have a direct effect on the creation, production, distribution of and access to a diversity of cultural expressions, including cultural goods, services and activities, as well as through the reinforcement of institutional infrastructures, including professional capacities and organizational structures, deemed necessary to support viable local and regional cultural industries and markets.

Applicants are to consult their National Commission for UNESCO for the submission deadline at the national level.

Each National Commission for UNESCO will pre-select a maximum of four proposals to be submitted to the UNESCO Secretariat in Paris by 15MAY 2014, midnight CET.

Consult the **IFCD Annotated Guide** to help you prepare a successful application:
http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/pdf/Conv2005_IFCD_Annotated_Guide_EN.pdf

| 1. BASIC INFORMATION | |
|----------------------|--|
| Title of the project | Rastafari Intellectual Property Initiative |

⁵⁸ List of developing countries that are Parties to the 2005 Convention:
http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/pdf/Conv2005_IFCD_Eligible_Parties_EN.pdf

| | |
|--|--|
| Amount requested from IFCD | USD \$97,740.00 |
| Name of applicant² | Ethio-Africa Diaspora Union Millennium Council aka Rastafari Millennium Council (RMC) |
| Type of applicant | <i>Please check only one of the below:</i> <input type="checkbox"/> NGO |
| Country | Jamaica |
| Contact person³ | |
| Title: | <input type="checkbox"/> Mr <input type="checkbox"/> Ms <input checked="" type="checkbox"/> |
| Family name: Stowe | Given name: Maxine |
| Position: Director, RMC | |
| Address: 10 Darley Crescent | Postcode: |
| Town: Kingston 20, Jamaica | Telephone: 876-850-4403 |
| E-mail: ethioafricamillennium2000@gmail.com | |
| Website: http://rastafarimillenniumcouncil.webs.com | |

NOTICE

APPLICATION PROCEDURE:

Step 1: Applicants shall consult their National Commission for UNESCO for the submission deadline at the national level.

Step 2: Parties (public authorities/institutions) and NGOs shall submit applications both in signed hard copy and in digital form, along with the supporting documents and translations into English or French if needed, to their country's National Commission for UNESCO⁴ or an alternative official channel designated by the Party.

Step 3: National Commissions shall form a pre-selection panel to review the applications and submit a maximum of four pre-selected ones (two maximum from Parties and two maximum from NGOs) to the UNESCO Secretariat by **15 May 2014**. Applications received by the UNESCO Secretariat after this deadline shall not be eligible for evaluation.

Step 4: Following a technical assessment by the UNESCO Secretariat to ensure that applications are eligible; National Commissions shall inform applicants whether the application has been retained for evaluation by the IFCD Panel of Experts or it has been deemed non-eligible.

Step 5: Eligible applications are evaluated by an international panel of experts representing UNESCO's six regions. The IFCD Panel of Experts shall recommend a list of applications to the Intergovernmental Committee for their examination. All documents pertaining to each project shall be made available on the IFCD website (www.unesco.org/ifcd).

Step 6: The Intergovernmental Committee shall make the final funding decisions during its eighth ordinary session at UNESCO Headquarters in Paris from 9 to 11 December 2014.

Step 7: The UNESCO Secretariat shall inform the beneficiaries of the approved projects. Project implementation shall start from March 2015.

EVALUATION GRID:

| Evaluation criteria | Score⁵ (number of points) |
|---|---|
| Relevance/appropriateness of the project to the objectives and areas of intervention of the IFCD, including the promotion of gender equality, youth, South-South and North-South-South cooperation, as well as the participation of various social groups | from 0 to 4 |
| Feasibility of the project, as well as the relevance and effectiveness of its modalities of execution | from 0 to 4 |
| Financial management and accountability | from 0 to 4 |

²This entity will be responsible for implementing the project, including its financial management. Please note that the applicant will need to have a bank account registered in the name of the organization if the project is approved.

³Representative of the applicant holding financial and administrative responsibility for implementation of the project.

⁴Contact information of National Commissions for UNESCO:

http://www.unesco.org/ncp/index.php?lc=E®ion=1&module=national_commissions&showall=1

⁵Scores: **4:** meets entirely the criteria established by the Conference of Parties and the Intergovernmental Committee; **3:** addresses the majority of the criteria; **2:** addresses half of the criteria; **1:** addresses less than half of the criteria; **0:** does not address the criteria at all.

| | |
|--|--|
| Impact and expected results, including potential for structural change | from 0 to 4 |
| Sustainability, reflecting the level of ownership demonstrated by the beneficiaries and plans for longer-term expected results that go beyond the output level | from 0 to 4 |
| 2. ABOUT THE APPLICANT | |
| 2.1. | Date and place of establishment of entity/organization: November 21, 2007, Kingston Jamaica |
| | <p>Main mission of applicant, showing its direct relevance to the objectives of the 2005 Convention: The Mission of the RMC is to facilitate collective representation for the Rastafari community, and to facilitate the establishment of a collective governance structure to deal with matters related to the protection and preservation and development needs of Rastafari culture, Rastafari Intellectual Property Rights, Rastafari networking with a vibrant Diaspora Community particularly in Africa and other issues of common interest.</p> <p>The RMC's Mission relates directly to all objectives of the 2005 Convention. The mission promotes the diversity of Afro-centric cultural expressions in Jamaica and globally, and seeks to create conditions to enable more harmonious interaction within the Rastafari community, as well as between the Rastafari community and other communities in Jamaica and Africa. It also enforces the link between culture. Heritage conservation and balancing development needs through its objective of facilitating good governance and the enhancement of trade in Rastafari cultural activities and expressions. The RMC has representation on its executive committee from 7 different Mansions and actively incorporates professional consultants, (Rastafari groups). (138 words)</p> |
| | <p>Main activities of applicant, showing its direct relevance to the objectives of the 2005 Convention: RMC's main activities include:</p> <ul style="list-style-type: none"> - Provision of lobbying and advocacy services on behalf of 7 Rastafari groups (Mansions) - Development and maintenance of a collective governance structure for the national and global Rastafari community with major centers in Ethiopia, Ghana & South Africa and Brazil - Representation of the collective Intellectual Property rights of the Rastafari community - Facilitation and organization of training and developmental partnerships with local and international experts and institutions for the benefit of the Rastafari community (69 words) |
| 2.2. | Key staff members: |
| | <i>Please list all key staff members working on the proposed project, directly employed by the applicant. Add more if necessary.</i> |
| | 1. Name: Maxine Stowe |
| | Responsibility in the activities of the project: Project management, with responsibility for overseeing project design and implementation, as well as provision of relevant workshop planning and training services. Provision of local counterpart consulting services for the proposed "Rastafari Culture Valuation and Mapping Report", and also acting as administrative coordinator for this project assist with the preparation of a business plan for the Rastafari Trust Fund and the Rastafari Intellectual Property Office. (38 words) |
| | Skills/attributes/background: Resume Attached |
| | 2. Name: Robert Mogg |
| | Responsibility in the activities of the project: Assistant to the administrative coordinator of the project. (8 words) |
| | Skills/attributes/background: Resume Attached |
| | 3. Name: Robert Gordon |
| | Responsibility in the activities of the project: Assistant to the Project Management . Workshop Planning and Training Services |
| | Skills/attributes/background: Resume Attached |

the Internet and other digital technologies, as well as the broad-based participation of community members as co-ops where possible. The main focus is the development of appropriate Intellectual Property Rights mechanisms and organizational capacity to provide advice and management through a contract and licensing mechanism to and from the Rastafari community regarding the protection, preservation and use of Rastafari culture and cultural expressions. Emphasis will be placed on issues related to Copyrights, Trademarks and Traditional Knowledge and Expressions along with Legislative Acts and Benefit Sharing mechanisms.

The RMC will continue its collaboration with local and international institutions and experts in the execution of this project in order to produce a Rastafari Culture Mapping and Valuation Report to guide future activities, and to establish as on going developmental tools a biennial Rastafari summit, a comprehensive website, and a functioning Rastafari Trust Fund and Rastafari Intellectual Property Office.

(231 words)

4.3. Country context and complementarity of the project with other regional, national and local policies/ measures/ programmes/ projects

*Please identify and explain the **specific needs, priorities and challenges** (economic, political and social aspects) faced by your community/ city/ country/ region (depending on the scope of your project) in the field of culture, and indicate how your project is designed to respond to them in a targeted and direct manner. (Max. 400 words)*

Rastafari culture and cultural expressions have spread throughout the world, with significant impact and development of communities in the Caribbean, Africa, the Americas and Europe. The movement has made a significant and tangible contribution to the global popularity and trading of Reggae music and its lifestyle merchandising, and has also benefited through informal unregulated transmission from the acceptance of Jamaican music form in countries around the world. The structural IP weaknesses of the Reggae Music Industry which is mostly operated by offshore companies has facilitated the growth of the Rastafari Movement and the expansion of the community to include more than 7 Mansions (groups), amidst evidence of discrimination, marginalization and economic bias that institutionally undermines collective representation. Members of the Rastafari community who actively participate in the music industry also attribute many of the roadblocks and challenges faced in the development of the Reggae industry to discrimination against Rastafari. The RMC was formed in 2007 with a view to incorporating international indigenous rights norms to the community and providing collective representation. Some needs and challenges facing the Rastafari community include:

- The need to strengthen the RMC as a representative governance body, and to train personnel to effectively negotiate and fight for intellectual property, commercial, indigenous, cultural and other rights. Workshops and the awareness building facilities of the RMC website, which will be implemented as a part of this project, will positively impact the capacity of the RMC to function as an effective governance body and beneficially interact with its Diaspora and expanded membership communities in major countries in South America and Africa.
- The need to provide mechanisms for information sharing, awareness building, and the creation of networks among the Mansions and individual members of the national and global Rastafari communities. Workshops, conferences, and lectures presented at the first biennial Rastafari Culture and IP Summit to be held in 2016, online networking and information dissemination through the official website, and the development and use of social media platforms will address these needs from a Heritage conservation and socio-economic franchise development of the culture.
- Rastafari culture and cultural expressions are varied, covering a range of creative and heritage issues, but there exists many misunderstandings through decades of informal transmission, and there is no workable valuation or mapping of what constitutes Rastafari culture and cultural expressions. The project will prepare mapping and valuation report with the objective of addressing this deficiency.

- There is need for the RMC to develop internal capacity, and to engage with professionals in fund management and other business development issues associated with the commercialization of Rastafari culture. The project will establish a division of the RMC with trained personnel to focus on IP management issues and further development of the Rastafari Trust Fund to handle transparent fund raising and distribution of monetary benefits. A business plan for the Trust Fund will be developed (396 words)

*Please provide information about **policies/ measures/ programmes/ projects** already started at the national and/or local level responding to the specific needs, priorities and challenges previously described. Indicate whether and how these policies/ measures/ programmes/projects will be associated with your project, and what value your funding request adds to the work that is already being carried out in your field.*

There are a number of initiatives and actions that have been pursued in the past 10 years that will facilitate and provide valuable collaborative opportunities for this project. As a specific response to the needs, priorities, and challenges being faced by the Rastafari Movement regarding the protection and promotion of cultural expressions, the following relevant initiatives and actions have already occurred:

- The Ethio-Africa Diaspora Union Millennium Council/RMC was registered in Jamaica as an NGO in 2007
- Since 2007 the RMC has been represented in an observer status at the Inter-Governmental Committee (IGC) sessions at WIPO in Geneva as an advocate on behalf of the Rastafari community, and has played a leading role in governmental and Caribbean regional deliberations on the protection and preservation of culture.
- With the assistance of the World Intellectual Property Organization/WIPO, and RMC Director Maxine Stowe, international consultant on the protection of the cultural expressions of indigenous peoples Mr. Roger Chennels was invited to Jamaica in 2007. Mr. Chennels met with and made presentations to various groups and members of the Rastafari community on issues related to culture and Intellectual Property Rights
- In March 2008 the RMC participated in a Regional Expert Meeting on the Establishment of a Caribbean Framework for the Protection of Traditional Knowledge, Folklore/Traditional Expressions and Genetic Resources was held in Kingston. This meeting was in response to a resolution by Caribbean Ministers that WIPO assist in developing appropriate frameworks, including regional frameworks for the protection of traditional knowledge, traditional cultural expressions and Genetic Resources (GRs). The meeting was also a follow up to a fact finding mission conducted by WIPO in 1999, which included Jamaica, where issues related to Rastafari culture and cultural expressions were examined.
- The RMC has commenced dialogue and forged working relationships with the Jamaica Intellectual Property Office, (JIPO) and the Institute of Jamaica, (IOJ). Meetings have been held, and a MOU signed with the IOJ. Other MOUs are being negotiated with JIPO and the University of the West Indies, regarding cooperation and collaboration between the RMC and these entities
- In 2010 (August 16-18), the RMC partnered with WIPO and JIPO in the staging of an Intellectual Property Seminar, for the RMC and the Maroons held at the Institute of Jamaica, where the objectives of the national Creative Heritage Project and the development of a Rastafari IP rights management mechanism were discussed.
- In 2011 the RMC initiated the incorporation of the Rastafari Trust Fund to deal with fund raising, business development, and the transparent distribution of income generated from benefit sharing and other resources coming from the commercialization of cultural activities and expressions.

- In furtherance of the MOU between the RMC and the IOJ, the first official Rastafari Exhibit will be presented in Jamaica in 2013. It will include collaboration with the National Ethiopian Museum
-
- In 2013 the RMC participated in a WIPO/JIPO Research Study headed by Rob Bowman who was also facilitated by RMC Director and International Consultant Maxine Stowe in her earlier and continuing works in the Jamaica Music Industry to link the development of the Jamaican Music Museum to a Rastafari Cultural Museum in Trench Town Kingston. The recommendations from the Report incorporated the works and achievements of the RMC and forms a major part of the legislative actions proposed. This report will be officially launched on June 3rd 2014.
-
- The RMC is on the ground floor of the development of a Medicinal Cannabis Industry through a Commercial Cannabis Task Force that is being structured, where the benefits of its collective management and IP is seen as necessary to provide the Rastafari Community a corollary and fair input and benefit from regulatory frameworks being developed. These actions will transfer to and through Rastafari Communities in South America and Africa.

All the above initiatives are directly connected to the objectives and activities included in this project, and will facilitate buy-in and cooperation from relevant national, regional and international stakeholders, as well as enable the sustainability of the project activities and the RMC itself.

(509 words)

4.4.

Objectives:

Please describe the specific measurable objectives of the project (and not of the applicant). These should be in accordance with the main objective of the IFCD, which is to invest in projects that lead to structural change through the introduction and/or elaboration of policies and strategies that have a direct effect on the creation, production, distribution of and access to a diversity of cultural expressions, including cultural goods, services and activities, as well as through the reinforcement of institutional infrastructures⁶, including professional capacities and organizational structures, deemed necessary to support viable local and regional cultural industries and markets.

Short-term objectives of the project:

To provide a mechanism for information dissemination, awareness building, networking and trade in cultural goods and services through the establishment and operation of a comprehensive website supported by online social media platforms, web magazine, internet radio and TV

To provide a forum for periodic gatherings of representatives of the Rastafari community in order to review and assess collective initiatives, make plans for future activities, network, transfer knowledge, and share information, through the staging on a biennial Rastafari culture summit and community development conference. This will be designed to offer a business expo component.

To provide a comprehensive body of information about the scope and nature of Rastafari cultural activities and expressions through the execution of a study and preparation of a Report by an expert on the mapping and valuation of indigenous cultures

To improve the management capacity of the RMC secretariat and its ability to deal with IP rights administration and business development by establishing an internal department with specially trained personnel. This will include the development of a business plan for the

⁶ Institutional infrastructure is to be understood as any public, collective and professional organizational structures (excluding working space and equipment, physical construction or restoration of buildings), capacities, as well as legislative (legal) and administrative provisions deemed necessary for the implementation of policies.

| | |
|------|---|
| | <p>Rastafari Trust Fund, Rastafari Intellectual Property Office and registration of Rastafari Trade Marks in local and international markets. (170 words)</p> <p>Long-term objectives of the project: To bring more unity and better collective representation to the interests of the Rastafari community in relation to the protection and promotion of culture and cultural expressions, and incorporation in the Cultural Industries mapping of Jamaica's goods and services, through the strengthening of the governance capacity of the RMC and implementation of collective initiatives.</p> <p>To enable better clarity of understanding and more effective representation of the interests of the Rastafarian community in the commercialization of Rastafari culture and cultural expressions, through improved sources of knowledge on Rastafari culture, improved IPR awareness, and the establishment of an IPR mechanism for the protection of Rastafari culture. (92 words)</p> <p><i>Please indicate how these objectives contribute to the promotion of gender equality, youth, South-South/North-South-South cooperation⁷ and/or the participation of various social groups in the areas of intervention of the IFCD:</i></p> <p>A large percentage of the persons who embrace and support the Rastafari Movement is comprised of women, most of whom provide organizational support and representation for creative practitioners and are themselves engaged in entrepreneurial development. In recent years there has also been a significant level of increase in the cultural activities and expressions of the youth (18 to 35) within the Rastafari Movement, as evidenced by what is being described as the "Reggae Revival". Both these groups have been exposed to a higher degree of educational inputs and a corollary lack of opportunities. The objectives of the project, long and short term, will enable and fully incorporate women and youth by encouraging their continued participation in the above mentioned roles, and fully incorporating them in the project activities.</p> <p>Two of the main Project developers is a woman and a representative of the Rastafari Youth Initiative Council. (102 words)</p> |
| 4.5. | <p>Sustainability</p> <p><i>What measures/ steps will you put in place to ensure that your project long-term objectives can be met? Examples of these measures/ steps can include expanding partnerships, mobilizing additional resources, engaging government counterparts to influence policy and strategy development.</i></p> <p>Establish working relationships with institutions such as JIPO, IOJ, the University of the West Indies, and regional entities in the Caribbean, Africa, Europe and the Americas, and technical cooperation with international bodies such as WIPO and UNESCO facilitated by JIPO.</p> <p>Continuing collaboration and involvement of the RMC in the digitization programme of the national Creative Heritage project, in order to ensure inclusion of Rastafari cultural assets in digital trading.</p> <p>Develop and execute a communication strategy that incorporates use of an official website and online social media, traditional media, and community meetings to generate ongoing discussion and awareness and socio-economic building opportunities among stakeholders and policy makers.</p> <p>Pursue relationships with a diverse range of local regional and international public and private funding sources, including use of new online fund-raising facilities (123 words)</p> |

⁷**South-South cooperation** is a broad framework for collaboration among public authorities/institutions or NGOs from two or more countries located in the global South. **North-South-South cooperation** involves authorities/institutions or NGOs from two or more countries in the global South in collaboration with a third party, typically a public authority/institution or NGO from the global North, contributing to the exchanges with its own knowledge and resources.

What measures/ steps will you take to follow up with the beneficiaries of the project after its completion?

The official website and online social media facilities to be set up in this project will be used as communication tools for interaction with project beneficiaries

The biennial Rastafari Culture and IP Summit/Conference will be used as a focal point for the coordination of periodic meetings, reporting, assessment of activities and progress made by beneficiaries, and future planning.

The secretariat of the RMC will act as a central contact point for beneficiaries, and steps will be taken to establish additional satellite centres of the RMC in other countries around the world. The Jamaican RMC base has traditionally served as the point of reference for existing national and global satellite centres for information and transferable of best practices, and will continue to play that role.

(121 words)

5. MAIN ACTIVITIES AND EXPECTED RESULTS

Please list the **expected results** of the project. The expected results should be concrete and measurable and will serve as a basis for the evaluation of the project after its completion. Moreover, expected results should be correlated with the objectives, activities and budget.

Below each expected result, please indicate **main activities** to be carried out to achieve these results, the location(s) where they will be held and the direct and indirect beneficiaries. Activities (research, workshops, publications, consultations) may be grouped into distinct categories such as, but not limited to: capacity-building, mapping, promoting exchange and networking and awareness raising and visibility.

Add more if necessary.

EXPECTED RESULT 1:

MAIN ACTIVITY(IES) TO ACHIEVE EXPECTED RESULT 1: The RMC will engage the services of a website and online social media manager/designer to set up and manage the operations of a comprehensive RMC website linked to the virtual museum of the Rastafari Exhibit at the National Museum of Jamaica, the Jamaica Tourist Board and the University Of The West Indies and online social media platforms such as Facebook, YouTube, and Twitter. RMC personnel will also be trained by the manager/designer. This will result in the establishment of an awareness building, information sharing, and networking mechanism for the RMC and Rastafari communities nationally and globally.
(71 words)

What indicator(s) are to be used to measure the achievement of the expected result?

The existence and use online of an official website and social media outlets at Facebook, Youtube and Twitter with functioning information and communication tools and the development of online stores and networking. (24 words)

What are the means of verification of these indicator(s)?

Google search, blogs. (3 words)

Location(s): Jamaica and worldwide (3 words)

Beneficiaries of this activity(ies):

Please include quantitative and qualitative information.

Direct beneficiary(ies): # The executive and general membership of the RMC, all Mansions of the Rastafari Movement, individual members of global Rastafari community, collectively networked with several hundred thousand individuals around the world.

Indirect beneficiary(ies): # Cultural and IP administrators with interests in Rastafari particularly those in the Caribbean, Africa, Americas and Europe; the culture and IP administrators within the UN offices such as UNESCO and WIPO; Government of Jamaica/Ministry of Culture administrators, Educators and Universities, Secondary and Primary Schools students.

(66 words)

EXPECTED RESULT 2:

MAIN ACTIVITY(IES) TO ACHIEVE EXPECTED RESULT 2: The RMC will work in collaboration with its project consultant, partners, and other stakeholders to plan and present the first biennial Rastafari Culture and IP Summit with a Trade Expo in Kingston, Jamaica. The website and online social media facilities of the RMC will play a very significant role in the development, promotion and execution of the Summit event. The Summit will result in the establishment of a virtual focal point around which periodic opportunities are created for in person discussions, reviews, and assessments of the progress being made, and the future plans of the RMC and members of the wider Rastafari community.

(98 words)

What indicator(s) are to be used to measure the achievement of the expected result?

The staging of the first biennial Rastafari summit and the presence and participation of local and international policy and entrepreneurial stakeholders. (18 words)

| <p>What are the means of verification of these indicator(s)? Media reports, studies and papers delivered, online blogs and other Internet posts. (12 words)</p> | | | | | | | | | |
|---|-------------------|-------------------|-----------------|---|-------------|---------------|--|------------|----------------|
| <p>Location(s): Jamaica</p> | | | | | | | | | |
| <p>Beneficiaries of this activity(ies): <i>Please include quantitative and qualitative information.</i> Direct beneficiary(ies): # A minimum of 200 conference participants including members of the RMC and RYIC executive committee and membership of the RMC, representatives of all Mansions of the Rastafari Movement. The Rastafari Youth Initiative Council, Rastafari Business and Professional Small Business Organizations Indirect beneficiary(ies): # Local and International culture and IP administrators such as WIPO, JIPO, IOJ, representatives of the Government of Jamaica/Ministry of Culture, African and International Embassies students and researchers of Rastafari. (50 words)</p> | | | | | | | | | |
| <p>EXPECTED RESULT 3:</p> | | | | | | | | | |
| <p>MAIN ACTIVITY(IES) TO ACHIEVE EXPECTED RESULT 3: An international expert in indigenous culture valuation and mapping will be engaged by the RMC to conduct a study and prepare the Rastafari Culture Valuation and Mapping Report. The study will consist primarily of a field trip to Jamaica complemented by other research methodologies to source information from the global Rastafari community. The Report will provide vital information to be used in guiding the RMC in future advocacy and developmental work and ongoing negotiations with National Cultural Heritage Institutions and National Lifestyle Merchandisers. (70 words)</p> | | | | | | | | | |
| <p>What indicator(s) are to be used to measure the achievement of the expected result? Delivery by engaged expert of digital and hard copy of a final report. (13 words)</p> | | | | | | | | | |
| <p>What are the means of verification of these indicator(s)? Media reports, reports from biennial conference, annual reports from RMC, meeting notes from RMC executive committee, Newsletters. (16 words)</p> | | | | | | | | | |
| <p>Location(s): Jamaica</p> | | | | | | | | | |
| <p>Beneficiaries of this activity(ies): <i>Please include quantitative and qualitative information.</i> Direct beneficiary(ies): # Members of RMC executive committee, the related Mansion Groups, the Rastafari Youth Initiative , Small Business Rastafari Entrepreneurs and members of the global Rastafari community. Indirect beneficiary(ies): # Hundreds of researchers and students in the Caribbean, Africa, The Americas and Europe who have interests in Rastafari culture, national and international culture and IP administrators such as, JIPO, IOJ, UNESCO, WIPO Government of Jamaica/Ministry of Culture. Legal representatives of the Rastafari Community in ongoing benefit sharing and reparations negotiations. (56 words)</p> | | | | | | | | | |
| <p>6. ACTIVITIES IMPLEMENTATION SCHEDULE: <i>Please provide an implementation schedule for your activities in the table below, making sure to note the start and end dates of all activities.</i></p> <p><i>NB: As stated in section 4, the project implementation period should be between 12 and 24 months and projects cannot start earlier than March 2015. Please note that, if approved for IFCD funding, you will most probably receive 50% of the total amount approved in the beginning of the project, another 30% mid-way through the project and the remaining 20% once all activities have been completed and the final reports are submitted.</i></p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Start date</th> <th>End date</th> </tr> </thead> <tbody> <tr> <td>Establishment and operation of RMC official website and online social media platforms</td> <td>Apr 1, 2015</td> <td>Sept 30, 2016</td> </tr> <tr> <td>Study and preparation of Rastafari Culture Valuation</td> <td>Jun1, 2015</td> <td>Sept, 30, 2015</td> </tr> </tbody> </table> | Activity | Start date | End date | Establishment and operation of RMC official website and online social media platforms | Apr 1, 2015 | Sept 30, 2016 | Study and preparation of Rastafari Culture Valuation | Jun1, 2015 | Sept, 30, 2015 |
| Activity | Start date | End date | | | | | | | |
| Establishment and operation of RMC official website and online social media platforms | Apr 1, 2015 | Sept 30, 2016 | | | | | | | |
| Study and preparation of Rastafari Culture Valuation | Jun1, 2015 | Sept, 30, 2015 | | | | | | | |

| | | |
|--|--------------|--------------|
| and Mapping Report | | |
| Planning and presentation of the first Rastafari Culture and IP Summit | Oct. 1, 2015 | Jul 31, 2016 |
| Establishment of IP and business development division of RMC and further development of Rastafari Trust Fund | Jul 1, 2015 | Jun 30, 2016 |

| 7. BUDGET | | | |
|-----------|--|-----|---------|
| 7.1. | Budget summary | | |
| | Total funding requested from the IFDC (<i>not exceeding USD100,000</i>): | USD | 97,740 |
| | Total co/self-funding income: | USD | 8,900 |
| | Total project cost: | USD | 106,640 |

| | | | | | | |
|---|---|--|--|--|--|--|
| 7.2. | Budget breakdown | | | | | |
| | <i>Please fill in the table below with information on all foreseen expenditure items and their cost in USD. Please note that you should only use the sections relevant to your project and adapt them as necessary.</i> | | | | | |
| | <i>If the funds requested from the IFCD are meant only to cover a portion of a larger project, please specify the amount that will be IFCD and self/co-funded.</i> | | | | | |
| | <i>Please note that at the end of the project, all original invoices and supporting documents must be sent to UNESCO. A pro forma invoice for equipment will be required.</i> | | | | | |
| Overhead costs should not exceed 30% of the total budget. Expenditures such as the purchase of a vehicle or construction / renovation of a building are not eligible for IFCD funding. | | | | | | |

| Expenditure | Activity Number | Unit | # of units | Cost (in USD) | Amount funded by IFCD | Amount co/self-funded |
|--|-----------------|-----------------------------------|------------|---------------|-----------------------|-----------------------|
| 1. Salaries / fees | | | | | | |
| 1.1 Project staff | 1, 2, 3, 4 | 50% of staff time spent per month | 1 | 18,000 | 18,000 | 1, 2, 3, 4 |
| 1.2 Contractor / subcontractor / consultant / expert | 1, 2, 4 | 500 Per day | 12 | 10,000 | 10,000 | 1, 2, 4 |
| 1.3 Administrative / support staff | 1, 2, 3, 4 | 50% of staff time spent per month | 1 | 10,800 | 10,800 | 1, 2, 3, 4 |
| Subtotal salaries / fees | | | | 38,800 | 38,800 | |
| 2. Travel and per diem | | | | | | |
| 2.1 Air transportation | 2, 3, 4 | 1500 Per flight | 7 | 10,500 | 10,500 | |
| 2.2 Land transportation | 2, 3, 4 | 60 Per day | 24 | 1,440 | 1,440 | |
| 2.3 Visa fees | | Per person | | | | |
| 2.4 Per diem for international missions / trips | 2, 3, 4 | 250 Per day | 24 | 6,000 | 6,000 | |
| 2.5 Per diem for domestic missions / trips | 3, 4 | 150 Per day | 20 | 3,000 | 1,500 | 1,500 |
| 2.6 Per diem for seminar / | 2 | 150 Per | 20 | 3,000 | 1,500 | 1,500 |

| | | | | | | |
|--|------------|----------------|----|--------------------|--------------------|------------------|
| conference participants | | day | | | | |
| Subtotal travel and per diem | | | | 23,940 | 20,940 | 3,000 |
| 3. Equipment and supplies | | | | | | |
| 3.1 Rent of vehicle(s) | | Per vehicle | | | | |
| 3.2 Equipment (total based on pro forma invoice enclosed with the application) | | | | | | |
| 3.3 Other (please specify) | | | | | | |
| Subtotal equipment and supplies | | | | | | |
| 4. Communication | | | | | | |
| 4.1 Publications (editing, design, printing, etc.) | 1, 2, 3, 4 | | | 7,000 | 5,000 | 2,000 |
| 4.2 Press conferences | 2, 3 | 1500 per event | 2 | 3,000 | 3,000 | |
| 4.3 Other promotional activities, events, advertisements, etc. (please specify) | 1 | 200 per month | 18 | 3,600 | 3,600 | |
| Subtotal communication | | | | 13,600 | 11,600 | 2,000 |
| 5. Other costs, services | | | | | | |
| 5.1 Studies, surveys (purchase of data) | 3 | | | 12,000 | 12,000 | |
| 5.2 Evaluation | | | | | | |
| 5.3 Translation, interpreters | | | | | | |
| 5.4 Rent of conference / seminar rooms | 2, 3, 4 | 1500 per day | 8 | 12,000 | 10,500 | 1,500 |
| Subtotal other costs, services | | | | 24,000 | 22,500 | 1,500 |
| 6. Overhead | | | | | | |
| 6.1 Rent of office space | 1, 2, 3, 4 | 300 per month | 18 | 5,400 | 3,000 | 2,400 |
| 6.2 Postage, office supplies, etc. (please specify) | 1, 2, 3, 4 | 50 per month | 18 | 900 | 900 | |
| 6.3 Other (please specify) | | | | | | |
| Subtotal overhead | | | | 6,300 | 3,900 | 2,400 |
| <i>Please note that the overhead costs should not make up more than 30% of total costs of the project.</i> | | | | | | |
| | | | | Total | USD 97,740 | USD 8,900 |
| | | | | Grand Total | USD 106,640 | |

| | | | |
|------------------------|--|--|--|
| 7.3. Co-funding | <i>If any, please list all sources of co-funding. Please indicate whether or not additional resources are already available or when they are likely to become available. Written confirmation of co-financing may be requested. Add more sources if necessary.</i> | | |
| | 1. Source: | | |
| | Amount: USD | | |
| | Status of funding: | <input type="checkbox"/> available | <input type="checkbox"/> to become available |
| | | | |
| | 2. Source: | | |
| | Amount: USD | | |
| | Status of funding: | <input type="checkbox"/> available | <input type="checkbox"/> to become available |
| | | | |
| | 3. Source: | | |
| Amount: USD | | | |
| Status of funding: | <input type="checkbox"/> available | <input type="checkbox"/> to become available | |

| | |
|--|--|
| 7.4. Non-financial contribution | <i>If any, please indicate the kind and the source. Add more if necessary.</i> |
| | 1. Source: |
| | Kind: |
| | 2. Source: |
| | Kind: |
| | 3. Source: |
| Kind: | |

| | |
|----------------------------------|--|
| 7.5. Financial management | <i>If any, please indicate what actions have been foreseen to ensure financial accountability (e.g. involvement of a financial officer).</i> |
| | The Rastafari Trust Fund protocols, and the experience of the Rastafari Youth Initiative Council's expertise in achieving and managing several Grants will be combined with those of a Accounting Consultant to the Project. |

| | |
|---|--|
| 8. FUNDING FROM UNESCO | |
| 8.1. Previous funding from the IFCD | Title of the project: |
| | Period: |
| | Amount of funding: |
| 8.2. Previous funding from UNESCO for similar or related projects <i>(either from UNESCO Headquarters, a Field Office or an Institute) to implement project(s) similar to or related to the project that you are currently proposing. Add more if necessary.</i> | 1. Title of the project: |
| | Period: |
| | Amount of funding: |
| | 2. Title of project: |
| | Period: |
| | Amount of funding: |
| | 3. Title of project: |
| | Period: |
| | Amount of funding: |
| 8.3 Current applications | <i>Are you currently applying for other UNESCO funds?</i> |
| | <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details.</i> |

| |
|--|
| 9.COMMITMENT TO SUBMIT A REPORT ON THE EXECUTION OF THE PROJECT |
| <p>As stated in paragraph 25of the Guidelines on the Use of the Resources of the International Fund for Cultural Diversity: "The beneficiaries shall submit a mandatory descriptive, analytical and financial report on the execution of the project and the realization of expected results to the Secretariat. The report must be presented using the reporting forms provided by the Secretariat in order for the beneficiary to receive its final payment. No financial contributions for new projects will be allocated to beneficiaries who have not received their final payment."</p> <p>The full text of the Guidelines is available at: http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/pdf/Guidelines_IFCD_EN.pdf</p> |

- I commit to respect the provisions of paragraph 25 of the Guidelines.
 I certify that all information contained in this application is truthful.

Date _____

Name and title _____

Stamp and signature of the applicant _____

NB: This application is not valid and cannot be accepted by the UNESCO Secretariat unless it is signed.

CHECKLIST

Please go through the checklist below prior to submitting the Application Form

| | | |
|---|--|--------------------------|
| 1 | Original signature of the person empowered to sign the application form on behalf of the applicant. | <input type="checkbox"/> |
| 2 | Legal Status: Official document (if needed translated into English or French) demonstrating that your organization is a public authority/institution or an NGO from a developing country that is a Party to the UNESCO 2005 Convention. | <input type="checkbox"/> |
| 3 | Application prepared in English or French (requests in other languages will not be retained). | <input type="checkbox"/> |
| 4 | All sections of the application form are filled in, respecting word counts indicated in each section. | <input type="checkbox"/> |
| 5 | Detailed budget breakdown is provided in USD and by type of expenditure. | <input type="checkbox"/> |
| 6 | Application form and document proving your legal status as a public authority/institution or an NGO, as well as its translation if needed , are to be sent both electronically and by post to the National Commission. | <input type="checkbox"/> |

Applications that do not have all these documents will be considered incomplete and therefore not eligible.

For further information, please consult:

www.unesco.org/ifcd

ifcd.convention2005@unesco.org

UNESCO IFCD Application & Review - 2013/2014
http://en.unesco.org/creativity/ifcd/project-profile/rastafari-intellectual-property-initiative?v=project_profile_evaluation

EE-05-2014-035-RN

Submitted by r_nudelman on Mon, 07/28/2014 - 19:57

Evaluation grid

| Evaluation criteria | Score (number of points) |
|---|--------------------------|
| Relevance/appropriateness of the project to the objectives and areas of intervention of the IFCD, including the promotion of gender equality, youth, South-South and North-South-South cooperation, and the participation of various social groups. | from 0 to 4 |
| Feasibility of the project, as well as the relevance and effectiveness of its modalities of execution. | from 0 to 4 |
| Financial management and accountability. | from 0 to 4 |
| Impact and expected results, including potential for structural change. | from 0 to 4 |
| Sustainability, reflecting the level of ownership demonstrated by the beneficiaries and plans for longer-term expected results that go beyond the output level. | from 0 to 4 |

Project profile:

Rastafari Intellectual Property Initiative

Hide2. Brief Summary of the project

The application is presented by Rastafari Millennium Council (RMC), and its title is *Rastafari Intellectual Property Initiative*. But we will see that the project is wider than the title. RMC is a movement who facilitates the representation of the Rastafari community, and aims to the protection and preservation of Rastafari culture and, with this project, the Rastafari intellectual property. This initiative is designed to address the use, preservation, and protection of the cultural assets to the community and its members. They think they can provide greater economic benefits, and to increase the levels of appreciation and respect for Rastafari culture and cultural expressions in Jamaica and in the world. It will focus on improving the internal management and governance capacity of the RMC through workshops training, mentoring and the effective use of the internet and other digital technologies. And in the development of appropriate intellectual Property Rights mechanisms for the protection, preservation and use of Rastafari culture. Emphasis will be placed on issues related to Copyrights, Trademarks and Traditional knowledge along with legislative acts and agreements. They will produce a Rastafari Culture Mapping and Valuation Report to guide future.

Hide3. Relevance and appropriateness of the project to the objectives and areas of intervention of the

IFCD

3.1 Please describe how the project's short-term and long-term objectives are aligned with the main objective of the IFCD, which is to invest in projects that lead to structural change through the:

Introduction and/ or elaboration of policies and strategies that have a direct effect on the creation, production, distribution of and access to a diversity of cultural expressions, including cultural goods, services and activities.

Strengthening of institutional infrastructures, including professional capacities and organizational structures, deemed necessary to support viable local and regional cultural industries and markets.

Short-term objectives: provide a mechanism for information and dissemination of cultural goods and services through a website supported by on line social media platform, and a web magazine. Provide a forum for meetings and discussions of the Rastafari community. Improve the management capacity of the RMC secretariat and its ability to deal with rights administration and business development. Creation of a Rastafari Trust Fund. Registration of the Rastafari Trade Marks. Long-term objectives: Improvement of the representation of the interests of the Rastafari community for the protection and promotion of culture and creative expressions. Motivate an improvement in the commercialization of Rastafari goods in the market.

3.2 How do the objectives of this proposal meet the current needs and priorities of the country/ region in terms of cultural policies and/ or cultural industries?

Rastafari culture have spread by the world, especially in the Caribbean basin. Reggae music is very popular all around the world. But this cultural product of the Rastafari people has a great weakness because of its informal unregulated transmission. The music is operated by offshore companies without respect to national and international laws that protect intellectual rights. RMS wants to incorporate international indigenous rights laws to the community and provide collective representation.

3.3 To what extent are the project's objectives specific and measurable?

Objectives of the project are various. I think that they have an agenda that exceed the title of the project. It's more than the Intellectual Protection of the Rastafari culture. Is also a way to consolidate the organization and to give them more representation of the community. But I think that both objectives are not incompatible,

3.4 To what extent does the project contribute to the promotion of gender equality, youth, South-South and North-South-South cooperation and/ or the participation of various social groups?

Rastafari Movement is comprised by women and men. They say that women and youth "have been exposed to a higher degree of educational inputs and a corollary lack of opportunities". Project will enable and fully incorporate women and youth by encouraging their continued participation in the activities.

SCORE (from 0 to 4):

3/4

Hide4. Feasibility of the project, as well as the relevance and effectiveness of its modalities of execution

4.1 What elements demonstrate the applicant's organizational capacity (main activities of the institution/ organization) and competence (skills and background of staff) to implement the work plan and manage the budget?

RMC is a seven years established organization, with groups working in Jamaica and in other Caribbean countries. Key staff seems to be people with experience in the field, but they have their skills in an attach that I can't see. But I think they can manage the activities and budget.

4.2 To what extent do the activities address relevant issues? Please explain how the methodology is appropriate to achieving the objectives?

They describe their actual needs carefully (4.3 of the application): need to strengthen RMC as a representative governance body, need to provide mechanisms for information sharing, making of a map and a valuation report of their deficiencies, need for RMC to develop internal capacity and to engage with professionals in fund management.

4.3 To what extent is the time frame realistic and coherent with the activities?

Time frame seems to be all right, except for the time required in the establishment and operation of RMC official website and online social media platform: they require 18 months. I have to say that I don't know at what level is the development of technologies in the Caribbean countries.

4.4 Have the direct and indirect beneficiaries of the project been clearly identified? To what extent are the activities relevant to the target beneficiaries and address their needs?

Yes, beneficiaries of the project are identified: members of RMC, conference participants, public in general.

SCORE (from 0 to 4):

3/4

Hide5. Financial management and accountability

5.1 Does the budget provide for adequate resources (salaries, fees, equipment, travel, communication, etc.) necessary for success of the project? If the budget has been overestimated or underestimated, please explain how.

Yes, I think budget is adequate for the activities proposed. Maybe salaries (35% of the total) are a little high, but the rest is all right.

5.2 What proportion of the budget is allocated to project activities versus overhead costs? Does the budget seem adequate and overhead costs estimated in compliance with the limit to a maximum of 30% of the total project budget?

Overhead costs are low: 6% of the total budget.

5.3 Does the project proposal indicate any additional financial contributions to the project, such as co-funding and/ or self-funding?

There is a self-funded contribution of the 8% of the budget. Except for this, the project does not indicate any additional financial contributions.

5.4 What actions have been foreseen to ensure financial accountability (e.g. involvement of a financial officer)?

Project says (7.5. of the application) that the Rastafari Trust Fund protocols and the experience of the Rastafari Youth Initiative Council's expertise will be combined with those of an Accounting Consultant.

SCORE (from 0 to 4):

3/4

Hide6. Impact and expected results, including potential for structural change

6.1 Are the project's expected results concrete, measurable and realistic? To what extent are the expected results correlated with the objectives, activities and budget?

Yes, expected results are concrete, measurable and realistic, and they are correlated to objectives, activities and budget.

6.2 Please indicate how the project's expected results contribute to at least one of the following IFCD's short-term results that are classified under three main outcomes:

Outcome 1: A policy environment that promotes the diversity of cultural expressions is created through targeting structural change

Expected Result 1.1 Cross-sectoral cooperation in policy making and implementation demonstrated;

- **ER1.2** The role of civil society in policy making and implementation strengthened;
- **ER1.3** Processes and mechanisms of policy implementation and review strengthened;

Outcome 2: The value and opportunities that the cultural and creative industries offer in the achievement of sustainable development are clearly demonstrated

- **ER2.1** Innovation and new business models applied to cultural entrepreneurship;
- **ER2.2** Access to local, national or international markets for cultural goods improved;
- **ER2.3** Participation and collaboration in cultural and creative industries widened to previously excluded individuals and social groups;

Outcome 3: Contributions are made to sustainable capacity development in the cultural sector at institutional, organisational and individual levels

- **ER3.1** National and international networks and communities of practice facilitated, with a focus on North-South-South cooperation;
- **ER3.2** Capacity development needs relating to cultural value chain assessed and mapped;
- **ER3.3** Capacity development needs relating to cultural value chain addressed at appropriate levels.

Overcome 1: RMC will hire services of a website and online designer to set up and manage the operations of the website. RMC personnel will be trained by this person in the use of Facebook, Twitter, You Tube and other social networks. This will result in the establishment of a network for RMC and Rastafari communities el the country and the world.Overcome2: RMC and partners and consultants will plan and present the first biennial Rastafari Culture Summit. The website and the social networks will play a role in the promotion of this eventOvercome 3: A study will be prepared by an international expert on indigenous culture. The report will be about a field trip to Jamaica and will be complemented with other research methodologies to source information from the global Rastafari community.

6.3 To what extent is it expected that this project has an impact on the country/region’s cultural policies and/ or cultural industries?

Rastafari community of Jamaica and other Caribbean countries will be impacted with these activities, and RMC will work in the future with better information.

6.4 To what extent does the project demonstrate potential for structural change (for example: changes in the policy environment; far-reaching changes in public and professional organizational structures; and changes in the way government and regulatory authorities do business)?

I don’t think the project will promote structural changes on governmental cultural policies, but it certainly will serve the Rastafari community.

SCORE (from 0 to 4):

3/4

Hide7. Sustainability

7.1 To what extent are contractors and partners involved in the implementation of the project’s activities? Has the role of each contractor and/ or partner been clearly described?

There are no names in the two contractors they will use: the project management consultant and the international expert that will map the Rastafari’s cultural expressions in the country.

7.2 How does the project relate to and/ or complement the work that is already being carried out in the country/ region in terms of cultural policies and/ or industries?

Activities planned in the project complemented actions that RMC is already doing. As the role of RMC in Geneva 's session of WIPO (World Intellectual Property Organization). Or the establishment of the Caribbean Framework for the Protection of Traditional Knowledge.

7.3 What measures/ steps are proposed to ensure that the project's long-term objectives can be met?

Project explains that they will establish working relationships with several international institutions and Universities, they will develop a communication strategy and execute it, and they will establish relation with local and international public and private funding sources.

7.4 What measures/ steps are proposed to follow up with the beneficiaries of the project after its completion?

The website will be used as a communication tool for interaction with beneficiaries. The biennial conference on Rastafari culture will be used as a coordinator and to control of the progress of activities.

SCORE (from 0 to 4):

3/4

Hide8. Overall evaluation

8:

I think that the application is good, but there is some parts that are not completed. Objectives are will defined, as the activities and the budget.I support this project.

Total score:

15

COORDINATOR VALIDATION:

V-05-2014-035

Project title:

Rastafari Intellectual Property Initiative

Recommended funding:

US \$ 0.00

Evaluation summary:

This project takes in account one of the most popular form of Cultural expression in the world, reggae music. This specific Culture is sometimes not considered with the seriousness it deserves, and this application is serious. The applicant is historicaly and philosophicaly fully entitled to propose it, and presents relevant skills to manage the project, although the CVs are not accessible to the evaluators. The 3 proposed actions create a coherent set of initiatives, which could effectively bring to the proposed objectives, not to mention the interesting trans-continental aspect of the project's impact.However, there are some over-estimations and unclarities as far as the international expert budget is concerned. It seems that the total of dedicated per-diems, salaries, international transportation costs and study costs is reaching 38500 \$, and does not present much details. It is one of the factors which could explain the lower notation of the project.

Project status:

Non recommended

11. Ganja Sacramental Rights Overview 2015

Rastafari Millennium Council (RMC)

Update to Address the GANJA BILL re Amendment to the Dangerous Drugs Act 2015

We, the Directors and Executives of the Ethio-Africa Diaspora Union Millennium Council Ltd. aka Rastafari Millennium Council/RMC having presented our Draft on Sacramental Rights in 2014 for consultations and incorporation in the respective GOJ Ministerial Negotiations, Ganja Scientific and Research Conferences that identified the parameters for social and industrial negotiations to establish a legal framework for the Rastafari Community's total suite of rights related to Human, Sacramental and Industrial, incorporating all the associated positions governed under and by Intellectual Property Rights use and development, do hereby present an updated memorandum to address the established legal framework in the GANJA BILL re Amendment to the Dangerous Drugs Act.

This framework identifies the concurrent need of parallel regulatory protocols and processes to establish parameters in relation to the proposed governance under the Ministry of Justice and the Ministry of Trade Industry and Commerce/Cannabis Licensing Authority/Cannabis Business /Advisory/JIPO.

The much respected Jamaica Brand that ranks amongst the four leading indigenous brands from Organic States that is the frame of reference for all the North American and European strains can only be articulated with Rastafari IP incorporation. We are clear as it is noted that all the medicinal framework languages are coverings for the high THC Ganja trading and so the Rastafari Community IP and cultural trade protocols will not be allowed to be used without clear and continuing benefit to the Rastafari Community on our own terms.

The existing framework is referred to in the fact sheet published by the Minister of Justice surrounding these human, cultural and IP rights and the associated responsibility given the Minister of Justice in facilitating community governance in an advisory capacity with respect to established Rastafari Community Governance mechanisms. A mere advisory committee attached to the Minister of Justice does not rise to the legal requirement to regulate the incorporated rights and usurps Rastafari Community Governance protocols.

Reference is also made to identify the TOR from the Office of the Prime Minister tribunal related to GOJ dealings with Rastafari Community IP, Heritage and Reparatory rights established around Coral Gardens Massacre, Pinnacle Heritage Site and Reparations GOJ/CARICOM policies.

GANJA BILL FACT SHEET REFERENCES

Cultivation for Rastafarian sacramental purposes

24. Persons 18 years or older who are adherents to the Rastafarian faith, or Rastafarian organizations, may apply for authorization to cultivate ganja for religious purposes as a sacrament in adherence to the Rastafarian faith.

25. Ganja that is cultivated under such authorization may not be smoked in public places other than at locations registered as places of Rastafarian worship, or sold or otherwise dealt with commercially, or exported from Jamaica, but is otherwise not subject to the rules against ganja under the DDA.

Events to celebrate/observe the Rastafarian faith

26. Persons who are adherents of the Rastafarian faith, or Rastafarian organizations, may apply for an event promoted or sponsored by them to be declared an exempt event. In order to apply, the event must be primarily for the purpose of the celebration or observance of the Rastafarian faith.

27. Where an event is declared exempt, persons who attend the event will not be liable to be arrested, detained or prosecuted for smoking ganja or possession of ganja at the event, or transporting ganja to the event, as long as they have complied with the amounts and conditions specified in the order declaring it an exempt event.

RASTAFARI SACRAMENTAL AND TRADITIONAL USE

Rastafari Sacramental and Traditional Use, will incorporate other Afro-centric non Rastafari Sacramental and Traditional use and will incorporate a wide use of herbal remedies in a Nutraceutical Framework. We understand that the economics of Ganja is driving the Nutraceutical Framework of which our culture and community stands in an advantageous position to expand into.

What has been described as 'Events' in the Ganja Bill, this identifies the non-Sacramental bordering Recreational use that is based on the direct influence of Rastafari Culture on behavior patterns related to Reggae Music.

The Rastafari influence in non-Sacramental bordering Recreational use is significant in the Tourism Industry, as can be seen by the actions, reactions and activities surrounding the Cannabis Cup and the Marley Natural, Ganja Inc. and Orange Hill Ganja brands that are registered internationally in the USA and Canadian markets where significant Rastafari/Jamaican uptake of IP occurs. It is Rastafari Ownership and Governance of its Influence through the RMC that has been appointed as is the guardian of the law and we will be partnering with several international jurisdictions and approaching the United Nations on several levels to enforce these rights. Our cultural preference which is the centerpiece of our Cultural and Intellectual Property Rights is Repatriation to Africa which you have now acknowledged in your national and regional governmental proposals for Reparations.

The Export/International Market, Domestic Market and Tourism Market are all influenced and incorporative in Rastafari Rights. This was formally established to the Government of Jamaica and the US Ambassador to Jamaica since 2013 as the market and intent of Jamaica was being identified.

Where the Intellectual Property of the Rastafari Community is concerned, this has been a multi-year activity prior to Ganja that has received scant attention and support by the Government of Jamaica and in the referencing of Ganja what has emerged is outright tort interference in established Rastafari Governance mechanism to influence outcomes. This is directly related to the scope of the influence in trade and commerce related to the music, lifestyle and now the Ganja Industry and its potential of direct impact on corporations locally and internationally that are in other areas of trade with Government agencies. Companies like Adidas and Puma are referenced.

The Marley Estate and the interests of Chris Blackwell/Island Entertainment and Island Outpost Companies spans major sectors of the tourism industry and the use of Bob Marley's image and likeness in music, life-style and ganja globally has unlawfully appropriated major aspects of Rastafari Community IP for individual interest and benefit and is the greatest deterrent to Jamaica Government actioning of Rastafari Rights because of the impact on existing corporate and industrial relations. Companies like HILCO, Privateer Holdings and a host of other lifestyle companies are to be impacted. Where we believe there is space for all in commerce, we do not believe IP infringement such as the one established should be authorized and encouraged by the government any further and certainly without impunity.

JIPO's intent as recorded by international consultants is not a legal right for the Rastafari Community, a Practice Note that has been in operation since 2012 has not been actioned in its three years of development and what is in operation is an identifiable conflict of interest in respect of legal personalities employed to oversee these actions. Other major institutions such as the University Of The West Indies and the Institute Of Jamaica have been employed adversarially. The Minister of Justice, a lawyer by practice, has been reductive in all current negotiations under the Ganja Bill as to the existence and applicability of Rastafari Intellectual Property Rights and has put the burden on the Community to secure legal action through the courts to determine these rights.

With Jamaica's local Ganja assets being limited in scope in the international markets, it is the franchising of local assets that will use and incorporate international assets that will bring the largest potential benefit thus the genuine threat of Marley Natural/Privateer, Cannabis Cup to not only Rastafari but National interests.

This is where Rastafari IP and its design and terms of reference sits, so it is imperative that Rastafari IP is legally and formally further incorporated and it is the intent to take this to the legal courts in Jamaica and, given the response of Jamaican courts and government to date, internationally to secure not just the Ganja Industry potential but the Rastafari Community nationally and globally that must now be factored into the current consultations and recommendations.

RASTAFARI GOVERNANCE

GOVERNANCE FRAMEWORK

- **Nyahbinghi Ancient Council - Rastafari Millennium Council**
- **Rastafari Trust Fund - Benevolent Societies**
- **Rastafari Intellectual Property Authority**
- **Rastafari Legal Representative Framework**
- **MOU's with Governmental Agencies & Research Institutions**

As Jamaica has no established a regulatory agency and will be having to build a ground up entity in the Cannabis Licensing Authority that does not incorporate Rastafari regulatory provisions. We offer 2 possible solutions:

- RMC does it with GOJ facilitation
- GOJ does it, but It , the governance regulatory framework must incorporate Rastafari defined offices and officers that was already deemed necessary under the Rastafari Intellectual Property Authority and position papers and proposals related to Capacity Building within the Rastafari Community.

Rastafari Governance mechanisms have been legally established in 2007 with the EADUMC/RMC and the establishment through the Council of the Rastafari Trust Fund and Rastafari Intellectual Property Authority. This follows a multi decade process that has been impacted on by societal prejudicial actions and assimilation practices.

The ownership and self-governance of the Intellectual Property of the Rastafari Community are the creative philosophical/intellectual practices by the founding leaders of the Rastafari Community incorporated in Trust as Mansions. The 3 major mansions, Nyahbinghi, Bobo Shanti and Twelve Tribe itself was predated by formations of leaders that honed their practices in West Kingston/Back A Wall/Ackee Walk extending to Trench Town, Pinnacle/Rockfort and Pinnacle/Sligoville.

The Nyahbinghi Order that is practiced by the Nyahbinghi and Bobo Shanti Mansions hold all of the most identifiable and significant practices that make up the most appropriated Intellectual Property Rights of the Rastafari Community. The Twelve Tribe Mansion's prominence is related to its incorporation of the Rastafari Ethos in Reggae Music, highlighting Reggae artists like Bob Marley and the Sound System JAH LOVE and Events as their community gatherings and its lowering of standards related to the traditions and orthodoxy of the Nyahbinghi Order.

The Rastafari Elders and Mansions are creative philosophical and intellectual practices by Founding Elders of left in a Community Trust and Elder Governance mechanism, as direct continuities of centuries of African redemptive responses to identity destruction under slavery and colonialism in Jamaica most notable the Honorary Marcus Garvey. Many of its founding leaders were themselves products of the Revival and Kumina Afro-centric traditions. With the majority of these leaders collectively developing their ideas and ideals, having passed and left their collective Intellectual Properties in their contemporaries and the Trust of The Mansions, the Nyahbinghi Ancient Council and the Bobo Shanti, incorporates the largest activist group of elders. This genesis has and continues to be the leading advocacy and governance mechanism since these incorporation of the African National Congress in 1958, and then supported by appointed collective administrative structures since 1983.

The EADUMC/RMC was formulated in the traditional administrative vein through the Nyahbinghi Ancient Council with Observer Status of the Bobo Shanti and was anchored by the TCE/TK/GR Indigenous Human Rights frameworks put forward by WIPO and UNESCO and several other Human Rights arms of the United Nations actively since 1999. Similarly the mission of EADUMC/RMC in its formation was incorporative of the African Union Diaspora mechanisms in and around 2005-2007 and in respect of Intellectual Property incorporated all African Retention IP in Jamaica. The EADUMC/RMC was is also mandated to be registered with the Companies Office that also ushered in a new era of parallel governance mechanisms to the Community Structures represented in the By-Laws of the Council. This updated requirement was parallel to the TCE/TK/GR and IP frameworks that is a global process related to Indigenous and Traditional groups and communities and was informed by South Africa's best practices in Indigenous laws and rights through the consultancy of leading legal luminary Roger Chennels and the incorporation of leading cultural music and IP expert Maxine Stowe as a consultant and director. The current Draft TCE/TK/GR Model Law has been in large part driven by the mission, expertise and activism of the Council where Rastafari has the largest commercially appropriated indigenous rights in need of protection regionally and globally now evidenced in Ganja.

The EADUMC/RMC in recognition of the heritage and IP frameworks had recognized the establishment of national governance driven by the cultural and population frameworks that have been established by the Community and had early recognized Community IP as an inviolable right that was superior to divisions within the Rastafari Community thus not conversant with standard 'disunity' narratives. The Ganja Bill and Industrial frameworks have quickened these actions inclusive of the Geographical Indicator framework being established that overlaps and incorporates these rights.

Rastafari Community traditional use of Ganja that evolved as Sacramental incorporates Traditional Medicinal usage from other African retention communities and is historically recorded at Pinnacle being a major community cultivation site now being the first Rastafari Heritage site in Jamaica and the world. The history of cultivation in the Mountain Tops that incorporate Maroon Territories is also directly related to Rastafari community development and practices.

The history of cultivation, sacramental and cultural global ascendancy transmitted through Reggae music and the ambassadorial tradition of the Elders, relates directly to broad societal use, global uptake and associated economic rights and is the largest factor in cultural human rights in the context of the UN Dangerous Drug negotiations incorporating indigenous traditional use, competitive brand advantage and

geographical indication, that sits prominently at the table with medicinal scientific and industrial research and product development rights. It is the Rastafari Community cultural affinity to particular strains that would give value to an otherwise questionable and tradable value of Jamaican ownership of strains. It is also the Rastafari Ethos that would be attractive to a significant block of international expertise locating their rights in Jamaica.

This is what the Ganja Bill seeks to capture in relating to Jamaica's framework for an industry, but falls predictable short as it does not properly specify, identify, incorporate or elevate the IP Rights which has rather put it in conflict with Minister of Justice governance provisions which is now a major flaw in the Ganja Bill's development and advisory assumptions.

<http://www.nlj.gov.jm/rai/Ganja%20Bibliography.pdf>

RASTAFARI FAITH PROVISIONS

1. Divinity of H.I.M. Haile Selassie 1st - Conquering Lion of Judah. All Rastafari living this Faith adheres to the Counsels and Philosophies of Emperor Haile Sellassie through His Selected Speeches: "The Great, Wonderful, Counselor, Mighty God, Everlasting Father, Prince of Peace, The Lord of Hosts is His Name"!

2. Nazarite Vow. Rastafari Dreaded Locks as the ancient tradition of the Israelite borne today, through history and prophecy, by the sacred Nyahbinghi Order.

3. Freedom, Redemption, and Repatriation. Acknowledging Ethiopia/Africa as the creation Birth and Divine Right of Africans at home and abroad, post Colonial Slave Trade and colonization of Africa seeking repatriation with reparation(s), and self determination. Global non-African communities support their cultural indigenous traditional rights as Rastafari "to return to his/her Vine and Fig Tree".

4. Procreation. Rights of Union between a Man and a Woman for natural re-creation of the human family govern by the Divine laws of the Universe, Moral Laws, and Natural Laws.

5. Ital/Natural Lifestyle. Vegetarian, No swine flesh eating, No Liquor, No Cigarettes! Preventive Nutraceutical Medicine as oppose to Pharmaceutical preparations (possible acceptance only in life-threatening illnesses). Living a holistic lifestyle.

6. Cannabis-Ganja Sacrament. Use of Ganja as a Spiritual Medicinal organic whole plant substance in ritual burning, eating, therapeutic uses. Cannabis Ganja traditional strains used in the creative development of the Culture, and that are associated with Land Races found in Africa and other organic States under the United Nations.

7. Environment. Respect for Nature and Natural Laws. Organic Farm/Food. The use of Hemp and other natural fibers to be organic and bio-degradable.

8. Work/Labor. Respect for the rights of a man, woman, and family to engage in works that respect the Environment and Human Rights, and to work responsibly and progressively for self and community first.

9. Social Responsibility. Respect for the Rastafari Community and CREED by actively giving back to recognized Community Organizations and Cultural Instruments in the development of Education, Health and Welfare. Principally served through respect for the Intellectual Property of the Rastafari Culture where the culture has been propagated through the popular music industry medium as Reggae.

10. Governance. Respect and Support for Elders of the Rastafari Community as the source of Community Law and Governance in accordance with Theocratic Principles and established procedures for Cultural Rights.

11. Temple. The Temple of the body is the primary Holy Structure followed by the Home, Communal places of Worship located at the Nyahbinghi Tabernacle(s), and the Ethiopian Orthodox Church.

12. Rastafari Dress Code. Afro-centric/Traditional Garments/Priestly Turban and Robes with Female dignified and attired in below-the-knee dresses and head-wrap. No body piercing or tattoos.

13. Violence. No encouragement, supporting or conducting of violent behavior. Rastafari motto of Blessed Love, Peace and love, One Love!

CULTURAL AND POPULATION FRAMEWORK

The 2011 Census by Statin presents Jamaica's population as totaling **2,697,983** with **1,334,533** being male, and **357,082** males under the age of 15 years old; **977,451** being over 15 years. This includes the Rastafari population. At a growing rate of 0.36% annually, the total population as of 2014 is about **2,727,121**.

<http://statinja.gov.jm/Census/Census2011/Census%202011%20data%20from%20website.pdf>

Recognizing the Rastafari Community as not being culturally inclined to participate in Census, and that 66% of Jamaicans are reported to use Ganja, (<http://www.havocscope.com/jamaica-ganja/>) The RMC opines that there are a minimum of 500,000 Rastafari and "adherents" as alluded to in the Ganja Bill and 500,000 other traditional users (Revival/Maroon) in Jamaica who today use GANJA and are engaged in a similar process of cultural sacramental use. The EADUMC/RMC recognizes these African Retention communities in its mandate.

The Rastafari Community lives throughout the breadth of Jamaica with major concentrations in the urban centers as also incorporating the North Coast tourism centers. A Rastafari Economic Village Proposal that focused on Cultural Tourism appropriation of the Community outlines this population/cultural influence matrix. The legalization of Cultural Sacramental use and the nature of the socio-economics of the Ganja plant will require specific offsite growth and distribution strategies for the majority urban population users that would have to accommodate Rastafari cultural preferences, which is what the framework of the Ganja Bill is seeking to identify loosely under 'Events'. The adherents of Rastafari being so numerous, the governance of Ganja with this group would have to be in specific relation to the traditional cultural community as relates to IP and trade which would be concurrently exercised through a legal and regulatory framework being developed for the Scientific/Medical use. A non-profit trading platform that has been exercised in countries and states that have reformed Ganja use is what would be the natural outcome for this form of population acquisition and distribution.

The legalization of Sacramental, Event and Holistic Rights for the Rastafari Community is concurrent and must inform the mapping and benefits of a broadbased national use and distribution system where Jamaica is recognized as an Organic State and would be the first such State to legalize under this 'Organic State Use' portfolio, that was initially given 25 years to be removed completely by the UN Conventions, that is now removed by the Indigenous Rights and Use provisions under respective UN Conventions. The right of cultivation and consumption infers distribution and would address the complex reality where the majority of illegal grows is towards the export market. Creating a robust internal Sacramental/Traditional platform would incorporate at least half of the existing grow, opening the associated farmers to regularization. This Sacramental/Traditional platform would also maintain a normative value for access to the local population use.

http://statinja.gov.jm/Demo_SocialStats/populationbyparish.aspx

| | End Year | Mid Year | End Year | MidYear |
|---------------|----------|----------|----------|---------|
| Kingston & | | | | |
| St. Andrew | 666,041 | 665,139 | 664,237 | 663,182 |
| St.Thomas | 94,410 | 94,282 | 94,154 | 94,005 |
| Portland | 82,183 | 82,072 | 81,960 | 81,830 |
| St. Mary | 114,227 | 114,073 | 113,918 | 113,737 |
| St. Ann | 173,232 | 172,997 | 172,763 | 172,488 |
| Trelawny | 75,558 | 75,456 | 75,353 | 75,234 |
| St. James | 184,662 | 184,412 | 184,162 | 183,870 |
| Hanover | 69,874 | 69,779 | 69,684 | 69,574 |
| Westmoreland | 144,817 | 144,621 | 144,425 | 144,195 |
| St. Elizabeth | 150,993 | 150,789 | 150,584 | 150,345 |

| | | | | |
|---------------|------------------|------------------|------------------|------------------|
| Manchester | 190,812 | 190,554 | 190,295 | 189,993 |
| Clarendon | 246,322 | 245,989 | 245,655 | 245,265 |
| St. Catherine | 518,345 | 517,643 | 516,941 | 516,120 |
| Total | 2,711,476 | 2,707,805 | 2,704,133 | 2,699,838 |

BASELINE RESEARCH

http://druglibrary.eu/library/reports/nc/nc1h_3.htm

THE GANJA PROJECT - Institute of Man will inform the baseline research of the Rastafari Community as it was conducted at a period when the Sacramental Strains and Cultivation was in effect and not subject to the massive incursion of international strains particularly by the Miami Coptic and the 'Negril Hippie' incursions.

The Study of Chronic Marihuana Users in Jamaica (The Ganja Project) is a collection of materials relating to an anthropological and medical study of the long-term effects of cannabis smoking. It was commissioned by the National Institute of Mental Health in 1970 and conducted by the Research Institute for the Study of Man, in collaboration with the University of the West Indies, between 1970 and 1972. Materials include human subject data, background research on the physiological and psychological effects of cannabis use, the legal issues surrounding research involving controlled substances, and published materials relating to the study.

As a result of the extensive anthropological study, the investigators believe that ganja use in Jamaica is a culturally determined phenomenon. A "ganja complex" exists which consists of closely related, learned patterns of behavior manifested by the members of the society.

The ganja complex appears to be functional for the working-class Jamaican. Various elements of the complex including economic, social and personal are interrelated in ways that contribute to operation of the whole culture.

EVENTS

Administration of Exemption for Ganja Events and Observance of Rastafari Faith Contribution must incorporate existing protocols for licenses relating to Rastafari IP in Reggae Music Lifestyle Merchandising.

All Rastafari Events being duly authorized will have to incorporate Rastafari Community IP Contracts that will be concurrent with the cultivation and distribution of the Sacramental cultivated Ganja. Only Sacramental Ganja cultivated under these provisions will be allowed for use and transportation to these sites.

EVENT CALENDAR

- Sabbath Services - Nyahbinghi, BoboShanti - 52 Weeks at 10 locations - Average persons - 25000
- **Nyahbinghi - 12 Major Events:**
- January - Ethiopian Christmas
- February - Reggae Month/Bob Marley Earthstrong/Peter Tosh Celebrations
- March - Battle of Adwa
- April - Visit Of H.I.M/ Bad Friday
- May – Ethiopia/African Liberation Day
- June - Leonard Howell Earthday

- July - H.I.M. Haile Selassie Earthday
- August - Emancipation Day/Marcus Garvey Earthstrong
- September - Ethiopian New Year
- October - Heroes Week/Paul Bogle/Peter Tosh Earthstrong
- November - H.I.M. Coronation
- December – UN Human Rights Day

CULTURAL SHOWS - Subject to Rastafari IP Contract/Sacramental Ganja Use provisions

- RALAK (Rastafari Ancients Living Art & Kulture Festival)
- Rebel Salute
- St. Mary Me Come From
- A Fi We Sinting - Portland
- East Fest - Currently Inactive
- Western Consciousness - Currently Inactive
- Stepping High Ganja Festival
- Ganja Parish Festivals - TBD

Urban Street Event/Dub Club Events - Policy to be determined based on Adherents integration with Traditional Users policies.

Ganja Growers And Producers Parish Festivals - Subject to Rastafari IP/Sacramental Ganja Use Provisions.

Any new event such as the proposed 'Rastafari Rootzfest High Times Cannabis Cup' will have to be rationalized with all of the existing Events.

The EADUMC\RMC has established Intellectual Property (IP) Rights protocols that have been incorporated in doing business and have contractual arrangements utilizing A Trust Fund mechanism as the repository to receive the benefits of these negotiations. The examples are the MOU's with the UWI and the IOJ along with the current opposition at JIPO against a Snoop Lion Trademark. Therefore all GANJA Events under the GANJA Bill has to be negotiated incorporating an IP Contract administrated by the EADUMC\RMC in accordance to the observation\celebration of the Rastafari Faith.

We respectfully submit that this work as conducted will facilitate the lawful respect of the Law and reduce costs for the government.

TRADING RIGHTS - SACRAMENTAL AND TRADITIONAL MEDICINE

The current informal trade of Ganja to the Rastafari Community and other traditional users are immensely depressed. A robust cultural distribution outlet platform that would incorporate and regularize the more institutional and known informal distributors, offer a public education and a larger career instruction and modeling framework in the nutraceutical, food and lifestyle industry to develop aka RASTARANTS. A Rastafari developed franchise for the delivery of Ganja to the tourist industry must be established as a priority. Whatever the projection for a tourist medicinal market, it must be appreciated that a multi decade engagement with Rastafari Community and the tourist around Ganja cannot be swept under the carpet and this association cannot become a threat to the Rastafari Community.

This projection for trade and commerce predates the Ganja industry and it is therefore incumbent on the Ganja industry theorists to incorporate these projections.

- Not For Profit Trading and Distribution Framework
- Internal/External TBD

- Rasta Ganja Global Holding Company

RASTA GANJA GLOBAL - HOUSE OF HEMP

The EADUMC/RMC has partnered with Rasta Ganja Global to design unique globally relevant Ganja Cause and Branding campaign towards Ganja legal framework under Sacramental Cultural Rights and global popular culture influenced use, identifying related best practices in good governance for the Rastafari and other Traditional User Communities, to impact and contain the recreational industry encroachment and appropriation and linkages to and through popular drug culture, alcoholic practices and lifestyle companies.

The RMC Ganja policies and standards will be incorporated within RastaGanjaGlobal Co. Ltd to proactively outline and support our international brand in goods and services targeting firstly the GCH Products. The RMC is aligned through Rasta Ganja Global JA/SA to broaden primary international participation with other African territories that will enable distinctive investment into the Rastafari cultivars and brands under the AU Bilateral and South Africa Bilaterals with Jamaica.

The RMC is working assiduously with the GOJ and other local and international stakeholders to establish the nation's and other 'Organic States' Geographic Indicator(s) with a niche focus on Rastafari Growers, for local and global grow facilities, and how the Rastafari Global Brand will work with the National Jamaica Brand for the GCH Industry.

Rastafari international brand through lifestyle merchandising will be captured through the valuation and procedures applied for under an existing UNESCO application. The massive commercial misappropriation narrative and assumptions that are incorporated in the Marley Natural Brand and Ganja Inc and High Times Cannabis Cup will be dealt with in various legal and public relations fora in the local and international markets and will form part of the protections requested from a significant human and economic rights violation from any liberalized outcome in the UNGASS 2016 deliberations. Regulation of Ganja Edibles, E Spliffs, high potency THC varieties, High End Vaporizers will be identified as excluded from any cultural branding and association in keeping with specific cultural guidelines.

CULTIVATION FRAMEWORK

While the use of Ganja for the Rastafari Community is incorporated in a daily and traditional praise lifestyle incorporating earlier recommendations for a 7 pound possession allowance to the Manley Government and Chevannes Ganja Research, the decriminalized possession of the legal 2 ozs declared is topically equivalent by population breakdown to 2,000,000 ozs or 124,500 lbs of GANJA daily. With an estimate of at least 10 “spliffs” or 4 ozs per person per day on average, we see an estimate of at least 20,000,000 ozs or 1,250,000 lbs (approx. 567 tons) per day

- *Government security agencies estimate that up to 15,000 hectares land across Jamaica is dedicated to the growing of marijuana. The plant is grown in all 14 parishes of the country in areas that are hidden from the general public. Many of the grow operations take place in small plots scattered across mountain areas.*
- *According to the US State Department's 2014 International Narcotics Control Strategy Report, Jamaica is the top Caribbean supplier of marijuana to the United States and other Caribbean countries.*
- *The cultivation of Ganja and its eradication percentage show a clear picture of what constitutes the existing Sacramental cultivation of Ganja that currently supplies the needs of the population. The cultivation of Ganja and its eradication percentage show a clear picture of what constitutes the existing Sacramental cultivation of Ganja that currently supplies the needs of the population. In 2013, security forces in Jamaica eradicated 247 hectares of marijuana fields, destroyed 1.9 million cannabis seedlings, and seized 285 kilograms of seeds. Back in 2012, 711 hectares were eradicated, 2.5 million seedlings were destroyed and 785 kilograms of seeds were destroyed..*

- The regulated Sacramental cultivation will require focus on strain and seed distribution in open air farming at the center of policy development.
- Rastafari Farmers to be identified and polled for acreage - Anecdotal evidence suggests a 15000 Hectares Grow Area vs. 247-711 Hectares destroyed annually leaving an average 14000 Hectares in virtual production.
- Seed Strains to be selected and approved based on Cultural imperatives and a Rastafari Symbolic Geographical Indicator that refers to the whole Island. Within that GI, other sub regional GI's will be appropriate.
- There is no current statistics to breakdown internal use versus the export trade of this acreage. The opinion is that at least half of the existing acreage will be necessary to supply Rastafari Sacramental and Traditional Afro-Centric use.
- Acreage will need to be strategically placed in each Parish - Mapping of Medicinal and Hemp Growing with Cost Benefit Analysis is awaited. Rastafari Community is promoting the importation of Hemp by products from Africa to incorporate in lifestyle product development.
- Sacramental Strains policy, will be defined by THC levels that have been in production before other international strains and mixes introduced primarily by the Coptic /Miami experience in Jamaica and the Hippies in Negril. The Greenhouse/hydroponic model is not one that is consistent with the Rastafari use of Ganja based on high THC and psychoactivity.
- Indigenous African Land Races and others from defined Organic States by the United Nations that are consistent with global Rastafari Community and culture will inform cultural trade, best practices and services within and between Rastafari, Africa and other Indigenous groups globally.
- Acreage cannot be located in proximity of Cultural spaces for security purposes and would interfere with Community lifestyle, so the mapping of existing grow areas under the Sacramental Provisions aided by the Research Licences of the Universities/UTECH/BSJ will be a protocol of the RMC. The RMC has a standard MOU with UWI and Practice Notes with JIPO to effect these provisions under the existing framework of the Ganja Bill.
- Rastafari Youth Growers have incorporated and advanced growing in Greenhouse Urban Growing and are to be identified and regulated under the Sacramental Provisions related to medicinal research.
- Rastafari Village Enterprise Concept to be retrofitted to include Warehouse/Manufacturing/Distribution/Holistic Center - Rastafari led partnerships to manage and engage as assumed in Ganja Bill Events regulated by Rastafari licensing agreements, Ganja that is to be used at these events.
- Herb Gates designation for culturally attuned spaces, homes, cultural businesses for the use of Ganja by Rastafari and Non-Rastafari
- Non-Rastafari growers of 5 plants will be subject to the use of Rastafari Sacramental Strain Policy for health and efficacy.
- Rastafari Cultivation incorporating GOJ Policy on Medicinal/Pharmaceutical CBD involving new strains will be through licenses and mapping based on compatibility in cultivation space and cost benefit analyses.
- Sacramental Cultivation will adhere to standards set by the Rastafari Community based on historical use and cultural preservation protocols.
- Rastafari incorporation in Ganja Edibles and non traditional vaporizers will be highly regulated so as not to interfere with Rastafari cultural values and seed and strain use and growth policy. Rastafari holistic use incorporating medicinal and holistic use will be unique to the culture and will separate from Pharmaceutical Industrial provisions and usages.
- Rastafari Regulatory Framework to align with Minister Of Justice/CLA through Rastafari Intellectual Property Agency via Identification Cards and Licenses until standalone agency is activated.
- Rastafari Rights within Research For Medicinal/Pharmaceutical Ganja to be outlined by TBD proposals that are presently being researched.

- Rastafari THC Cultivars Research and Development to be with existing research and development at UWI/UTECH/UCC and TBD Rastafari Labs in Jamaica and Africa which must be owned and or governed by Rastafari Community IP Contracts. This infers that Rastafari Growers will be incorporating both individual and Community rights in the new parameters for legal ownership

UNITED NATIONS POLICIES

https://en.m.wikipedia.org/wiki/Single_Convention_on_Narcotic_Drugs#Regulation_of_cannabis

In a 2002 interview, INCB President Philip O. Emafo condemned European cannabis decriminalization measures:[37]

It is possible that the cannabis being used in Europe may not be the same species that is used in developing countries and that is causing untold health hazards to the young people who are finding themselves in hospitals for treatment. Therefore, the INCB's concern is that cannabis use should be restricted to medical and scientific purposes, if there are any. Countries who are party to the Single Convention need to respect the provisions of the conventions and restrict the use of drugs listed in Schedules I to IV to strictly medical and scientific purposes.

Our Sacramental Policy as a representative of the Rastafari Community that is legally responsible and responsive to various UN protocols on traditional lifestyle, and whose policy will be reflected globally in various of our communities, requires us to be careful and studious in developing the Community's Sacramental Framework under the pressure that we have found ourself under in relating to the provisions for Rastafari in the Ganja Events section of the Bill. This is a first time occurrence for the Community to operate in a legal framework, and research and development must take place to inform social and economic community policy.

We also recognize that the UN Convention is squarely fixed in Geo Politics related to Organic States like Jamaica and the Industrial States that set the law allowing tobacco, alcohol and other pharmaceutical drugs and where we are now as a specific cultural community we are under another Geo Political circumstance as relates to the Gay Lobby here in Jamaica.

We are further on record as a Community in agitating for Repatriation at the UN level and need to have a streamlined record of intervention with this august institution.

UNGASS (United Nations General Assembly Special Session) 2016 POSITION

The EADUMC/RMC will be presenting local and international advocacy for the changes related to Cannabis at the UN Special Session in 2016 incorporating with our Rastafari Global registered UN civil society organizations and other Indigenous Traditional partners globally to amend any positive changes with corollary rights for Indigenous and Traditional groups. One of the major actions will be a Universal Access Fund related to the Medicinal Pharmaceutical Industry.

The EADUMC/RMC will be specifically highlighting the unique bias and misappropriation of the Rastafari Community IP nationally and internationally in trade and commerce as it relates to Reggae Music/Ganja and the significant factor that the 100 year ban has had on African Communities particularly in the Diaspora as an important Human Rights indicator. The intention is to lobby with and through the AU and South Africa Bilaterals to accomplish this. The imminent threat of major activity by multi-national corporations association with Ganja was identified by President Obama's in his recent visit to Jamaica that cautioned the Government with Ganja and Jamaica. This is now on our doorstep with the Marley Natural/Privateer deal and the Cannabis Cup multi-year event negotiations. Rastafari persecution to maintain the legitimacy of Ganja and the global lifestyle culture brand that has been highlighted in

every major community globally will result in specific negotiations related to Ganja reparations being incorporated in any adjustment to the UN provisions around Cannabis and Indigenous Communities Rights.

Rastafari use and Governance in the specificity of Jamaica has the greatest scope of impacting the local illicit market and drug gateway use of Cannabis locally and by cultural appropriation lifestyle mechanisms internationally.

GOJ and other Civil Society representations to UNGASS should be made transparent and accommodate the Rastafari Communities import and right of self-representation with no attempt to dilute or destabilize.

CONCLUSION

Rastafari Rights has the largest impact on the licit and illicit industry based on the regulatory framework that will have to be designed to support the accommodation of these Rights under the current specifications nationally, regionally and internationally.

The EADUMC/RMC is the registered umbrella organization mandated to represent the Intellectual Property Rights of the Rastafari Community and have submitted and represented the Draft proposals prior to the incorporation of the GANJA Bill.

In order to deliver transparency in governance of the Rights for the Rastafari Community, the instruments created to exercise these Rights must be adhered to and respected by both the GOJ and independent Community Members particularly those of the class of 'adherents'. Capacity builds out as with the licit medicinal industry mechanisms will have to be the standards to any gaps.

RMC has caused to be created and registered a Rastafari Intellectual Property-Rights Authority (RIPA) framework to address IP issues. RMC Governance is to be strengthened through capacity building and professional consultancies as was applied for from the UNESCO IFCD Application.

MOU's and other contractual rights negotiated between the RMC and GOJ Agencies that outlines procedures to address the Intellectual Property (IP) Rights of Rastafari have been advanced through the provisions outlined by the World Intellectual Property-Rights Organization (WIPO) and the Jamaica Intellectual Property-Rights Office (JIPO). These are the UWI IP MOU, the IOJ Rastafari Exhibit MOU and the JIPO approved UNESCO IFCD application process.

The identified RasTafari Trust Fund (RTTF) which is incorporated in all the GOJ and Global financial regulation is the repository that is created to address both the Rastafari CREED and Development Programme(s) operated through a Community Trust Deed process. Maintenance of the integrity of the Rastafari Community's IP Rights and avoidance of any potential development for fraudulent/money laundering activity or illegal exports, the usage of the RTTF will be the means for the administration and distribution of investor and resource benefits within the Rastafari Community.

Proceeds via specific license that are mandated to be realized from Events exempted in consultation with the Minister of Justice to benefit the Rastafari Faith will be deposited into the RTTF that is governed by a Trust Deed. All Events will require Rastafari IP contractual arrangements for thematic and merchandizing uses of the the Community's cultural TCE/TKH/GR and the use/consumption of Rastafari cultivated Ganja. Rastafari IP contracts can only be legally generated by EADUMC Ltd. aka RMC.

The positioning of Foreign Investors / Company coming into the local GCH Industry must sign a Rastafari IP contract or disclaimer administered by JAMPRO/JIPO as incorporated in the Practice Note and referred to as a necessary framework being dealt with under current International Consultant briefs to the development of the Cannabis Licensing Authority.

Legal Administration will be lawyers employed or recognized by EADUMC Ltd/RMC through signed agreements to address major obfuscation and conflict of interests that have arose through informal or conflicted legal advisories from Rastafari Community members who are lawyers and the general conflict of interest related to Rastafari Rights within Jamaica legal framework where the top legal firms and luminaries are under the direct employ of the individuals, companies and GOJ that are adversarial competitors to Community Rights. To that effect our international appointed firm ASV LAW will be in Jamaica to attend meeting the week of the 20 September 2015. We believe this could be also a great opportunity to hold these meetings as requested.

Some conflicts still exist that are detrimental to a coherent development of the Rastafarian Faith: Specifically the removal of Marcus Goffe, currently the manager for trademarks, patents and GI at JIPO from all internal and GOJ negotiations related to Rastafari IP and all Community negotiations with immediate effect must be deployed.

Rastafari Advisory legal mechanism and representatives cannot be usurped by third parties. Our Legal Administration must be recognized as the primary source of contact for the Minister of Justice and GOJ to eliminate persons that do not adhere to or understand the moral and legal rights of Rastafari Governance and ownership of its IP.



**MEETING WITH THE MOST HON. PRIME MINISTER A. HOLNESS AND OTHER HON. MINISTERS
AFTER THE INDIGENOUS RIGHTS TREATY MARCH OF TUESDAY, APRIL 19th 2016.**

12. RMC STATEMENT FOR YEAR 2015



**ETHIO-AFRICA DIASPORA UNION
MILLENNIUM COUNCIL
JAMAICA AFRO-CENTRIC COMMISSION
P.O. BOX 8145
SOUTH CAMP ROAD
KINGSTON, JAMAICA W. I.
ethioafricamillennium2000@gmail.com**

**“Throughout history, it has been the inaction of those who could have acted; the indifference of those who should have known better; the silence of the voice of justice when it mattered most; that has made it possible for evil to triumph.” EMPEROR HAILE SELASSIE I
InI CHANT AND PRAY PSALMS 68 ITINUALLY!**

The Year 2015 was another progressive year for the **Ethio-Africa Diaspora Union Millennium Council / Limited aka Rastafari Millennium Council (RMC)**. Within the Centenary Year Celebrations of the Hon. Prophet Marcus Garvey’s forming of the UNIA from 1914, January 27th 2015 saw the **Government of Jamaica (GOJ)** take a Parliamentary Vote to enact a Political Decision to engage the British Government on the matter of Reparation for Colonialism and Slavery. This political vote recognizes: the Rights for Africans in Jamaica to return to Africa - Repatriation; and the Rights for Jamaicans of African Descent to claim Reparation.

In February 2015, the GOJ took a bold step to accept the passage of the GANJA Bill amending the Dangerous Drug Act (DDA) in the process to establish a Medicinal GANJA Industry accompanying a Sacramental Right for the Rastafari Community in accordance with the Jamaican Constitution, and decriminalizing the possession for 2 ozs and less of GANJA. Individuals now have the right to plant up to 5 GANJA plants for medicinal purpose without being charged.

REPATRIATION AND REPARATION AGITATION FOR 2015

The Political Vote for Reparation caused the RMC to intensify our efforts to obtain an official Report from the CARICOM Secretariat on its 2nd Conference on Reparation held in Antigua & Barbuda in 2014 that had addressed CARICOM’s TEN POINTS AGENDA. The RMC had followed up on the 1st Conference held in St. Vincent and the Grenadines by submitting our presentation to the second one. A request was even presented to the CARICOM Secretariat 3 days before President Obama visit to Jamaica in April, who met with CARICOM’s Heads of Government here. Our last request was made on December 23rd 2015 without any response to date.

The RMC and the **Nyahbinghi Ancient Council (NAC)** continue to work very closely together by again hosting the 2nd Celebration of Hon. Leonard P. Howell Earth-strong at the Rastafari Heritage Site at Pinnacle in June 2015 where the matter of twinning Heritage Sites with Enjarso Goro, Harar – Ethiopia was reasoned on as well as the Management of the 6 Lots to be purchased by the GOJ to present InI Rastafari Heritage.

The RMC again supported the 2nd Emancipation Day All African MARCH for REPATRIATION / REPARATION in England on August 1st 2015. Our Ancient, Director, and Honorary Chairman – Hon. Neville O. Livingston OJ., CD pka Ras Bunny Wailer provided a jingle – *Rise & Shine re-edition*, to help its promotion a second time as well.

The NAC and RMC met with the **Ethiopia Africa Black International Congress** on August 9th 2015 to discuss matters impacting on the Rastafari Community re Repatriation and Reparation, and the Ganja Bill passage. These discussions prompted the need to draft a **Repatriation Petition** which was done and presented in the New Year Celebrations Reasoning at **Stony Gut Nyahbinghi Indigenous Village**, September 2015.

This was followed by a meeting with an Official Visit by a Delegation from South Africa at the Congress the next day, August 10th, to outline the Bi-lateral Mandate Agreement signed by Jamaica and South Africa that the incorporation of Indigenous Groups to participate within a Nutraceutical Market space which will cause cultural exchange / farming programmes between the two Countries/Communities. The NAC will be spearheading the Indigenous Groups platform. The RMC **Economic Village Project** is engaged.

The NAC empowered the development of the **Ancient Collective of the Nyahbinghi Order** that formed on September 11th 2015 in Stony Gut, St Thomas at our Nyahbinghi New Year Celebration, who later presented a Letter to the British Prime Minister on his visit to Jamaica in September 29th 2015 addressing the matter of Repatriation and Reparation. The Letter was read by Executive Director Ras Rocki at the National Reparation Commission Forum at Liberty Hall, September 2015. The Ancient Collective of the Nyahbinghi Order retained the service of ASV Law Firm through Simon Vumbaca, who was brought to Jamaica in September 2015 by the RMC through our Honorary Chairman, and Director and International Consultant, Maxine Stowe, to follow up this matter with Prime Minister D. Cameron in England.

It is worthy to note the activism of the Executive Directors of the RMC, particular the mobilizing works by the Public Relations headed by Ras Kremlin and Ras Jah Lalah, Sis. Tzdhne, with assistance from Ras I-Law, Ras Israel, Sis. Aisha, in presenting the case for Repatriation and Reparation in response to the GOJ's political vote on Reparation at every major Nyahbinghi gatherings and Rastafari Marches in 2015 even from the year 2014.

THE GANJA BILL PASSAGE

The GANJA Bill was gazetted in April 2015. The Medical Cannabis Industry is to be governed under a Cannabis Licensing Authority (CLA). The Sacramental Rights for Rastafari is to be controlled by the Minister of Justice whilst the decriminalizing of 2 oz or less for possession of GANJA still attracts a fine to be \$500.00. The RMC updated our 2014 Draft on GANJA Rights to reflect the GANJA Bill. The RMC sits on the Ganja Growers and Producers Association (GGPA).

The NAC and the RMC met with Hon. Minister A. Hylton – Ministry of Industry and Commerce, who oversees the CLA Board of Directors, on January 21st 2015 and he assured the gathering that the INTELLECTUAL PROPERTY (IP) Rights of the Rastafari Community will be respected, and that the Rastafari Community holds an important position within this Ganja Industry in response to Binghi Irie Lion concerns. The CLA has outlined the IP Rights for Culture that will be identified within the national IP framework; and the GGPA Mission Statement declares the need for the Rastafari Community's IP Rights to be respected.

At a meeting with the Justice Minister Mark Golding in April 2015, the RMC Members selected the 2

required representatives to the CLA – Prophet Greg and Ras Iyah V, however Ras Iyah V represents the Western Ganja Farmers and Growers Association. The Justice Minister’s “hands on” approach in dealing with the Sacramental Rights of the Rastafari Community created tensions with the Executive Directors of the RMC from the start. Minister Golding hand-picked his Rastafari Advisory Board Members that circumvented existing Councils.

RAISED OBJECTION TO THE MINISTER

The RMC raised objections that RASTAFARI who are entitled to our Sacramental Rights, InI should in no wise be applying for any exemptions to host our Nyahbinghi Celebrations / functions but should maintain the protocols of informing the relevant authorities of the date(s) and venue. This confrontation played out in the RMC GANJA Motorcade to St. Thomas in May 2015.

CONFRONTATION AROUND IP RIGHTS

What became alarmingly clear was that the very launching of the Minister’s Rastafari Advisory Board was to safe-passage the international High Times Cannabis Cup Event in Jamaica, November 2015. The NAC and the RMC vehemently objected on the grounds that: the High Times Event will be exploitive; Rastafari IP Rights protection were not being incorporated; and the planning of the Event was geared to further undermine the registered mandate of the RMC being substituted by Rastafari In Inity Co. Ltd.

The meeting that transpired at Hon. Minister Golding Office in September 2015 only revealed that the High Times Cannabis Cup Event was heavily guarded by the Minister that it would seem he had a personal interest in or with the event. The RMC even raised the point that Reggae SumFest which is an offshoot of the Reggae Sunsplash should have been deemed an Exempted Event for Rastafari adherents on certain day(s).

It was only the hand of the Almighty JAH RASTAFARI who stayed the execution for an injunction against the Event because if the RMC had intervened we would have become the scapegoat for the eventual Locals’ failure of the venture – High Times Jamaica Cannabis Cup. Only Hotels and High Times were the happiest ones! What is now required is the audited Financial Report on this Event to determine the rumored “losses” and the amount from ticket sales to be deposited to the **Rastafari Trust Fund (RTTF)**. Had Rastafari In Inity and others secured the proper Rastafari IP Rights for this Event, the Rastafari Community would have been justly rewarded

It is only the Minister of Justice that is failing to have a mandatory inclusion of the Rastafari IP Rights to be implemented within the Application for Exemption. The RMC proposed a mandatory percentage on Sales of tickets for Events to benefit the Rastafari Community; and / or a mandatory percentage on the Gross Profit earnings realized on Events towards benefits; a Rastafari IP Contract to address the nature of the Event as it impacts on the Rastafari Community Rights; a MOU between the NAC / RMC and the Ministry of Tourism, that benefitted from these types of Events from the days of Reggae Sunsplash in the late 1970’s, should be in place to address Benefit Sharing like the ones established by the RMC with the UWI and the IOJ! And all benefits as described in those MOU are to be paid into the RTTF. The GOJ knows very well the VALUE of Brand Jamaica and knows the consequences if Brand Jamaica were ever to become dissected! Why then should they NOT SEEK to ensure a Rastafari Community collective IP Rights representation having a singular definitive Trademark like Brand Jamaica that will clearly produce a lucrative partnership in international, regional, and local Trading. The GOJ could not expect the Rastafari Community to remain passive in defending our Sacramental Rights having allowed the Community to be misappropriated by the Reggae Industry. **And Article 27 declares it to be a breach in our Human Rights!**

CONFLICT OF INTEREST

What is obviously happening is that most of these Members of the Minister’s Rastafari Advisory Board

are directly involved with both Exempted Events (REBEL SALUTE) and should therefore constitute a CONFLICT OF INTEREST. The CLA has in its outline procedures to address Conflict of Interest. It is abundantly clear that this concocted Rastafari Advisory Board by the Justice Minister is geared towards business administration and not to ensure the protection of the Rights of the Rastafari Community whose Culture is being exploited in these ventures in direct contrast to the Sacramental Law that must be administered by Priests who will ensure that the RASTAFARI CREED becomes entrenched within the Advisory Policies! **The Justice Minister knows very well that the Sacramental Law cannot be created to benefit any specific individual(s), family, or a Mansion / Organization outside of Community Rights that is the overarching protection of ALL Rastafari!** And therefore a mandatory BENEFIT SHARING PROVISION for the Rastafari Community must be imbedded within the Minister's Exemption Application Form(s) that even surpasses a MORAL OBLIGATION to address the Rastafari Rights as presented by the GOJ:

**GANJA BILL FACT SHEET
REFERENCES FOR RASTAFARI**

Cultivation for Rastafarian Sacramental Purposes

24. Persons 18 years or older who are adherents to the Rastafarian faith, or Rastafarian organizations, may apply for authorization to cultivate ganja for religious purposes as a sacrament in adherence to the Rastafarian faith.

25. Ganja that is cultivated under such authorization may not be smoked in public places other than at locations registered as places of **Rastafarian** worship, or sold or otherwise dealt with commercially, or exported from Jamaica, but is otherwise not subject to the rules against ganja under the DDA.

Events to celebrate/observe the Rastafari Faith

26. Persons who are ***[authorized]** adherents of the **Rastafari Faith**, or **Rastafari** organizations, may apply for an event promoted or sponsored by them to be declared an exempt event. In order to apply, the event must be primarily for the purpose of the celebration or observance of the **Rastafari Faith** ***[and endorsed by NAC & RMC.]**

27. Where an event is declared exempt, persons who attend the event will not be liable to be arrested, detained or prosecuted for smoking ganja or possession of ganja at the event, or transporting ganja to the event, as long as they have complied with the amounts and conditions specified in the order declaring it an exempt event ***[and have been recognized as Rastafari (or authorized as such) by the NAC & RMC].**

***[Note: RMC SUGGESTED INSERTS]**

**LOOK OUT FOR THE 50th ANNIVERSARY VISITATION OF THE
EMPEROR'S PROGRAMME FOR THE
YEAR 2016 !!!**

**"When AFRICA RIGHTEOUS PEOPLES come together, the world will come together.
This is our DIVINE DESTINY!!!"**



RMC and Invitees at South Africa High Commission, 2015.



NAC & RMC Meeting with Hon. Minister Golding in September 2015.



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Letter Addressing Minister of Justice



BY E-MAIL

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Honorable Minister of Justice Mr Golding

RE : LETTER FURTHER TO OUR EMERGENCY MEETING DATED 25 SEPTEMBER 2015

Dear Honourable Minister of Justice Mr Golding,

Thank you for taking the time to meet on the 25 September 2015 (the Emergency Meeting). As established we act on behalf of, and have been appointed as, legal representative of the Rastafari Faith and Indigenous culture collective and have been so appointed. Please include us on any future correspondence addressed to the Client on this and any other matter. We intun will attempt to make sure that communications are made in a more effective manner.

We take good note of your comment relating to the at times complex and lengthy phrasing used by the Client when addressing you, so we will also attempt to make sure all exchanges are condensed to what required under each circumstance. As you may know, when individuals write about faith and culture they tend to be very emotional, thus proliferation is often a resulting factor, though that should not be held against the intent or the message of the authors.

Unfortunately, this letter will have to be a bit longer than originally intended as its purpose is partially, as instructed by the Client, to include a summary of the Rastafari Faith and indigenous Culture Governance and structure. We are confident that once this has been done, any future exchange will be on the understood basis of the governance as detailed herein and will result in shorter exchanges.

As I am sure you are aware, our Client has many endearing qualities including the taking of all its decisions collectively. As such, at times, some of its members' views may appear more unbalanced than others. In any event it is the view as expressed by the collective through its Ancients Collective that is to be considered representative.

Overall, as identified during the Emergency Meeting, the Client strongly believe, and so to some extent the facts indicate, that the current situation generated by the Honourable Minister discretionary decision to allow an exemption to the commonly referred to as Ganja Bill, on spiritual and sacramental grounds of the Rastafarian faith and indigenous culture, is a serious breach of the law based on merits founded in the Jamaican, Commonwealth and International law.

I also would like to thank you for framing so succinctly the extent of your discretionary powers as declared to us. You further illustrated that on matters relating to Rastafari faith and indigenous culture, you have appointed some Advisors (the number being undefined, as you indicated it to be "7 or 8 depending", though no indication of the factors that would create the dependency has been explained to us in the meeting).

We reserve all our Client's rights on the pertinence, appropriateness and legal validity of the discretionary powers you disclosed to have, including the one to allocate discretionary a license for the Rastafari to plant and exercise their sacramental right in their land. Please note that this point and the pertinence of your Government representation of our Client in the remediation negotiations intended to take place with the British Prime Minister is strongly disputed by our Client on ground of freedom of religion, human rights and indigenous rights. But these are matters for separate correspondence.

THE EMERGENCY MEETING OUTCOME

1. In essence, and further review of the Emergency Meeting minutes and recording, the Honerouble Minister of Justice stated:
 - a. To have authority to grant discretionary exemptions or licenses on matters relating to the Rastafari faith and indigenous culture principally on the following 3 instances:
 - i. For land to be designated to the growing and use of sacramental Ganja.
 - ii. For the worship license designating where the Rastafari can exercise their faith and indigenous culture with designated "free smoking".
 - iii. For the right to hold events with primary purpose the observing and celebrating the Rastafari faith and its spiritual component. Such exemption to allow you to grant the right to allow for non Rastafari to possess, travel, sell and consume Ganja at the Event venue and freely for a period of time on each side of the event's dates. You further added that this is intended to financially allow the Rastafari faith members to emancipate financially, or profiteering.
 - iv. That the Client should apply for a license to hold his Sacramental and Spiritual gathering, irrespective of what the Client has been doing customary and for the last 50 years.

- b. to have consulted with your advisors on the appropriateness and compliance with the Rastafari sacramental rights before granting the exception that was put before you by a newly created limited company.
- c. to have relied on said advisors' decision to grant the discretionary exemption.
- d. to disagree and refute with our Client's objections that:
 - i. the Applicant requesting the contested exception, Rastafari In Inity Co. Ltd., hereafter the Applicant, (owned and represented by Mr Verald Vassel aka Ras Iyah V) is not acting in the interest of, and compliance with, the Rastafari faith and indigenous culture interest.
 - ii. the Applicant alleged to be representative and compliant with the Rastafari faith (in his personal and collective capacity) has been in fact detached and rejected by the Rastafari Faith's Representatives some time ago, a fact already known to you and in any event further notified by our submission to you during the meeting. We do not reattach these documents, but reiterate their availability if a copy is required again.
 - iii. The advisory you appointed to deal with the Applicant's request has not acted diligently in:
 - 1. Declaring its conflicts of interests and other personal conflicts of its members;
 - 2. Certifying their knowledge of the Rastafari Faith and Indigenous Culture, how it was acquired, practiced and if they acted on their personal behalf or the one of Rastafari Mansions or Communities;
 - 3. Dealing with the application review. In fact, we understand a meeting was set up by the Advisory on the 23 of July to review the Applicant's request and qualify of its pertinence, just to find out that the Advisors (minus the sole Client's representative not aware of the terms to be reviewed) had already agreed on the 16th of the same month, thus clearly frustrating the entire approval process;
- e. The Honourable Minister of Justice further stated, with no uncertain terms, that:
 - i. our Client, as present in the room, does not represent all the legitimate Rastafari faith and indigenous culture. That you knew other segments of the Rastafari faith and indigenous culture not present in the room, and as such our Client could not determine who is, or cease to be, a Rastafari.
 - ii. You knew that the event you authorised was founded by a private company known for the promotion of recreational use of cannabis and other drugs.
 - iii. That you see no problem in granting a large exemption allowing non Rastafari to have, grow and use Ganja in Jamaica for the Event and outside of the event strict dates and venue.

- iv. That all the ganja for the event will be grown in Jamaica. This point is of particular interest as Ganja, we are told, require a 6 months to a 1 year period to grow at a medically safe standard, and given the event date is November 2015 and the exemption granted in July 2015 we see no possible configuration where the Honourable statement could actually happen, unless it is proposed to legitimise illegally grown Ganja for the purpose of this event (please clarify).
 - v. You did not make sufficient provision, or at all, for accurate redistribution of the funds achieved (partially at least) to the legitimate Rastafari faith representative for their distribution to the community.
 - vi. That you did not check with your Advisors if they were or are conflicted before appointing them as your advisors.
 - vii. That you knew that any way our Client disagreed with the individual behind the application and you are/were aware of conflicts between his advisors and shareholders, with the Client. Furthermore the criticised position of the Applicant legitimacy was already known to you for having been raised as conflicted when you decided to appoint Mr Verald Vassel aka Ras Iyah V for the Cannabis License Authority (CLA) as if he represented the RMC. Our Client already objected then to the appointment on the grounds that this individual was NOT a member of the RMC, nor ever was. On a separate note this also confirms your acceptance of the RMC as authority on the Rastafari executive.
- f. When we proposed some possible alternatives to resolve this situation, the Honourable position was :
- i. To our Client proposal to **withdraw** the discretionary exception: not to be prepared to do so.
 - ii. To our Client proposal to **suspend** the discretionary exception: not to be prepared to do so.
 - iii. To our Client proposal to add **additional terms** to the exception that would safeguard the Rastafari faith and indigenous culture as per the sole Rastafari faith representative customs, practice and spiritual rights: not to be prepared to do so.
 - iv. To our Client proposal to force the Applicant in **disclosing** to our Client all the information relating to the event so to attempt conciliation: not to be prepared to do so. Instead it was offered to our Client to write a letter with some suggestions and the Honourable would suggest to the Applicant to respond, but with no time, disclosure and other considerations attached.
 - v. To our proposal to disclose what **legitimacy** the Applicant had that justified the grant of the discretionary decision: that the Advisors approved, so that was good enough.
 - vi. To our request to name what priests and Ancients Rastafari supported the Applicant: the Honourable replied that he had met with some, bt did not proceed to identify further.

2. Based on all of the above, and upon instruction, it would appear but a futile attempt to reason further with the Honourable Minister of Justice that so clearly stated is non availability to amend, retract or condition further the discretionary exemption granted.
3. This letter is not intended to criticise the Honourable Minister of Justice and his work to date. It is intended to factually report our Client's understanding of where we are and why this of such a critical importance. It is intended to prompt a speedy remediation of the de facto situation created. To that effect, we reserve the right to disclose a copy of this letter.
4. We reiterate and emphacise the appreciation of the Honourable Minister of Justice open mindedness, time dedication and declared intention to act fast and efficiently in resolving this matter, particular with regard to the very tight deadlines and the lack of (efficient or at all) cooperation from the Rasta in Inity Company and its legal representatives.
5. **However, and based on the outcome of the Emergency Meeting, it is pertinent to inform the Honourable Minister of Justice that the matter will be escalated by the Client, in full protection of its Human, Religious and Indigenous rights.**

THE RASTAFARI FAITH AND INDIGENOUS CULTURE GOVERNANCE STRUCTURE

- * 6. Further to the Emergency Meeting it became apparent that the Honourable Minister of Justice understanding of the Rastafari faith, Structure of Governance and indigenous culture is somehow different from what the Rastafari faith and indigenous culture representative structure actually is.
7. To assist in clarifying further confusions, we have been instructed in submitting hereafter a brief summary, as validated by the Ancient Collective. At a recent meeting (27th of September) the Queen of the Maroons also confirmed her understanding of this structure.
8. It is often reported that the lack of emphasis on a centralized authority is one of the distinguishing marks of the Rastafari faith and its Indigenous culture. However, it would be ill advised to conclude that a lack of emphasis on a centralized authority means a lack of governance or representative structure.
9. Rastafari decided to assess their strength and unity, forming an organised whole. This led to the calling of a "universal convention" in March 1958. Moreover, Haile Selassie was at the origin of the OAU (Organization of Africa for Unity) which contributed to emphasize the political role of Africa.
10. The Rastafari faith and indigenous community is composed of recognised Mansions of Rastafari. These Mansions are the only legitimate Rastafari groups. They all are linked and associated with the Nyahbinghi Ancient Council that was and is the sole

Council of the faith and indigenous governance. All the Mansions are related and resulting from the Nyahbinghi and as such have the same (but to a small degree of interpretation) respect of credo and principles. As in many faiths, there is also the need for a Tabernacle (a church), a structure, sacrate events at recurring dates and alike. The Ancients of all the Mansions are all adhering to this set of common beliefs and indigenous culture. That is, in association with their governance structure, what makes them legitimate Rastafari.

11. The main Mansions are the: Ethiopia Africa Black International Congress, Theocracy Reign Order of the Nyahbinghi, and to a lesser degree of participation, others. The word Community is often used to replace the word Mansion. Any structure that does not adhere to the above cannot be included under the Rastafari Faith, Indigenous culture and governance.
12. The Royal Judah Coptic Church and not the Haile Selassie Church that was given the green light of the Government, is the Church that the Nyahbinghi would incorporate in a Collective and they are Nyahbinghi as also the Bobo Shanti. This is important, we are told, as the Royal Judah Coptic Church, like the Haile Selassie Church had applied to the Government for incorporation as did the Haile Selassie Church and was turned down as they claimed that Ganja was their Sacramental Right. The Haile Selassie Church current incorporation therefore does not claim so and thus cannot be relevant to the current state of affairs.
13. The Rastafari Faith was similarly challenged by the Coptics in the 70's where again they established themselves as a 'Ganja Sacramental Faith' but not praising 'Ras Tafari', the Rastafari God. No doubt they will attempt to gain some Ganja exemption, but they are not part of the Rastafari faith or Indigenous Culture.
14. Our Client and his faith and indigenous culture are very established in their principles: Ganja is a Sacrament and those who benefit must claim RAS TAFARI as the Almighty. They cannot use part of the title as 'Haile Selassie' to create another 'Faith' and then claim any part of the governance of 'RAS TAFARI'. (also refer to this link for further on the point) <http://putlocker.is/watch-square-grouper-online-free-putlocker.html>.
15. The way the worship takes place, requires the Ancients Collective consent.
16. The minor acknowledged groups are representing less than an estimated 1% of the Rastafari worldwide. We do not see the Applicant referenced. Despite your statement that the Honorable Minister of Justice met with the Applicant Anciens and their priests, we could not locate or identify within the faith and indigenous community of the Client who these ones could be. Please inform us of who they are so our Client's Ancients can ascertain their legitimacy.
17. All of the Mansions, even the minor ones, are reporting to their respective Patriarchs (also referred to as Elders or Ancients when appointed), collectively and individually for their Community matters. The Patriarchs when appointed as Ancients are the sole recognised repository of the spirituality of the faith. They

represent the voice and concerns of their Community to the Ancients Collective, under the Nyahbinghi Ancient Council banner.

18. To become an Ancient, a member of the Community must have attained a minimum age - of sixty (60) years old or above -, and have been active within the tradition for a minimum of forty (40) years. Thus, a simple known Rastafari can not self proclaim to be an Ancient. Further the Ancient must be sitting in the Ancients Collective as Nyahbinghi Ancient Council to be able to be a valid representative (Pricepts and Tenets).
19. This is a basic foundation of the Rastafari faith. It makes sure that any important decision relating to the faith and the Rastafari community as a whole is dealt by majority or unanimous consensus of the Ancients.
20. This structure applies to Rastafari Internationally. It is not limited to Jamaica.
21. This collective presents one united front of the faith, in the mission to achieve Repatriation and Reparation amongst many other key principles and credos of the Rasta faith. The credo commonly used by all Rastafari "One Voice, One Love, One World" encompass precisely this view. The Ancients Collective as Nyahbinghi Ancient Council have been the ones negotiating and recognised by the Jamaican Government since 1958 and the United Nations as Rastafari faith and indigenous culture representatives.
22. The Nyahbinghi Ancient Council has created, appointed, and mandated the Ethiopia Africa Diaspora Union Millennium Council Limited, also referred to as the Rastafari Millennium Council (RMC) as sole executive to implement and supervise its decisions. The RMC has therefore full authority to help the Government. The RMC has taken the lead on some important aspects of the religion, including the monitoring of the respectful compliance of the faith as instructed by the Ancients Collective.
23. In essence, the Ancients Collective is the sole high authority on Earth to direct the Rasta faith on behalf of their God. They are also the sole governance that can operate the faith and act on behalf of its indigenous culture, with the RMC implementing and executing on their behalf. Inseparable to be a Rastafari is the respect of the Ancients Collective's decision and guidance, spiritually or otherwise. If the Ancient's Collective states that an individual or mansion is outside of the faith, then there is not much to object that any Government can argue or allege.
24. A new Mansion that would intend to operate as Rastafari faith would require adherence to the Faith principle, respect of the Nyahbinghi Ancient Council and must have Ancients sitting at the Ancients Collective. The opposite would simply mean that the Mansion is NOT a Rastafari faith one.
25. To be clear a new mansion could be created by a group of individuals. However, the absence of this new mansion Ancients sitting in the Ancients Collective, will not allow the new mansion to be regarded, considered or assimilated to a Rastafari

Mansion, Community or more generally faith as one of the fundamentals of the Rastafari faith would be missing. The new mansion could of course call themselves members of any other religion or faith, but NOT RASTAFARI, which makes it a matter of no concern to us for the purpose of this letter, and to you for the purpose of granting an exception solely in place to help the legitimate Rastafari faith and his representatives and participants.

26. Further, if an individual in a Nyahbinghi Mansion decided to set up his own Mansion, he could not carry his association with the Nyahbinghi Mansion as this is specifically prohibited and doing so would automatically entail disqualification from the Rastafari faith and Indigenous Culture for breach of a fundamental.
27. The fact that an individual may or not have been known (to be assessed how in any event) to be a Rastafari, does not mean his or her actions are compliant with the faith or THAT the individual is a legitimate Rastafari, particularly if the highest representative of that faith explicitly agreed that the individual is not adherent to their Faith. Rastafari do recognise the principle of, and the right for its members to, apostasy. Certainly the role of a government interference with a religion is a well versed subject that would not see this Government successful in attempting its challenge.
28. No Government can define who is or not Rastafari, this is the prerogative of the Rastafari faith representatives only based on their criteria and appreciation. it is not for the Government to interfere or interpret if a new mansion is or not part of a faith.
29. Stating otherwise is a fundamental breach of human right principles, and the self determination principle as established by the Freedom of religion and indigenous laws.
30. We hope it is not this Government's and the Honorable Golding's ambition to breach such established principle and unilaterally define who is or is not a legitimate Rastafari regulated by the Rastafari faith. Nor is it the Honorable intention to use an Advisory team that is not a faith, and Rastafari representative to do so. We propose in any event that the Honorable Minister of Justice delegate any such authority to the RMC as such is its mandated from the Nyahbinghi Ancient Council.
31. The bill has decided not to define what Rastafari religion is, and wisely in our opinion. This means that only the highest representative of the Rastafari faith can confirm to the government and decide who is or is not a Rastafari. Stating otherwise is a serious breach of the Rastafari human rights.

As a result of the above we propose

- The RMC, as the executive harm of the Ancients Collective, to be solely defining and safeguarding the belonging to, and adherence to, the Rastafari faith. this in turn would mean that any such time as the Jamaican Government would require to ascertain, confirm or vet the Rastafarianess of an individual or group, this has to be

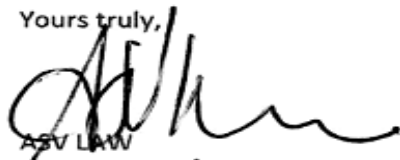
done by the RMC according to procedures solely relating to the Rastafari faith and disclosed to the government of Jamaica for information only.

- that the Honorable Minister of Justice revoke with immediate effect the discretionary authorisation granted to the event as this has not been granted to a legitimate Rastafari.

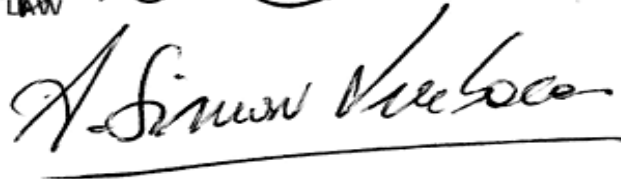
Doing otherwise would be a substitution of the Government to the faith authorities and a de facto breach of Rastafari rights.

We reserve all our Client's rights.

Yours truly,



ASV LAW



13. UNGASS 2016 Brief Submission



Ethio-Africa Diaspora Union Millennium Council
Jamaica Afro-Centric Commission
P.O.BOX 8145
South Camp Road
Kingston, Jamaica, W.I.
876- 868-7863/ 850 4403 /482-7571
ethioafricamillennium2000@gmail.com

Maxine Stowe Director – International Intellectual Property Consultant for the **Ethio-Africa Diaspora Union Millennium Council** aka **Rastafari Millennium Council**, – representing the Indigenous Community and Cultural Human Rights Of The Global Rastafari Community from its philosophical and cultural birthplace in the Africa Diaspora Community of Jamaica; A founding member of the Ganja Growers and Producers Association (GGPA) – Jamaica.

Rastafari are the defenders of the cultural and human rights for Freedom, Redemption and International Repatriation to Ethiopia/Africa for those African citizens who desire to return home to Africa based on birthright and reparation from the legacy of the Trans-Atlantic Slave Trade. We are following the precepts of H.I.M. Emperor Haile Selassie 1st Of Ethiopia, King of Kings, Lord Of Lords, Conquering Lion Of The Tribe Of Judah – convener of the Organization of African Unity, the First African Country to be incorporated in the League of Nations, and a founding leader/member state of the United Nations stressing the principle of collective security.

The Rastafari Community out of Jamaica, through the Caribbean, Global Metropolitan Diaspora, Indigenous communities globally and in Africa, are the most current historical community to exercise the use of the psychotropic plant CANNABIS (GANJA) to successfully create a spiritual cosmology, manifested in a holistic culture that has reaffirmed human identity from the dehumanized atrocity and continuing legacy of the Trans-Atlantic Slave Trade. Cannabis/Ganja and its use is a fundamental Human Right to freedom and liberty of this millennia. This Right is expressed in Rastafari incorporation of GANJA use as ‘Healing Of The Nations’ in direct contravention to the Dangerous Drug Acts (DDA) and Conventions from the 1930's, that spoke to its specific eradication from traditional communities that have used psychotropic plants for millennia. This has accorded specific atrocities directed specifically to the Rastafari Community. Our focus in UNGASS is on its return as Essential Spiritual and Physical Medicine and to promote Harm Reduction & Alternative Reparatory Development.

We defend the rights of Indigenous Peoples to use all psychotropic plants that are related to our spiritual, cultural and economic upliftment of our communities, where our specific cosmology is related to promoting health and welfare in the use of a plant-based organic and traditional lifestyle of land for food security, economic development and health. For our communities who are displaced from land via war or urbanization, the right to develop communal organizational village platforms and sacred spaces for the traditional promotion of our lifestyles, even in urban areas. (Eco-Villages)

<https://en.wikipedia.org/wiki/Ecovillage>

We defend the right of reparations for collateral damages within this UNGASS reassessment for Organic States and Traditional Communities where the Industrial States that developed these Drug Policies adopted by the former League of Nations now the United Nations, were based on the colonial imperatives for social control, pharmaceutical domination of Trade and Industry, and other industrial decisions – and for Cannabis was not based on the protective psychotropic considerations of the prohibited plants. These derivative industries such as the pharmaceutical, Fossil Fuel, and plastic based industry are now identified with hazardous health and environmental issues where alternatives have been identified in the reintroduction of the productive use of the Cannabis Plant. <https://cannabis.net/marijuana-timeline.html>

We defend the progressive and deliberate delinking of the Cannabis Plant from the onerous protective/restrictive conditions of the Prohibited Plants based on its inclusion not being of its harm in general human consumption and medicinal treatments. Its inclusion has been driven by specific racial considerations by the known Apartheid regime of South Africa to the League of Nations and in the USA by the Reefer Madness/Hemp Industrial Wars combination of social and industrial interests. This racial undertone and its legacy has and is contributing to the specific harm of African communities in the Diaspora over the last century and the biggest driver for African youth incarceration in the Americas. It is also now the major deterrent for Africans to be included in what the economic industrial interests are determining as the renewal of the Cannabis economy.

<https://www.aclu.org/gallery/marijuana-arrests-numbers> <http://www.nbcnews.com/news/nbcblk/post-legalization-many-blacks-say-no-marijuana-industry-n362166>

We identify the current reaffirmation of its health benefits in various countries, particularly the USA adopting its legalization for medicinal purposes, are proof points that the gross stigmatization under the DDA is now replete with scientific and empirical evidence that the Cannabis plant was wrongly inferred and discriminately placed under the DDA. The subsequent stigmatization and categorization with drugs such as Cocaine and Opium that are derivative substances from the Prohibited Plants, whereas Cannabis is consumed majorly in its organic state, points to the immense evidence of mis-categorization eventuated by the global call for its decriminalization, rescheduling and reparations for its collateral damage from that decision. https://en.wikipedia.org/wiki/Medical_cannabis

We affirm that the western tradition of industrialization that is a specific outcome of the Trans-Atlantic Slave Trade, must take responsibility for the complex human environmental conundrum that has now heaped upon humanity a range of diseases requiring palliative care specifically linked to opiates. This triggers the reverting to alternative solutions in plant based medicines – Nutraceutical, and naturopath lifestyles. This environmental disaster must be taken into consideration in the rescheduling of the Cannabis Plant, and the removal of militarized practices to be replaced by the funding of technology transfer and distribution subsidies. The prior known effects on the communities of Africa, where a 400% increase of these diseases are now being projected must be incorporated in strategies and policies for the Organic States and traditional communities ownership/shareholding of patents.

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4303610/>

The UN Regulations must now factor in Climate Change and environmental lifestyle assessments in the regulatory framework changes that are now being set in motion by the Climate Change protocols. The Indigenous Rights Acts and Treaties are directly linked to the protection of the Indigenous Knowledge Systems of the world being identified and directly related to the future beneficial health of the billions of

citizens that are now grouped under urbanization resulting in negative lifestyle choices. This is the burgeoning Organic health and food industry! The Cannabis Plant has a unique place in these changing dynamic and specific rights in trade, and protective access of Indigenous communities to its cultivation and trade must be guaranteed in the ongoing rescheduling.

<http://www.theguardian.com/sustainable-business/2014/sep/25/hemp-wood-fibre-construction-climate-change>

We affirm that traditional indigenous communities do not promote recreational gateway use of prohibited plants and or their derivative substances, and are guarded against the derivatives that are employed and certainly emerging from the Cannabis reindustrialization. Based on the recreational market being targeted by global lifestyle cigarette, entertainment companies, and others such as what are producing NPS, mimicking these methodologies, we affirm that our holistic lifestyle choices that emits from the Rastafari and other traditional use of Cannabis specifically and extending to the prohibited plants in their strict traditional contexts, do not support the 'Getting High' alienated use of these substances and requires the our informed Intellectual Property (IP) Rights and protection.

<http://www.acupuncturetoday.com/mpacms/at/article.php?id=33013>

We implore that the forums and countries at UNGASS recognize that the IP Right of the Rastafari Community, as the most current Indigenous Community embedded in current popular mores and modes, that boast a world renown righteous and valuable Culture, must be supported so that the specific messaging and values that have been appropriated and coopted by global lifestyle companies, through their ownership of the marketing, merchandising, and distributing channels of Reggae Music, be defended against further misappropriation. This will be a specific deliverable for harm reduction from the recreational, non-traditional use and promotion of Cannabis and NPS derivative substances. Similar considerations now apply to the Government of Jamaica (GOJ) who MUST include and enforce Rastafari Community IP Rights and industrial benefit sharing, currently omitted from the Sacramental Right under the DDA amendments for Rastafari, especially where its Tourism interests are traditionally competitive and not related to Faith based morals and economic interests.

<http://www.bobmarley.com/company-news/marley-natural/>

<http://www.billboard.com/articles/business/6429591/marijuana-reggae-jamaica-legalize-marketing>

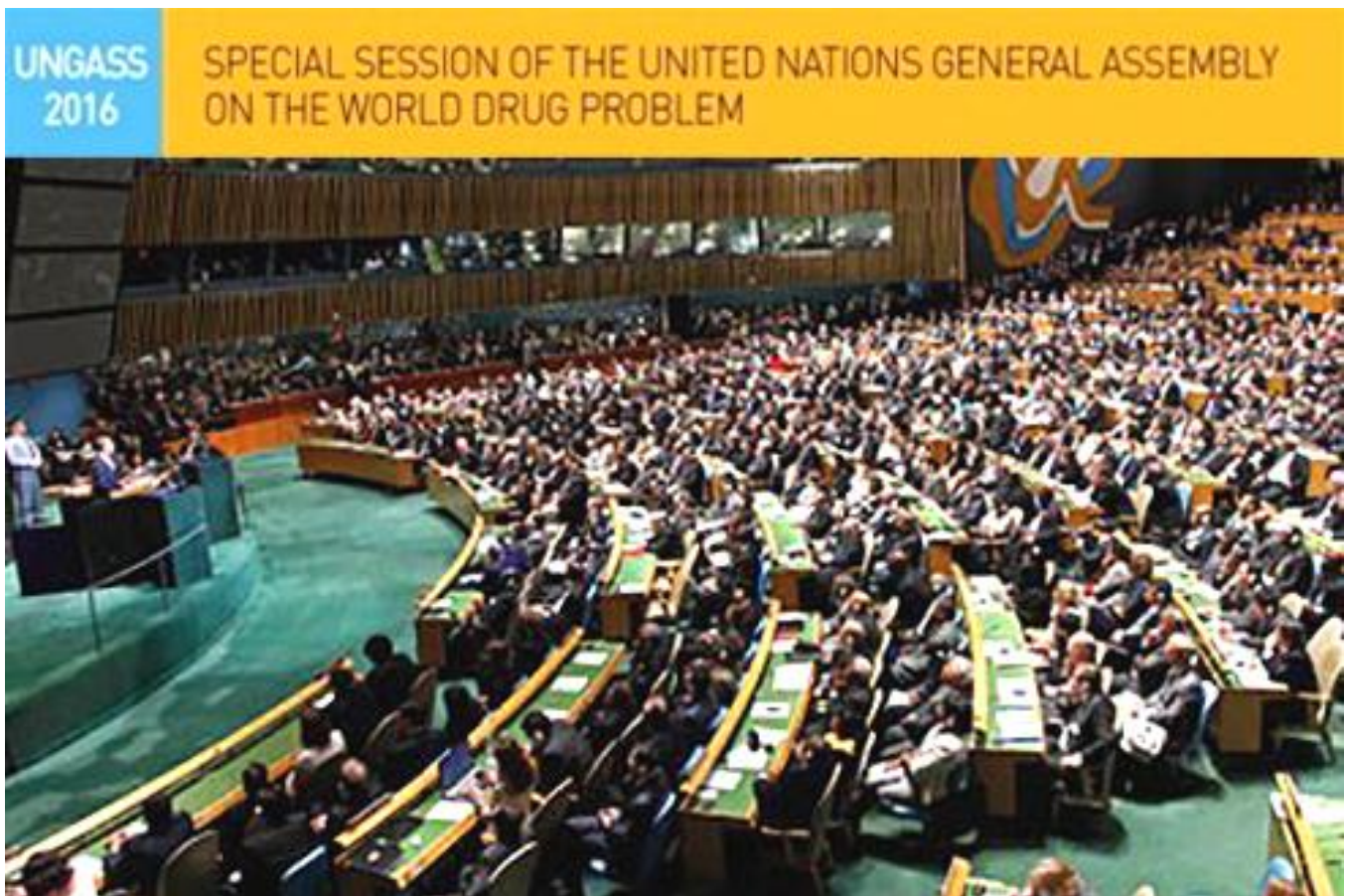
http://www.jamaicaobserver.com/entertainment/WEED-WARS_18776781

We affirm that the specifics of Cannabis in Jamaica and its influence and transmission through the Caribbean and African Communities and States, is uniquely centered around the Rastafari and other traditional African retention communities and farmers, who must be given affirmative capitalized production and trading rights of IK based products and services that are commensurate with generic nutraceutical, medicinal, pharmaceutical and industrial marketing and distribution mechanisms. This is supported by the specific legacy impact recommendations under the CERD convention and the provisos under the International Decade of the People of African Descent. Jamaica must be adopted as a specific pilot project with UN support and supervision to promote, protect, and project the beneficial reintegration of Cannabis across the indigenous, reparatory, regulatory control of industrial, medicinal and recreational use. A way forward can be identified in the projected outcomes of the recent South Africa/Jamaica Bilateral Agreement surrounding IKS Systems for Cannabis commercial development. (<http://www.jamaicaobserver.com/lifestyle/In-Exchange>). It includes a 'RASPECT/RESPECT' Campaign (currently being trademarked) for these best practices to benefit Indigenous Communities and reduce stigmatization globally. <https://www.aclu.org/report/reports-un-cerd-race-and-ethnicity-united-states>

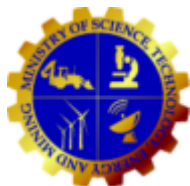
We affirm that organically grown Cannabis cultivation with its more beneficial interests should also be

identified as an alternative cash crop based on the potential for beneficial lowering/control of psychotropic elements and the 'ground up' value chain in Indigenous community trade, through its use in the development of IK based Nutraceutical Products as essential medicine, and its association with the industrial use of Hemp and other fibers to counteract plastics that is a clear and present threat to human and other life forms existence.

We affirm all the rights and recommendations of the collective civil society organizations of all prohibited plants, removal of all militarization procedures, decriminalization of all prohibited substance uses and the social and economic alternative development provisions, respecting the human rights of all users that majorly fall in the powerless, unemployed, and alienated. Poverty reduction and better sharing of world resources in a respectful environmental policy especially within the concept of the WTO's Globalization, is concurrent with the aims and objectives for Cannabis at UNGASS 2016.



SOUTH AFRICA AND JAMAICA Bi-LATERAL AGREEMENT INITIATIVE



Notes of Meeting to Discuss and Identify Priorities for South Africa-Jamaica Bilateral Cooperation Planning Institute of Jamaica, 16 Oxford Road, Kingston 5, Jamaica Thursday, August 13, 2015 @ 9:00 a.m.

1. WELCOME & INTRODUCTIONS

The Meeting was called to order at approximately 9:25 a.m. The persons present were asked to introduce themselves and the organisations they represent. A list of the persons in attendance is attached hereto as **Appendix I**.

2. OVERVIEW OF THE COOPERATION

Miss Wahkeen Murray of the Ministry of Science, Technology, Energy and Mining provided an overview of the cooperation between the Republic of South Africa and Jamaica. It was noted that:

- both countries entered into an Agreement on Scientific and Technological Cooperation in February 2013 with the objective of promoting and supporting the development of cooperation in the fields of science and technology;
- pursuant to the Agreement, a Joint Committee on Science and Technology (JCST) was established consisting of representatives from South Africa and Jamaica; and
- at the inaugural meeting of the JCST in November 2014 one of the areas identified for cooperation was natural products.

Miss Murray indicated that the study tour being conducted by the team from South Africa was in the context of the consensus reached by the JCST and was a precursor to the next meet of the JCST as well as a Joint workshop on nutraceuticals to be held in October 2015 in South Africa.

3. REVIEW OF STUDY TOUR BY SOUTH AFRICA

Dr. Hlupheka Chabalala of the Department of Science and Technology gave an overview of the various entities and organisations visited by the South African technical team. He provided the context for the visit, and clarified that this was specifically located within Indigenous Knowledge Systems (IKS)-based Technology Innovation. He further indicated that planned workshop in October 2015 will not only focus on nutraceuticals, but will include traditional medicines and cosmeceuticals, including aspects of technology commercialisation. As a result, South Africa requested that various role-players in these areas should be invited and supported to participate at the 2nd Joint Committee Meeting in South Africa. It is against this background that the South African team was constituted by

experts in traditional medicines, nutraceuticals, cosmeceuticals and industry.

Meetings were held with the University of the West Indies (UWI), University of Technology (UTECH), and the Scientific Research Council (SRC). There were meetings with community-based organisations, such as the Rastafari Millennium Council that brought together various Rastafari structures, including the Maroon Nations and Revivalist Congregations. Some of the private sector organisations such as Eden Gardens Nutraceuticals and its affiliates, and representatives of the Ganja Growers Association were also visited.

He expressed appreciation of the Jamaican government for receiving the South African technical team. What was appreciated most was making the visit inclusive of all actors of the value-chain by including indigenous knowledge holders, academia, business and government.

4. THE NUTRACEUTICAL INDUSTRY IN JAMAICA (OVERVIEW)

Dr. Cliff Riley of the SRC provided an overview of the National Nutraceutical Industry (NNI) in Jamaica. He noted that the Industry was formally launched in March 2015 and that a Task Force/Advisory Council consisting of representatives of several organizations including the Ministry of Health, National Commission on Science and Technology, SRC, Jamaica Intellectual Property Office, UWI, Private sector, Practitioners, Planning Institute of Jamaica, JAMPRO. Dr. Riley also reported that data on a large number of medicinal plants is available through extensive research from local scientist (UWI, UTECH, SRC, Northern Caribbean University and other scientific institutions) over the past decades. He further reported that the therapeutic/medicinal benefits of a large number of Jamaican plants are well known; with over 51 of the 80 plants worldwide with proven benefits being endemic to Jamaica. Dr. Riley advised that the primary focal areas for the NNI at this point includes, legislative amendments to the Food and Drug Act for the incorporation and recognition of nutraceuticals, development of a regulatory framework for the industry, public education and establishment of standards to guide the development of products for the industry. He also indicated that a Newspaper supplement was published on June 15, 2015 with contributions from the major stakeholders in the industry. Another supplement is earmarked for August 31, 2015 to be followed by quarterly publications in the press. Dr. Riley noted that special interest is also being placed on the healing waters of Jamaica.

5. AREAS OF POSSIBLE COLLABORATION

Extensive discussions took place regarding the possible areas of cooperation between South Africa and Jamaica. The community based organizations identified the need to protect Indigenous Knowledge and noted the need for a database of practitioners if there is to be fulsome engagement. The need for a policy and legislative framework which would, among other things, provide protection for the rights of the indigenous communities, treat with trade and commercialization and research and development was stressed. Training and skill transfers, as well as popularization and public education were also identified as key areas for co-operation.

In the area of Medicine, research in diabetes, hypertension, gangrene, cancer, parasitic infection and drug interaction studies was proposed. The sharing of equipment, facilities, technicians and students, as well as, collaboration on applications for grant funding and publication of research papers was highlighted.

With respect to cosmeceuticals it was noted that there was a need for scientific data to support the products, as well as, access to biological acids.

A more exhaustive list of the areas identified during the discussion is here attached as **Appendix II**.

6. PLAN OF ACTION

The Meeting was advised that the Plan of Action for giving effect to the areas of co-operation identified would be further discussed in the planning meeting scheduled for Friday, August 14, 2015 as well as at the next meeting of the JCST.

7. TERMINATION

Miss Murray thanked everyone for their participation and for the very active discussion. The meeting was terminated at approximately 12:10 p.m.

APPENDIX I

South African Delegation

| | |
|---------------------------|--|
| Dr.Hlupheka Chabalala | Director: IK-based Technology Innovation, Department of Science and Technology |
| Mr. Kagiso Moloto | Bilateral Relations, Department of Science and Technology |
| Prof.MotlalepulaMatsabisa | University of Free State |
| Dr. Thandeka Kunene | House of Hemp |
| Mrs. MatshidisoMoroka | Council for Scientific and Industrial Research |
| Dr.Dashnie Naidoo | Council for Scientific and Industrial Research |
| Mr. Jongikhaya Rabe | South African High Commission |

Jamaican Participants

Ministries, Agencies and Academic Institutes

| | |
|-----------------------|--|
| Miss Wahkeen Murray | Chief Technical Director, Ministry of Science, Technology, Energy and Mining |
| Ms. Stephanie Edwards | Ministry of Industry, Investment and Commerce |
| Ms. Jamila Simms | Ministry of Justice |
| Prof. Errol Morrison | Director General, National Commission on Science and Technology |
| Miss Patricia Lewin | Senior Technology Officer, National Commission on Science and Technology |
| Mr. Kirk Phillips | Planning Institute of Jamaica |
| Ms. Gail Nelson | Science & Technology Development Planner, Planning Institute of Jamaica |
| Ms. Carol Straw | JAMPRO |
| Dr. Cliff Riley | Executive Director, Scientific Research Council |

| | |
|--------------------------------|---|
| Mrs. Ann Marie Smith | Scientific Research Council |
| Dr. Kamilah Hylton | Dean (Acting), Faculty of Science and Sport, University of Technology |
| Dr. Sonia Richards-Malcolm | University of Technology |
| Dr. Aneisha Collins-Fairclough | Faculty of Science and Sport, University of Technology |
| Prof. Ishenkuba Kahwa | Deputy Principal, University of the West Indies |
| Dr. Sheena Francis | Natural Products Institute, University of the West Indies |
| Dr. David Picking | Natural Products Institute, University of the West Indies |
| Dr. Sylvia Mitchell | Biotechnology Centre, University of the West Indies |
| Dr. Maxine Gossell-Williams | Basic Medical Sciences, University of the West Indies |
| Dr. Julie-Ann Grant | University of the West Indies |
| Dr. Simone Badal | Basic Medical Sciences, University of the West Indies |

Community-based Organizations

| | |
|------------------------------|---|
| Gaama Gloria Simms | Paramount Queen of Maroon Jamaica, Maroons of Jamaica |
| Hon. Priest Linton Forrester | Ethiopia Africa Black International Congress |
| Hon. Priest Nicardo Lewis | Ethiopia Africa Black International Congress |
| Hon. Priest Enoch Brown | Ethiopia Africa Black International Congress |
| Ras Jahlala | Ethio-Africa Diaspora Union Millennium Council |
| Tadhnelshigyhd | Ethio-Africa Diaspora Union Millennium Council |
| Ms. Kathie Lennon | KML Agro Consulting |
| Ras jnr. Negus | Nyahbinghi Ancient Council |

Area of Cooperation: Protocols, Policies and Legislation

- Foresight, white paper, national R&D strategy, innovation plan.
- Indigenous Systems Policies
- Permits and environment agreements (movement of genetics, Bioprospecting permits from JA and SA)
- Protection of strains and seed bank
- Biodiversity protection (DNA,); Bio-economy strategy
- I.K.S. (protection of the indigenous knowledge and related rights to include spirituals, healers and tribes) and how to identify communities
- Protection of material and indigenous knowledge holders rights including Intellectual Property Rights, notification forms, consent, recognition, confidentiality, shared benefits
- AU; UN – UNGAS 2016
- Nogaya Protocol
- Frameworks (neutraceuticals, cannabis)
- Funding and resources mobilisation

Area of Cooperation: Research and Development

- Profiling of existing strains and gene pool
- Knowledge of product
- Agronomics
- Traditional healers and their unique uses of herbs and biodiversity
- Management and sustainable science and technology initiatives
- Joint intellectual property
- Intellectual Property Rights – Patents, Geographic indicators
- ICT apps
- Training, skills and knowledge transfer, exchange and dissemination
- A-Z of farming; A-Z of extraction
- Tissue culture, Incubation
- Database of existing biodiversity especially of endemic plants
- Sharing of animal and In vitro studies
- Chemicals and biological matter / essays / protein targets/ germ plasm repository
- Student and technicians exchange
- Joint publications
- Conferences and workshops
- Sharing foreground Intellectual property, equipment and technologies, processes and systems
- Write up based on experience on the ground
- Collaboration of researchers and IKH

Area of Cooperation: Commercialisation support

- Research for a purpose of socio-economic development
- Commercialisation of products (innovation)
- Cultivation studies

- Product development (cosmeceuticals, nutraceuticals, medicines, insecticides, construction, biocomposites, textiles, biochar)
- Extraction and processing
- Market and trade linkages
- Joint Venture industrial partners (community, public, private partnership)
- Entrepreneurship
- Empowerment
- Cause campaign – remove the stigma – public education and awareness raising.
- Evaluation agreements
- Total value chain intervention
- Downstream beneficiation
- Incubators
- Health Tourism
- Business and commercialising models



REPORT ON THE TECHNICAL VISIT BY SOUTH AFRICA REPORT ON THE TECHNICAL VISIT BY THE IKS BIOPROSPECTING AND PRODUCT DEVELOPMENT PROGRAMME TO KINGSTON, JAMAICA, 10 TO 15 AUGUST 2015

1. INTRODUCTION

The Minister of Science and Technology (DST) approved that a delegation coordinating the Indigenous Knowledge System (IKS) Bio-prospecting and Product Development Platform led by Dr Hlupheka Chabalala, Director: IK-Based Technology Innovation Unit undertakes a technical visit to Kingston, Jamaica from 10 to 15 August 2015. The other members who formed part of the delegation comprised of the following members: Mr Kagiso Moloto, Assistant Director: Overseas Bilateral (America and Asia) from the DST, Dr Motlalepula Matsabisa, Director of IKS Health Research Programme from the University of the Free State, Mrs Matshidiso Moroka, Research and Development Outcomes Manager from the Council for Scientific and Industrial Research (CSIR), Dr Thandeka Kunene, Chief Executive Officer (CEO) from House of Hemp, and Dr Dashnie Naidoo, Business Area Leader and Senior Scientist from the CSIR Biosciences Unit.

The main objective of the visit was to establish actual cooperation between South African and Jamaican research institutions and also to identify areas of collaboration in bio-economy, particularly in areas of indigenous knowledge-based nutraceuticals, cosmeceuticals, herbal beverages and traditional medicines.

The technical visit comprised of site visits to various Jamaican research institutions, community-based organisations and business/private sector. The institutions visited included the University of the West Indies (UWI); Communities of Practice Organisation; The University of Technology (UTECH); Science Research Council (SRC); Eden Gardens Nutraceuticals; Jamaican Development Agency and Private Sector Development Organisation and the Ministry of Science, Technology, Energy and Mining (MSTEM). The site visits were aimed at exploring and mapping out specific aspects of Jamaican expertise in the area of IKS particularly in the areas of nutraceuticals, cosmeceuticals and traditional medicines, which could contribute to

the implementation of South Africa's Bio-economy Strategy and other areas of mutual benefit to both countries.

Prior to the sites visit, the delegation had an opportunity to meet with officials from the South African High Commission in Jamaica for a debriefing session on the bilateral cooperation and clarification of planned activities.

2. SITE VISIT AND OUTCOMES

The paragraphs below outline the institutions visited

- **UWI:** During the visit to the UWI, the delegation met with the leading scientists in Biotechnology, Natural Products Research and Pharmacology Departments. A meeting with the Professor Ishenkumba Kahwe, Deputy Principal of the University was emphatic on how the cooperation should focus on assisting Jamaica with the building of an inclusive and dynamic National System of Innovation.
- **Communities of Practice:** The delegation also met with communities of practice organisations such as the Rastafarian Community, Maroons and Revivalists. Policy vacuum, protection of indigenous knowledge, inclusion and beneficiation were critical areas of discussion.
- **UTECH:** At UTECH, the delegation was welcomed by Professor Colin Gyles, Deputy Principal of the UTECH who expressed high-level interest in the interface of IKS and modern science. The University's Natural Product Unit has implemented an inclusive innovation model together with the Trelawney Maroon Community for both social and economic upliftment of the rural innovators and knowledge holders. In addition to the aforementioned, the university has experts in the development of tissue cultures for conversation, natural medicines, food and cosmeceuticals development.

- **SRC:** At the SRC, the delegation learned that the council has a product development and food processing facility that support small and medium enterprises. The visit to the SRC gave an overview of the areas which South Africa should draw some lessons from, for example; what is unique is that small businesses are trained to process, package and commercialise their own products from this facility.
- **Eden Gardens Nutraceuticals:** As a private company, Eden Gardens Nutraceuticals has commercialised over 20 patents in nutraceuticals, cosmeceuticals and natural medicines. The delegation had an opportunity to meet with senior researchers who provided presentations of the work done by the company. Dr Henry Lowe, the CEO of the company, established MediCanja limited, a company incorporated within Eden Gardens Nutraceuticals. The company focuses on innovation and commercialisation of medical cannabis.

Meetings with the Jamaican Business Development Corporation, Growers and the Private Sector Development Organisation of Jamaica complemented the Science, Technology and Innovation arm of the visit. This visit brought in the commercialisation, beneficiation and sustainability aspects of the collaboration.

3. Identified areas for possible collaboration

The study visits culminated in a priority setting meeting which was facilitated by MSTEM. The meeting was attended by all organisations visited, including the Jamaican Intellectual Property Rights Organisation, which was not visited. Various organisations, including the South African team presented their reflections of the visit and identified possible areas of collaboration relating to their respective mandates. Specific areas for possible collaboration that the two governments and their stakeholders identified are outlined in the following paragraphs.

- **IKS policies exchange**

Jamaica does not have an IKS policy that offers political and strategic direction in terms of interfacing the two knowledge systems, protocols of recognition, protection, development and beneficiation. It was agreed that South Africa should offer expert advice to the Jamaican team of policy formulators.

- **Human Capital and Skills Exchanges**

Both Jamaica and South Africa have expertise in different areas. As a result it was agreed that there should be an exchange of researchers, technicians and students. This exchange should also be extended to indigenous knowledge holders.

- **Strategic Infrastructure and Equipment**

Various stakeholders of the systems of innovation recognised the need to share strategic infrastructure and equipment for innovation, product development and formulation of products. This was not limited only to academia, but to industry partners willing to invest and collaborate within the bilateral agreement.

- **Holistic Research and Development**

It was agreed that the two countries will encourage collective ways of generating research concept with full participation of communities and industry in order to conduct relevant and appropriate studies that will in turn benefit communities and encourage competitive advantage for the business sector.

- **Inclusive Innovation**

There was total resonance with the ideals and principles of inclusive innovation for social good, wealth creation, economic development. Both industry and communities welcomed the importance of their involvement in product development for commercialisation. This priority area would include study technology transfer, acceleration and incubation for all translational research.

- **Technology Commercialisation**

Delegates recognised the potential for commercialising natural products within the context of the bilateral agreement, and collectively compete internationally. Details on beneficiation of intellectual property will be part of policy formulation which could result in an agreement between the two countries.

In addition to the above mentioned identified areas, access and benefit sharing with communities and knowledge holders was prioritised. Commercialisation and beneficiation models will be studied and best practices on access and benefit sharing be encouraged. Communities of practice will be strategic in this priority area.

The above mentioned areas of collaboration were further discussed and refined with the MSTEM. They were also categorised in terms of the following:

- *Traditional Medicines*

Research projects on traditional medicines were selected using priority health conditions in both countries and these are, HIV/AIDS, tuberculosis, malaria, cancers, diabetes and hypertension. The two countries should consider the exchange of research materials, researchers and students.

- *Nutraceuticals*

Nutraceutical research will include natural products such as food ingredients, functional food, food supplements, and actual food products, e.g. indigenous vegetables, grains, legumes, etc. Studies would include technology transfer and market studies both for local and international markets.

- *Cosmeceuticals*

Research, development and innovation will cover the entire value-chain, including commercialisation and beneficiation. Health, beauty and wellness studies, including clinical trials will focus mainly on skin and hair products. Health conditions such as acne, eczema, skin cancers, chronic hair loss and oral care products will be formulated and researched in both countries.

- *Herbal Beverages*

Jamaica is a leader in health bitters, while South Africa is known for internationally commercialised teas, like Rooibos and Honeybush. Industry in particular was interested in research for commercialisation of herbal beverages for medicinal, nutraceutical and cosmeceutical purposes.

4. Follow-up and Action Plan

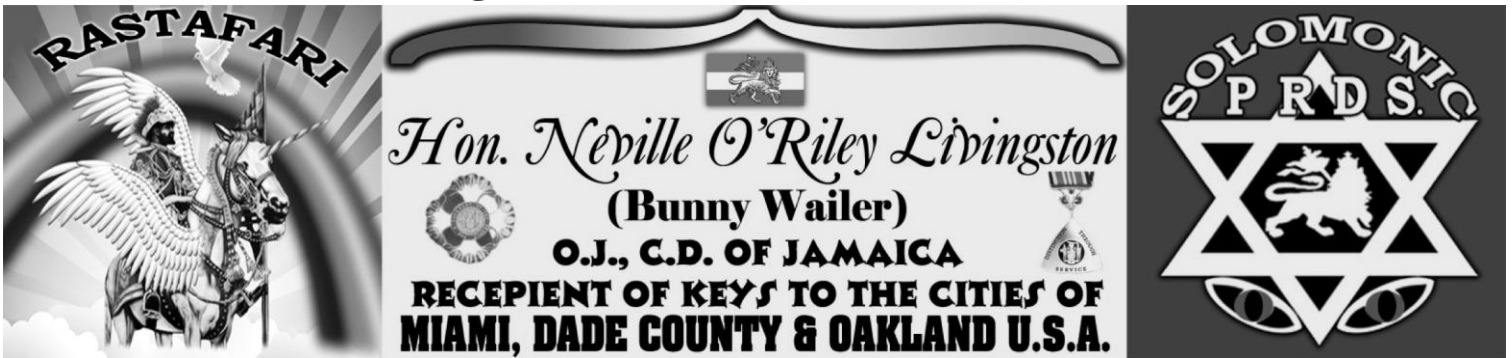
As a way forward the bellow table summarises scheduled activities and meetings

| Activity | Responsible Institutions/officials | Time frame |
|---|---|------------------------|
| 1. IK-Based Natural Products Workshop focussing on: <ul style="list-style-type: none"> • Nutraceuticals • Cosmeceuticals • Traditional Medicines, and • Herbal beverages | DST Prog and Prog 3 | 18 to 19 November 2015 |
| 2. 2nd South Africa-Jamaica Joint Committee Meeting | DST Prog and Prog 3 | 20 November 2015 |
| 3. Site Visits to IKS communities | DST Prog and Prog 3 | 21 November 2015 |
| 4. METHODS 2015 Symposium focussing on mechanisms of action and drug interaction related to traditional medicines (http://www.methods2015.org/) | University of the Free State (Dr Motlalepula Matsabisa), DST Prog | 22 to 25 November 2015 |

5. Conclusion

The above mentioned areas of collaboration address all three themes of the bio-economy strategy, i.e. agriculture, health and industry. A detailed action plan on IK-Based Technology Innovations will be discussed in November 2015 during the IKS-Based Natural Products Workshop. Discussions will include indicators, targets and ways of supporting the cooperation. A selected number of experts and industry from Jamaica expressed their interest and commitment to attending the METHODS 2015 symposium, after the JC meeting.

Hon. Neville O. Livingston Letter to the US Ambassador, June 9th 2013



10 DARLEY CRESCENT, KINGSTON 20, JAMAICA W.I., Tel: (876) 850-4403 E-Mail: honorablebunnywailer@gmail.com

Ambassador Pamela Bridgewater
Office Of The US Ambassador To Jamaica
142 Old Hope Road
Kingston 6, Jamaica

June 9th, 2013

Blessed Greetings Ambassador Pamela Bridgewater

Please accept this as an annex seeking to contextualize the standing request for a meeting with your office. Doing further research on the activities related to assistance that could impact our objectives, we found this project, USAID – Operationalizing A Neighborhood Approach To Reduce Urban Disaster Risk In Latin America And The Caribbean, quite interesting as a conceptual point of discussion. We noted that the Concept Paper & Application Dates had passed but the Closing Date of August 31, 2013 was still relevant.

In pointing towards this, what we were looking at was the community of Trench Town in Kingston that is so related to the development of the music and the incorporation of the Rastafari Community's urban history, that could crystallize the early concept of the model city development of Trench Town with the Rastafari Community ethos, and its core role in the music's indigenous development to transform an important and world renowned community into what it was and did develop in a disconnected and informal fashion.

Should such a project be realized under the terms of reference of this project, the Rastafari Ethos and the wealth of the music which is being attempted through various micro attempts in and around the community would be given a comprehensive architectural and central driver, from the Intellectual Property of the Rastafari Community and 'The Wailers' in who in their mutual historical development has had every organized community and or collective group settings, destroyed and where the history of the culture and music is in need of a space where it can properly ground and protect its Intellectual Property rights. The scope of this positioning is presently being formalized through the Rastafari Millennium Council process.

This community in the Jamaican metropolis has the distinction of being the island's most infamous inner city neighbourhood. Trench Town is the humble breeding ground for great Jamaican Reggae artists including Bob Marley, Peter Tosh and Bunny Wailer. In the 1940s, the government began developing housing solutions for the masses of low-income people in the city of Kingston. Trench Town was one such development, named for the community's location in what was then called Trench Pen. The development had areas separated for recreation, commerce and dwellings, with the residential areas divided into "yards" with communal sanitary conveniences and kitchen facilities. In these close confines the creativity blossomed, producing some of Jamaica's most talented musicians and artists. Sadly, the conditions of living have not improved much since the 1940s. The community is still desperately impoverished, overcrowded and in dire need of infrastructure development and maintenance. The Trench Town Development Association (TTDA), a grassroots organisation funded by various development interests, is working to address the needs of the community.

We have created a Rastafari Indigenous Village concept that would indicate where we wanted to go with this idea of integrating our Community into a wider local and urban population, authenticating and sure to have the type of indicated outcomes that would be transformative for best practices in urban settings globally where our Community culture and music influences and that would effect and authenticate our Reparation and Repatriation agenda in the 21st Century. This also fits into the Legacy Strategy for the Rastafari 'Exhibit' that is to locate a permanent cultural heritage and research center for the Rastafari Community.

I have also attached for your review/files 2 current projects that were referred to in the earlier letter, a recent UNESCO Application and a WIPO Consultation related to the Rastafari Community and the music and the Rastafari Indigenous Village concept paper. Most of this is conceptualized and articulated through Maxine Stowe, Intl. IP Consultant to the Council and my personal management.

Yours Raspectfully,



Hon. Neville ORiley Livingston OJ, CD pka Bunny Wailer

Cc: Maxine Stowe – International IP Consultant –RMC

Mitzie Williams – Chair RMC

Patrick Beckford – Exec Admin RMC

Greg Mogg – General Secretary – RMC

Rudolph Bailey – PRO – RMC

Montgomery Holmes – Intl. Ambassador RMC

14. RMC EXECUTIVE DIRECTORS AFFIDAVIT

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Jamaica
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“Africans have committed no sin, unless the pursuit of independence and freedom from colonial oppression is considered to be one....” (H.I.M. Emperor Haile Sellassie I)

Re Affidavit for Petition for a Declaratory Order

**“Glory to Word, Glory to Sound, Glory to Power; Glory to H.I.M. Emperor Haile Sellassie I!”
“All Praises unto the Most Blessed, Empress Menen Asfaw!”**

I am William Holmes aka Ras Irie Lion. I was born on 1941 and exposed to the Rastafari Faith as an apprentice to a Rastafari Elder from 1949/50 and accepted the Faith in 1955. I was born and grew up in West Kingston on Salt Lane, where I experienced the influence and inspiration of the Rastafari brethren in Salt Lane, Ackee Walk, Back A Wall and Trench Town. I was aware of brethren coming from all over Jamaica for the grounation reasoning and chanting and have been a participant and witness to a lot of the creative expressions developing and the state hostilities including destruction of property, beating, trimming, incarceration, marginalization and destabilization.

I have been involved in actions and activities that relate to the advocacy, organization and governance of the Rastafari Community most notable in the JAH Ras Tafari Haile Selassie 1st Theocracy Reign Ivine Nyahbinghi Order aka Nyahbinghi Ancient Council that was formalized by the Youth Black Faith in Trench Town in 1949, the establishment of the Nyahbinghi Guidelines in 1987 that formalized the Elders Customary Practices from 1989 and structured the Ancient Council.

I have been involved in all of the Community Faith governance organizations since 1958 and have personally been part of these formations since 1983. All these formations have been endorsed and governed by the Nyahbinghi Order/Nyahbinghi Ancient Council. The Ethio-Africa Diaspora Union Millennium Council EADUMC Ltd. aka Rastafari Millennium Council formed in 2007 and the Rastafari Trust Fund since 2011 are the current registered organizations that the Ancient Council has mandated. These organizations are the practicing governance structures and the Trust Fund is the intended receptor for the benefits for the collective interests, designed for the negotiations around the Intellectual Property Rights of the Community, Reparatory Claims and other grants and public and private contributions to the Community.

I declare that a Rastafari knows that Crown Regent Ras Tafari who was coronated on November 2nd, 1930 as H.I.M. Emperor Haile Selassie 1st, King of Kings, Lord Of Lords, Conquering Lion Of The Tribe Of Judah is the Almighty God and that Repatriation with compensation to Ethiopia Africa is our unswerving commitment of our Faith.

Since Rastafari inception as a Faith within Jamaica we have been formally targeted by the Colonial and post Colonial government. There are relevant colonial documents and history that captures this, with the most recent being the US State Department Report of 2014. The governance of the movement has emerged from a decentralized network of philosophical leaders across a wide spectrum of African personalities as Garveyites, Revivalists, Christians, Pan-Africans sharing and supporting these ideals. The most successful congregations in recognition have been related to spaces such as Back A Wall, Ackee Walk, Trench Town, Wareika Hill, Bull Bay and Pinnacle that crystallized between the 1940's to the 1960's.. The centralized authority and governance of the Rastafari Community has been our collective spaces and events, where a historical pattern of destruction of these spaces and its resulting discriminating marginalization has been augmented by circumstantial 'rehabilitation', 'cooptation' and 'routinization'.

The 85 years approaching a century of surviving has created a core of Elders of which I am a member, known and operating as the JAH RASTAFARI HAILE SELASSIE 1ST THEOCRACY REIGN IVINE NYAHBINGHI ORDER aka as the Nyahbinghi Ancient Council (NAC). Emerging from a plurality of philosophical leaders, the Nyahbinghi Order is recognized as the NUCLEUS of the Rastafari Community in our physical identifiers, such as formal spiritual implements, musical instrumentation and style, Iyarc language, dreadlocks and a variety of other lifestyle, holistic choices in food, clothing, interpersonal relations etc. The intensity of this creative activity occurred in the late 1940's and was expressed in popular culture beginning in the early 60's that inspired the development of a local music industry with a distinct genre in Roots, Rock, Reggae which aligned to the Nyahbinghi mantrum, and that sought to use this medium for expression because of the governmental/societal persecutions ('downpressions'). East Kingston/Wareika Hill (Count Ossie/Mystic Revelation Rastafari/Skatalites) and Trench Town (The Wailers - Bob Marley/Peter Tosh/Bunny Wailer) are the two central spaces where the missionary impulse of the Rastafari Faith sprung through.

The intensity of this creative activity occurred in the late 1940's and was expressed in popular culture beginning in the early 60's inspiring the development of a local music industry. East Kingston/Wareika Hill (Count Ossie/Mystic Revelation Rastafari/Skatalites) and Trench Town (The Wailers - Bob Marley/Peter Tosh/Bunny Wailer) are the two central spaces where the missionary impulse of the Rastafari Faith sprung through.

The 80's saw three incidents that brought forward the Nyahbinghi Ancient Council to prominence/governance. The death of Bob Marley and rise of Rastafari commodification, the death of Socialism and the rise of the international Rastafari Communities spurred by the Rastafari Reggae missionary.

The Nyahbinghi Ancient Council became most active in the period of 1980 to present where we called consistently the benchmarked Conferences and Organizations:

- 1983 - Rastafari International Theocracy Assembly
- 1987 - formally established the Nyahbinghi Guidelines from the oral tradition and customary practices
- 1987 - formally established our headquarters at Scotts Path Clarendon on land donated to the Nyahbinghi Order by Hon. Robert Nesta Marley
- 1990, Rastafari International Coordinating Working Committee
- 1992 - H.I.M. Centenary Celebrations and Conferences
- 1993 - EIUC/Ethiopian International Union Committee
- 1994, Rastafari Centralization Organization (RCO)
- 2007 - Rastafari Millennium Council
- 2010 - Rastafari Conference/WIPO Workshop
- 2012 - UNESCO ICH Cultural Mapping Workshop
- 2013 - Rastafari Conference UWI MOU

These established the necessity to collectivize and manage the global expansion of the movement and focus on Repatriation as the center.

The Nyahbinghi Ancient Council also during this period actively travelled to the Caribbean, North America, South America and Africa establishing the governance of the international communities that sprung up globally. The Bobo Shante and the Twelve Tribes had developed their own identifiers, but the Nyahbinghi Order and Ancient Council retained the authority based on the active history and where the leaders of the various groups, were acknowledged splinters of the Nyahbinghi Order.

I, Ras Irie Lion, am a peer of all the individual personalities such as Prophet Gad/David Carrington and Ascento Fox of the Haile Selassie Church that was recently authenticated by the Government of Jamaica and can describe succinctly the development of the Twelve Tribes of Israel and the Haile Selassie Church and all these groups as one who was active with these brethren as they and others sought to advance their own organizational ideas related to the movement. I say this to highlight the role and authority of the Ancient Council and the Nyahbinghi Order to summon these brethren and their organizations to pull together in a collective organization that has reached its highest organizational structure in the Ethio-Africa Diaspora Union Millennium Council/EADUMC Ltd. aka Rastafari Millennium Council (RMC) and the Rastafari Trust Fund.

The Rastafari Millennium Council which was established under the auspices of the Nyahbinghi Ancient Council in 2007, for the first time collectivized the interests of the Rastafari Community outside of Customary Law into the National Law as a registered entity to avail the Community to the Indigenous Rights that had been put in place by the United Nations since the late 1990's. These provisions from various agencies of the United Nations were incorporated in the State under various Conventions and were accessed through the Indigenous Intellectual Property Rights platform through the World Intellectual Property Organization. This was primarily achieved through the advocacy and representation of Sister Maxine Stowe, a founding director and International Consultant to the Council. The RMC and the development of the Rastafari Trust Fund is a direct construct and extension of her work career in the Jamaica Music Industry and for the first time since the informal establishment of the dynamics of the Rastafari Culture and the music/lifestyle industry, the Rastafari Community has been able to develop the protocols necessary to beneficially manage these circumstances.

The principal State agencies that the RMC has established direct protocols through is the Jamaica Intellectual Property Office, where two practice notes and a Creative Heritage project with WIPO has been developed. The Office of The Prime Minister, Minister of Culture, Jamaica National Heritage Trust, The Institute of Jamaica, The University of West Indies, The National Office Of UNESCO, WIPO and JIPO are all State Agencies that have business, contracts and MOU's with the RMC since its incorporation in 2007.

The By Laws and the Draft Constitution that further established these protocols under the RMC, firmly establishes the Nyahbinghi Ancient Council as the Authority. I, Ras Irie Lion, am a founding director and member of both organizations and can affirm through my 50 year advocacy and active participation that this is so. In respect of EADUMC Ltd/RMC I make this statement -

- Marcus Goffe, attorney at law, who was the legal advisor for the RMC took up an employment at JIPO in 2012 after 5 years of advocacy/representation and a series of conflict of interest developed as JIPO was the main state agency involved in IP negotiations with the RMC and WIPO. This resulted in several requests to have him recuse himself from the affairs of the RMC. A formal dismissal was sent on April 2014 as per section 2.2E of the Articles of Incorporation.
- Lorraine 'Mitzie' Williams was dismissed March 26, 2014 as 'co-chairperson' of the RMC as she was found to be in breach of several actions under the By-laws, such as refusing to be appointed a Director to conduct the business of the RMC, as required by Article 3 (Section 1b) where the two previous chairpersons were Directors. Refusing to preside over meetings, Article 4 (Section 1a). Causing the Executive Committee to operate under breeches to the Company Office by not ensuring compliance with the Companies Act, Regulations and I-Laws Article 4 (Section 1b) Keeping an illegal meeting attempting expulsion of members regarding breeches of non-compliance with the Companies Act, Regulations and I-Laws, Article 1 (Section V). Avoiding the disciplinary committee relating to the attempted illegal expulsion by not addressing or complying with the Nyahbinghi Ancient Council Article 1 (Section VI). Causing the Treasurer to not provide the necessary funds to the General Secretary cure the breach of filing with the Registrar of Companies the Returns required under the Act, Article 4 (Section 3f). Under the Articles of Incorporation as per Section 2.2 F, G & H of the Companies Act and Regulations the prior breeches are further contained.
- Lorraine 'Mitzie' Williams was further dismissed by the Nyahbinghi Ancient Council to not represent their affairs on the RMC as of 'Date 2012' occasioning from her handling of the Snoop Dogg project, the associated contract, disbursement of funds and receipt of a Hiace bus that was registered to a private individual and has since the last few weeks, reported stolen.
- The behavior of Marcus Goffe and Lorraine 'Mitzie' Williams as the persons that continued to be the final signatory to a series of Company MOU's with UWI, IOJ and UNESCO has created unspecified damages and tort interference to the EADUMC Ltd./RMC and the Nyahbinghi Ancient Council, that are now accumulated in the Minister of Justice Rastafari Council. All of this behavior was established to the Minister of Justice and the Office of The Prime Minister.
- Other Community Member organizations, that in the main carry insignificant membership, but contain significant IP of the Rastafari Community based on the work of their departed leaders to the Culture, were caused by undue influence to create an illegal quorum of members that had no demonstrated competence or experience to adjudicate of the functioning of the Council and its obligations to the Companies Act, Regulations and By-Laws.

- Edward Wray/First Man who was co-opted into the RMC as an organization, because he caused to be registered a 'Rastafari Indigenous Village' as a titled private company and his incorporation in the RMC was to assert the Community ownership of 'Rastafari Indigenous Village'. He previously participated in a Community Village called 'Ion Station' and based on the advocacy of the RMC specifically related to Indigenous IP and Human Rights, took this title and was challenged by the RMC. This as the RMC had presented several proposals prior to the Government concerning Rastafari Indigenous Village as a descriptor. It is therefore extremely damaging to the RMC that Edward Wray/First Man has been named Chairman of the Ministry of Justice Rastafari Council, where the passing off and collusion with these dismissed parties have taken on an organized racketeering corrupt scheme to defraud the RMC and Rastafari Trust Fund.

- Lorraine 'Mitzie' Williams and Marcus Goffe caused to be registered a company 'Rastafari In Inity' that was fronted by Verald Vassel "Ras Iyah V" to apply for an Exemption under the Ganja Bill, to raise funds and perform undue influence in the Rastafari Community, specifically the Nyahbinghi Ancient Council, that had dismissed them for lack of accountability and transparency for funds that have still not been accounted for, and presently a new Toyota Hiace Bus, that was reported stolen, where cursory evidence shows that the funds were invested into their organization of the Rastafari Rootzfest partnership obligations. This allegation remains such until a forensic audit is done on the funding of the Pitfour Nyahbinghi Center that occurred just after the Hiace Bus was reported stolen on and around November 2nd, 2015.

- The intent to defraud the Collective Community is clearly identified in the terms and conditions put forward by the company Rastafari In Inity to the Collective Community, where an unregulated 30% disbursement of their profit is to be given to whoever signs on. This is a clear case of racketeering as in the same letter a paltry \$1usd is to be taken from each ticket holder for the Rastafari Trust Fund.

This testament towards a declaratory order to the Supreme Court of Jamaica is necessary because of the recent Ganja Bill Act that gave the Rastafari Community a Sacramental Right to the use, growth and trade of Ganja amongst the Rastafari Community. It also gave the right to the Exemption of non-Rastafari through some specific relationship with the Rastafari Community. The wider development of the Ganja Industry as a brand also incorporates in a measurable way the Rastafari Community IP Rights as defined through JIPO.

As you can see from the brief and undisputed account above, the Nyahbinghi Order and Ancient Council have been all along the SOLE party that can govern, decide and address the matter of the Rastafari Faith and culture. `Orange Bay/Scott Path -

- I have been a member of the Ancient Council for over 26 years and as such have never witnessed anything different in the governance of the Rastafari Faith. Furthermore, it is only since 2012 that some Jr. administrative members of the Nyahbinghi Order, NOT even Ancient Council's members, decided to appropriate the Faith for their personal gain. As a result they have been dissociated by the Council and one of these significant matters is presently before JIPO.

- These same individuals, have illegally without our information and our inclusion, attempted to dismiss Executive Members of the RMC, who are involved in representing various matters related to the Community IP, including the legal matters at JIPO and others concerning the JNHT, IOJ, UWI and UNESCO that have been damaging to the rights of the Community.

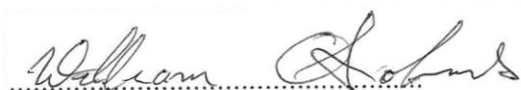
- The main cause of action for these individuals seeking to dismiss the core Executive competence of the RMC is related to the Pinnacle Desecration of a Nyahbinghi Tabernacle that I, Ras Irie Lion on behalf of the Spanish Town Nyahbinghi House as a member of the Nyahbinghi Ancient Council, specifically requested the RMC to address. Any dispute related to this matter was to be addressed to the Nyahbinghi Ancient Council, who in this instance governs the Tabernacle and who specifically requested the support of the Executive Committee of the RMC to address these actions be taken by two non Rastafari community members, Doneisha Prendergast and a Guyanese visitor, Sister Hodesh. These same persons caused to be published all forms of sensationalized misinformation surrounding Pinnacle negotiations that when the smoke cleared, what was on the table was the same terms and conditions that the RMC had been negotiating since 2007. The RMC acted appropriately by identifying the National Heritage Act and its protection of the Tabernacle, that was maliciously and defamatory projected against the Executive Council members as Rastafari calling Police on Rastafari.

- All this has been well documented and the Ancient Council sent letters to the Minister of Justice, and the Minister of Trade and Commerce, Office of the Prime Minister and other involved parties, as also keeping formal meetings, stating that these individuals had been detached and are NOT authorised to act and represent the Faith.
- The Minister of Justice through his responsibility for Exemptions and provisions for membership of an Advisory Board and other Agencies related to Ganja, has incorporated these individuals in these various positions and disregarded the governance rights of the Ancient Council.
- I and the Ancients do not comprehend how something this wrongful and harmful to our faith has been allowed to happen by the Minister of Justice that systematically has denied to consider our position, and has instead called upon the Attorney General of Jamaica to substantiate his actions against our long standing Community Rights, which is against various Indigenous Rights laws, best practices and respect that has been granted to the Ancient Council.
- The specific reliance on the Nyahbinghi Order in the promotion and use of the Events has damaged the credibility of the Ancient Council through misrepresentation in national and international media.
- The specific reliance on the Nyahbinghi Order in the promotion of the Cannabis Cup has damaged the credibility of the Ancient Council amongst the Rastafari Community globally in respect of our administration of our Hola Sacrament. No Priest within the Faith of Rastafari has either been consulted and or sanctioned the activities in full knowledge of the Minister of Justice.
- The specific reliance on the Nyahbinghi Order

The Minister of Justice has designed the adjudication of this Bill to his Ministry's affairs and in doing so has interfered and diluted the Governance Rights and mechanisms of the Rastafari Community by sidestepping the Nyahbinghi Ancient Council and the Rastafari Millennium Council. Further the JIPO has an active case involving these matters that pre-date the Ganja Bill that has measurable inputs to the governance of the Ganja Bill that has been stalled due to the assumptions and actions of the Minister of Justice.

This situation has created a major and critical damage to the Governance mechanism of the Community and the transfer of significant value and resources and massive appropriation of IP under the Exemption of Events provision involving the Cannabis Cup/High Times Ltd. Event that is occurring on November 12-15th, 2015 and other applications such as Rebel Salute on January 15th, 2016 and the 50th Anniversary of H.I.M. visit to Jamaica on April 21, 2016. Amongst many other appropriations, the Cannabis Cup/High Times Ltd. Events publicly states that this event is endorsed by the Nyahbinghi Order and has its main beneficiary the Coral Gardens Benevolent Society which is a 'Committee' of the Nyahbinghi Ancient Council.

The Nyahbinghi Ancient Council/RMC has retained Counselors, ASV Law and Huntley Watson to intervene and had negotiations with the Minister of Justice who has refused to do the appropriate action thus bringing us before the Honorable Court.



Williams Holmes – Director RMC/lect Of Records Nyahbinghi Ancient Council

Sister Maxine Stowe.

This statement is as a professional consultant on Intellectual Property (IP) and a founding director of the Ethio-Africa Diaspora Millennium Council (EADUMC) Limited aka Rastafari Millennium Council (RMC) around the specific representation of the Council's mandate related to Rastafari Intellectual Property Rights and Community Governance.

1. I have been an International Consultant and a founding director of EADUMC Ltd. aka RMC since 2007. This Council was impaneled by customary letters of invitation sent to various organs and organizations by the Theocracy Reign Ivine Order of The Nyahbinghi. It was convened at the Haile Selassie Primary School in Payne Land, Kingston by 13 Mansions/organizations. One major organ the EABIC maintained 'Observer Status' with the Council. (APPENDIX I)

2. The Rastafari Millennium Council was formed in 2007 with a specific focus on Rastafari Intellectual Property Rights with the mandate to register a Trust Fund and Intellectual Property Management structure (RIPA). It was the first time that a Rastafari Collective Entity was registered under the Company Office of Jamaica as the culture/community eschewed any formalization under Jamaican laws. This registration was based on two imperatives, Jamaican law that now stated that all events or organizations had to be registered entities and to directly benefit from WIPO's incorporation and subsequently UNESCO's ICH Convention and IFCD Funding application. (APPENDIX II)
3. I have been the manager of the Hon. Neville ORiley Livingston OJ, CD pka Bunny Wailer since 2010, primarily around his incorporation, activism and support of the Nyahbinghi Ancient Council since the early 70's. The Hon. Bunny Wailer attributes the Nyahbinghi Elders from Back A Wall as his mentors and also the titling of his group by Bongo Gifford from Back A Wall as 'The Wailers' with the late Hon. Robert Nesta "Bob" Marley O.M. and the late Hon. Winston Hubert McIntosh OM. pka Peter Tosh. His career is a consummate observance and celebration of the Rastafari Faith and is a leading contributor to the Nyahbinghi Order. This focus on Rastafari Rights and capacity within the music industry incorporates the representation of the Hon. Bunny Wailer and augments my professional capacity surrounding Intellectual Property Rights.
4. I have professionally worked with The Wailers catalog at Studio One and Island Records and with Bob Marley in reissuing his solo catalog and was instrumental in establishing the careers of Stephen and Damian Marley at Motown Records. I am therefore very adept in my understanding of the IP Rights of this groups career as it interfaces with the IP Rights of the Rastafari Community.
5. The evolution of the Rastafari Reggae Artist and Musician is more precisely reflected in the earliest proponents of Count Ossie and the Mystic Revelation of Rastafari, The Skatalites, The Wailers, Ras Michael and the Sons of Negus, Cedric Myton and The Congoes, all who were activist members of the Nyahbingi Order while plying their music trade. I have personally worked with members of all these groups.
6. I was born in Highate, St. Mary in 1958. I am a music culture executive and activist and have been a part of the Rastafari Faith since 1976. I have a precocious social and intellectual upbringing and was very advanced in my educational capacities, where I entered Excelsior High School at 9 years old, having to repeat the last grade at Providence Primary school for 2 years.
7. I entered and studied Political Science at Barnard University in 1974, for two years and through my activism left and became a member of the Rastafari Faith. My introduction to the Rastafari Faith circa 1976 was through noted and accomplished intuitive artist Ras Daniel Heartman, a member of the Nyahbinghi Order, Church Triumphant and known as the visual artist that exposed the most powerful images of Rastafari that are unequalled in any genre. While reggae music provided a soundtrack to the conscious struggle for self-determination of Rastafari, Ras Daniel's work parallels that aesthetic in the visual arts.
8. Ras Daniel Heartman's independent sale and distribution of his famous prints through the music outlets formally introduced me to my uncle the late Clement 'Sir Coxon' Dodd, known as the pioneer for all of the major innovations and artists that make up the industry, as also the Hon. Neville ORiley Livingston OJ, CD pka Bunny Wailer, whom Ras Daniel had designed a potrait of 'The Wailers Catch A Fire album and was to do a similar one for Bunny Wailer's second solo album 'Protest'.
9. My late husband and father of my four children is Lincoln 'Sugar' Minott, one of the highly recognized Reggae artist/producers and my sister's father in law is the late Johnny 'Dizzy' Moore, Rastafari trumpeter

and founding member of The Skatalites, who established his skill and career in East Kingston amongst Count Ossie Rastafari Camp at Wareika Hill.

10. I am a two time Diaspora personality, through Africa and Jamaica as I resided in New York from 1970 where I established an international career in the music industry, working with the local diaspora companies of Studio One, VP, Skengdon, Black Roots and the major international companies Columbia, Sony, Island, Motown and Universal spanning 35 years working with the largest catalogs of Jamaican music. This work in the music industry had me focused on developing a Reggae Museum in Jamaica, where I was introduced to the International Intellectual Property Institute (IPI) that worked with the Government of Jamaica through the WIPO to develop the framework of Jamaica Intellectual Property Organization, and whose recommendation within that structuring exercise had done research on the Jamaica music industry. (APPENDIX ?)
11. IPI proposals identified IP provisions for the music industry and how it would power the development of a local macro institution for the music in the form of a museum, that could coalesce and drive the repatriation of the IP and benefits back to Jamaica, which was the primary focus of my career in the 2000's as my uncle Coxson Dodd returned to Jamaica, which dovetailed with my concerns that had developed in my career in the international music industry.
12. Since 2003/4 I was also actively involved in the developing 'Brand Jamaica'/Nation Branding project and became intimately associated again with WIPO and various experts that were engaged to do profiles of Jamaica's music culture and was immersed in various project development and proposals involving the music industry and Brand Jamaica.
13. I identified Rastafari IP as a critical stakeholder and catalyst for the Reggae Museum and its IP engine objectives but these IP process was not engaged by the IOJ Museum as also the acquisition of the Roger Steffens Archives was aborted after its purchase was not matched by GOJ actions on the ground in Jamaica.
14. I invited musicologist Rob Bowman to present the Reggae Museum project to Jamaica's first Nation Branding forum. Rob Bowman had been hired as a musicologist in a proposed purchase of the Roger Steffens Archives that I was a consultant on, to jump start the Reggae Museum.
15. This converged with the first ever Exhibit of Rastafari Culture at the Smithsonian Museum in Washington DC in November 2007 that galvanized the Rastafari Community about ownership of cultural property. These two activities reinforced the introduction of Rastafari Intellectual Property Rights that were initiated and developed through a forum organized by Music Industry Executive and Culture Specialist, Maxine Stowe. (Appendix III)
16. As an outcome of determining the necessity of Rastafari IP in music, I organized through the WIPO/Nation Branding contacts, the Indigenous IP Forum with international IP expert from South Africa, Roger Chennels that focused on the Rastafari and Maroon Communities. (APPENDIX IV).
17. Rastafari IP discernment is a direct outcome of Jamaica's IP and Nation Branding exercise. It is the most important driver of this major cultural exercise to recognize and benefit her various and diverse constituents and promoting the development of an equitable process through the continuing transformation and legacies of the slave plantation economy as 'Creative Industries' take center stage within the context of Globalization.

18. This continuity of Rastafari IP in Nation Branding is captured in the recent WIPO/JIPO Intellectual Property report that was prepared by musicologist Rob Bowman in the second major Nation Branding presentation in 2014, as a continuation of this process that was started in 2007. (APPENDIX V)
19. My focus on Rastafari IP Rights is a direct result of these rights being indicated as a major stakeholder in the Reggae and Culture industries in Jamaica. The developments of protocols around these rights were identified through WIPO best practices that were introduced at a forum in Jamaica in July 2007. It indicated that Indigenous/Traditional Community groups owned their Intellectual Property and that their existence eschewed formal incorporation in national IP provisions so therefore special recognition was being introduced to manage, develop, and negotiate these rights based on UN projection of increased use under the Climate Change and Environmental lifestyle imperatives. The protections were therefore a mandate of global governance. Intellectual Property Rights and the 'Knowledge Economy' gained ascendancy in World Trade as a means of earning and poverty alleviation and a response to an increased attention to the 'Green Economy', the United Nations WIPO and UNESCO began developing protocols and conventions to define and secure these rights that uniquely converged with cultural rights, indigenous knowledge related to expressions, plants, and minerals.
20. This immersed me professionally and culturally to the Nyahbinghi Rastafari Community space, and a unique advantage in analyzing Rastafari Community IP engagement through Reggae music. This consultative activism coalesced around the Ethiopian Millennium Calendar that celebrated September 11, 2007 as the Ethiopian Gregorian Millennium. The music project that I presented titled 'Journey To Addis' by Third World and was a compilation of all the top reggae albums from 1977 including Bob Marley, Peter Tosh, Bunny Wailer, Third World, Culture, Fred Locks.
21. The other major significant activity was the African Union political incorporation of the African Diaspora as the 6th Region of Africa working through CARICOM. It informed the organization's title and goal as being the Ethio-Africa Diaspora Union Millennium Council.

RASTAFARI IP PRIOR HISTORY

22. In 1998-9 WIPO's Fact Finding Mission related to Intellectual Property and Traditional Knowledge to the Caribbean travelled to Jamaica, Trinidad and Tobago and Guyana. This FFM did not interrelate with the Rastafari Community, but with Government agencies, lawyers and the Maroon Communities. The Rastafari Community was not sensitized to these developing protocols that identified and sought to provide for various tools and regimes to address the protection and preservation of the Community and Culture. Similarly the UNESCO Convention related to Indigenous Cultural Heritage of 2003 was only formally identified and engaged in 2012 through the Rastafari Millennium Council. The Fact Finding Mission non engagement with the Rastafari Community in 1998 and subsequent engagement with the WIPO Traditional Knowledge protocols that the Rastafari Community fell in a marginalized grey area, where its unique cultural modalities are opposed to State representation and identification. (APPENDIX VI)
23. Rastafari exhibits all the Intellectual Property characteristics of the non-Taino Indigenous groups in Jamaica clothed in the specifics of Ethiopian centric philosophy and symbolism that uniquely blended through its individualized membership, all of the cultural manifestations of Africa in Jamaica - Maroon, Kumina, Revival, African Zion Churches & Garveyism. The influence of African Liberation movements in the crystallization of the Nyahbinghi Order in 1947 as the dreadlocked Mau Mau Warriors of Kenya united the spiritual with the political as a unique response to the continuing negation of Africa in Jamaica. Based on these merits and force of its acceptance by global culture, creating in the pathway a trans-national community, Rastafari has been accepted by WIPO/UNESCO, the UN ECOSCS and AU, and accorded all the benefits and capacity building rights accorded traditional Indigenous Communities. Rastafari Culture

exhibits the primary motive and rationale for preservation, protection, and promotion related to Intangible Cultural Heritage and Traditional Knowledge Expression, where the appropriation in national and global trade and commerce is high and continuous while being uniquely repressed and or marginalized in the national space.

24. Rastafari Intellectual Property Rights have been a focus for the Rastafari Community since the Roots Reggae era of the late 1970's when the uptake of the culture was at a zenith. The evolution of the Twelve Tribes Of Israel (TTI) as a Mansion in 1968, outside of the traditional Nyahbinghi Order, that incorporated the Rastafari Reggae Musician and the Sound System Jah Love identified the IP integration of the Culture and Reggae Music. The passing of Hon. Robert Nesta Marley OM in 1981 who was also a member of TTI was the next major global increase based on his Estate's use of his image and likeness which incorporates his philosophy, as a main economic asset. The IP and Copyright provisions of the music industry were themselves weak, so the Rastafari Culture being appropriated by Rastafari Reggae musicians was transferred unprotected into the global marketplace. The Rastafari International Theocracy Assembly Conference of 1983, the first held at the University Of The West Indies, outside of the Community based reasonings, sought the institutionalization of the Rastafari International Trading Association to deal with this matter. (Appendix A?)
25. Community Conferences between 1983 and the 2003 Global Reasoning Conference, the Rastafari Intellectual Property Rights remained a focal issue moving from intra-community evolution and reasoning around the challenge of dilution of the traditional norms to the international merchandising and commodification of Rastafari through Festivals and Lifestyle Industry. The massive proliferation of Chinese knock offs in the Tourism retail industry started to visibly impact the Rastafari Community indigenous sales and earnings.
26. While the aim and objective of the Community structures were to develop national and international protocols, the existence of the Community structures were to identify themselves as owners of their Intellectual Property and to use IP Contracts and Trademark governance as major tools of new engagement by interested parties seeking to use Community IP in trade and commerce. This also applied to Community members. In fact Community Members that used Community IP were the gateway for the IP appropriation that was clearly defined by the Rastafari Reggae artist and musicians.
27. Best Practices can be found in the Masai Tribe Brand, Navajo Indian Brand, Ethiopian Coffee Farmers vs. Starbucks, San Tribe of South Africa Hoodia Pharmaceutical Initiative. Several African Based IP initiatives as to what is being proposed here have been done. The Bolivian initiative around Cocoa Leaf Farmers stands out best from a Governmental support perspective.
28. The Rastafari Millennium Council engaged WIPO independently as a Civil Society group and then through that process engaged JIPO related to Government to Government protocols. This process developed a tension in communication with the WIPO/JIPO collaboration as the RMC independently attended the TKE Conferences in Geneva and directly advocated to WIPO through this process its needs. Marcus Goffe consulted, studied, and gained an IP PHD with the RMC in defining the Rastafari IP positioning that resulted in the Rastafari Intellectual Property Act and JIPO Practice Note. He now works for JIPO since 2012 that has created a conflict and challenge in representation for the RMC. This as the RMC has not been in the position, until now, to hire or provide for the International Expertise as the only Jamaica based lawyer trained through the Community's advocacy now works for JIPO. This reality is directly related to nuances in the legal representation across traditional and low socio-economic groups in Jamaica and developing countries, where for example the best employment contract lawyers are on retainer by the employers. (APPENDIX VII)

29. I am also a witness of the Ganja Industry and the Reggae Industry, where the illegal trade in Ganja out of Jamaica is and was a major investor in the music industry as well as being a subject matter of the Rastafari Culture expounded on through the music. I in particular witnessed this as the manager of my late husband's career, music label and recording company as Lincoln 'Sugar' Minott.
30. Pinnacle as a recognized national heritage site of Rastafari Culture is also the first industrial farm of Ganja in Jamaica that incorporates Rastafari as the early pioneers of Sacramental and Ganja trade in Jamaica. This farm was initially officiated to service Ganja to World War 2 based on lack of supply coming out of Asia to the war front. (APPENDIX VIII)
31. WIPO developing a Regional Framework for the Caribbean further challenges the specificity of a Jamaica centric solution for the RMC where 'Brand Jamaica' related to trade and commerce is the larger input in Brand Caribbean and where Rastafari IP is the connection.
32. This is clear with Ganja Legalization, making the need for this activist representation to the Minister and Government for the specificity of National Laws governing Rastafari IP concurrent with the Ganja Bill and not waiting for the development of JIPO/WIPO's regional agenda.
33. I was directly involved in Snoop Dogg attempts to trademark a Snoop Lion Rastafari character through direct filming and musical recording of traditional elders and reggae music artist members in the Jamaica space to be 'Reincarnated As Bob Marley' is a current case in JIPO.(Appendix)
34. It is being challenged by a Community IP Contract and the Practice Note at JIPO. It has been in the JIPO Opposition process since April 2013 and a hearing is to be done January 26, 2016. (APPENDIX IX)
35. The recent review in 2014 of an Application to UNESCO's IFCD Fund endorsed as a participating partner by JIPO and IOJ since 2013, check marked the aims and objectives of Rastafari IP, requesting the identification and engagement of Experts to achieve these aims and objectives. (APPENDIX X)
36. JIPO and the National Council For UNESCO engagement provides irrefutable indicators of the Rastafari Community IP position as it relates to various conventions and respective articles that Jamaica and related countries that are party to the appropriation of Rastafari IP are signatories to. I oversaw this application process and made specific identification and recommendation for Capacity building towards described gap analysis.

NYAHBINGHI ANCIENT COUNCIL GOVERNANCE

37. The RMC protocols are governed by the Nyahbinghi Ancient Council's representation as the highest cultural voice related to Rastafari Rights and Governance. The Council has presided over all the Rastafari formations, including the RMC, related to representation from the Community and has convened practically all major meetings, associations and conferences since 1958..
38. Their voices and precarious social and health conditions related to societal marginalization, lends living evidence for immediate action towards preservation, protection, and promotion of Rastafari IP and the right to facilitated Community Cultural self governance as it relates to the Elders of the Community's responsibility to upholding and advancing the Community's philosophy where Trade and Commerce now merges with Repatriation and Reparation advocacy and lobbying.
39. While the Rastafari Community has created variety in its representation, the Nyahbinghi Order is globally and intellectually recognized as the cultural epicenter and the Nyahbinghi Ancient Council is the governance. In respect of WIPO TKE and UNESCO ICH, Nyahbinghi contains the expressions and

heritage that is identifiable own-able and represented through cultural mapping of Rastafari Culture origins in the African retentions of Jamaica.

40. Like the Blue and John Crow Mountains our Rastafari Elders are World Heritage Sites and their Intellectual Property and Culture must be protected. (Appendix)
41. The Honorable Neville ORiley Livingston OJ, Nyahbinghi Elder and surviving member of The Wailers submission of the received presentation at the UNESCO ICH Cultural Mapping Workshop indicates his unique role and responsibility in identifying and resolving the complex cultural crossroad that we are currently at and choosing the proper path as relates to Ganja Legalization and Rastafari Intellectual Property Rights. (APPENDIX XII)

GANJA BILL - INTELLECTUAL PROPERTY DEMANDS

42. It is our collective moral and legal demand that the Ganja legalization process must further the converging realities of the Rastafari World View and the Jamaica Governmental positioning and responsibility particularly at this juncture in Trade and Commerce, that we must be working together to engage the Regional and South South trade/indigenous model of Ganja legalization as an 'Organic State' as expressed in the national characteristics of Nation State of the United Nations in the related Drug Control Treaty.
43. It is a necessity to get International IP Expertise to support the collective responsibility rather than this Expertise being obtained through social conflict to fight against the proposed Ganja Bill as it relates to Rastafari IP in Medical Ganja, Sacramental Rights and full legalization. International Expertise and the defense of these rights were able described in the Fact Finding Mission to the Caribbean in 1999 and the legal responsibility under various UNESCO Conventions which we look forward to the requested brief from yourself, from JIPO and the one that the RMC has requested from UNESCO will outline.
44. The current appropriation by Rastafari Reggae Rights in Branding international Ganja deals and the use of the word Ganja and Rastafari Expressions in General that abound in California and states on the West Coast such as Colorado and Washington, are grave threats to Rastafari IP and by extension Brand Jamaica value in the global Ganja Industry that has further impact on the active Snoop Lion Trademark Opposition related to the Rastafari Reggae appropriation. This was clearly outlined and voiced to the Jamaican Government and United States Ambassador since September 2013 that must now be forcefully and rightfully addressed by the Government of Jamaica in her Ganja regulatory regime.
45. It is my informed position that the Ganja Bill Dangerous Drugs Act incorporation of Rastafari Rights must also by law incorporate the Rastafari IP, that it references but does not provide for, that have been negotiated by the RMC/Rastafari Community. Having not done so, it has created breaches in Rastafari Community Governance and other damages that were specifically developed and designed to protect. It is now left to the legally anticipated statutory interpretation and judicial ruling for this to occur.
46. There are conflicting accounts from the Ministry of Industry, Trade and Commerce, JAMPRO, and JIPO around Rastafari IP and the strident view taken by the Minister of Justice in developing the Ganja Bill incorporating Rastafari Rights. As these agencies are on track to obtain similar rights for the term 'Jamaica' and do not want to recognize that 'Rastafari' is mandated to be protected alongside 'Jamaica' based on its constituent engagement as 'Jamaica' in international trade and commerce. This has seen Jamaican agencies and ministries competing or marginalizing Rastafari/RMC applications for protection as a community at UNESCO and where WIPO forums and conferences after specifically focusing on Indigenous IP Rights, has been earmarked for 'Jamaica Brand' IP rights. This specifically related to the incorporation of prior RMC lawyer Marcus Goffe as Manager of Trademarks, GI and Patents at JIPO in 2012.

47. It is my informed position that the Intellectual Property Rights of the Rastafari and other Traditional Afro-centric groupings in Jamaica is squarely identified with the right of these groups, like the peasant farmers in the Underhill Meetings of 1860's that lobbied the Queen/England for their rights to control the output of their labor as registered trading companies and were responded to that they should be satisfied as being wage earners for the Plantations that became the grist for the Morant Bay Rebellion. The core of the ownership and governance of the IP Rights for the Rastafari Community is not to be antagonists but to drive economic structures and companies to empower Community members and not be wage earners or unpaid idea contributors to the Tourism Industry and other agricultural and nutraceutical enterprises.

RMC INTERNAL DISPUTES

48. The RMC internal disputes are rooted in legal advisor Marcus Goffe employment at JIPO in 2013. There has been a steady erosion and dilution of the negotiating framework for the RMC that is sharply reflected in the Snoop Dogg Trademark imbroglio; the MOU negotiating position and contextual language differentiation with UWI & IOJ; the removal of prior distinctive contact and forums with WIPO and replaced with generic Jamaica Brand and Music forums. The conflict of interest heightened as he sought to use his Rastafari Identity to subsume the major conflict of interests that remained and sought to remain as the legal advisor at the RMC/Rastafari Trust Fund.
49. Derogatory and reductive assumptions have been placed on the RMC hiring of non-Rastafari lawyers, where the Minister of Justice has sought to specifically deter the Nyahbinghi Ancient Council from employing lawyers by suggesting it being inappropriate their use of 'Babylon Lawyers'. This while he entertained and condoned said 'Babylon Lawyers' Harvard Professor Charles Nesson to create and advise himself and his discretionary Rastafari Council to construct the contested companies, trademarks, and negotiated benefits.
50. The Minister of Justice further caused, Charles Nesson as lawyer for Rastafari In Inity to have peculiar access to him and the Attorney General office to provide untitled briefs of RMC behavior, specifically around my work, causing the Minister of Justice to be making derogatory commentary regarding my professional work associated with the RMC as self-serving. Several documents, soundcloud audiovisual tapes and youtube created by Charles Nesson has been presented in the public domain, to legal representatives and to the Attorney General carrying this information.
51. The formal breach of the RMC by Marcus Goffe and Mitzie Williams occurred on April 6, 2014 at a purported General Meeting, where the official agenda for the meeting, which contained over 3 pages of subject matter, was abrogated into the first item and turned into an illegal Kangaroo Court dismissal of myself and 7 other Executive Members. As under section of the Bylaws, neither myself or any other of the targeted members were given any notice of charges to be prepared to answer, nor was it a meeting called to address this matter.)
52. This referenced matter was a letter to 'Occupy Pinnacle' campaign manager Doneisha Prendergast that her promotion of occupation of the site that started in December 2013 and escalated with a Court Declaration in favor of the Lake Family developers, and sensationalized propogandizing could not be countenanced because of the Desecration of the Nyahbinghi Tabernacle, the removal of the Community emblems, eating meat and alcohol in the Tabernacle, throwing garbage in the sacred fire key and wearing inappropriate clothing, all actions that were specifically objected to by the Nyahbinghi Guidelines. This as it was against the current state of the GOJ 7 year negotiation by the RMC what was declared a Heritage Site in September 2013.that began in December 2013 and escalated with a Court Declaration in January 2014. (Appendix)

53. This behavior by Doneisha Prendergast and her operational lack of knowledge of the history of the reclamation and defense of Tabernacle/Pinnacle as a Rastafari Heritage Site was tolerated by the legal advisor Marcus Goffe and the Chair Mitzie Williams who were cognizant of the JIPO Practice Note of 2012 for Rastafari IP Rights and directives from the OPM against the illegal occupation resulting from the Court's ruling. And therefore subjected the RMC / EADUMC Ltd. Directors, Executives, and Members to commit illegal activities.
54. This desecration was brought to the RMC's attention by a member of the Nyahbinghi Ancient Council and was acted up on according to the specifications of the National Heritage Act. The rebuttal of the Occupy Pinnacle organizer's behavior was then sensationalized and propagandized as a customary community infraction, where a call to cease and desist and to remove off of the Pinnacle grounds to allow the forthright negotiations that were ongoing with the RMC and OPM to occur, was termed 'Rastafari calling Police on Rastafari'. This is particularly disingenuous as these same parties, with Mitzie Williams as Chair of the Working Committees of her Mansion administration had actually called 3 squadron of police contingents on the Nyahbinghi Ancients in a dispute between themselves and the Nyahbinghi Ancient Council who governed them, surrounding their handling of the Snoop Dogg infraction. This action is what has been emphasized as their purported cause to the Minister of Justice and Attorney General's office to bolster their targeted tortorous interference of the RMC and so requires specific interrogation as it is also related to the charge against the Minister of Justice for not doing the appropriate due diligence. (Appendix)
55. It is has recently been reported that the Government has awarded a contract to purchase the Pinnacle Heritage Site of \$24.7 Million to then raise funds to build a monument and cultural heritage center where ownership, governance, and Rastafari IP provisions are additional motive for the RMC governance interference.
56. The RMC disputed actions are directly linked to the Ganja Industry negotiations that seek to incorporate Rastafari Community and IP Rights as became apparent in the Ganja Bill. After weeks of preparation of a steering committee to launch the Ganja Future Growers Association by the Cannabis Commercial and Medicinal Task Force on April 5, 2014 where their documents identified that the Rastafari Community would be represented by Seven Leaders of Seven Mansions not one of these representatives have shown up. The RMC became the incorporated entity and I was made Vice-Chair of the organization and re-elected in September 2015. This while Mitzie Williams was invited to every meeting for over 1 year and never showed up.
57. The RMC Company Office Registration and By Laws refer to specific procedures. I was specifically exposed as a director who is signatory to a variety of procedures, agreements, applications, to be treated in the adhoc manner suggested. It was procedurally and functionally right to recommend that Marcus Goffe recuse himself from the affairs of the Council as to his conflict of interest. This was never challenged by JIPO and or WIPO when the matter was aired, in fact we were asked to provide a brief for assistance to get funding to replace his services.
58. Marcus Goffe at the April 6, 2014 General Meeting exposed the internal affairs of the RMC regarding the Company Office registration as a disputed registration that had been never challenged in its prior 7 years and was the registration that all the legal actions that the Council took was relied on. In so doing the 7 year lack of updating of the Company office by the Executive Members and specifically the Chair at the time of the public airing of the breech, caused specified damages.
59. An Emergency meeting of the RMC took the decision that the members would move to cure the breech at the Companies office based on this damaging exposure. It was referred to all the members that a payment from the sale of 300 copies of the Rastafari Exhibit magazine that was arranged by myself for the RMC

would be used to pay the JA\$100,000.00 owed to the Companies office. This sale was blocked by Marcus Goffe's representation to the IOJ director and so other private funds had to be borrowed to cure the breach and protect the work of the RMC.

60. The company documents stated that the company could not operate with less than 5 Directors. At the time of the curing of the breach only 2 Directors, myself and William Bowen remained all of the other directors had died.
61. It was the clear intent of Marcus Goffe to have the Company registration fail as their intention was to dismiss myself and eight other Executive members and close the company in order to transfer the assets to new administration. This is the background to the registration of the company 'Rastafari In Inity' by Marcus Goffe and their functional and identified operation of it under the Rootzfest Cannabis Cup.
62. Their attempt in dismissal was also curiously done on an illegal letterhead and address which no legal review has yet been done, but involves serious interference in an ongoing business operation. As this was done under legal consultation, damages will have to be assessed. (Appendix)
63. These members under specific legal advice did not assess that I had over 7 years of protected peculiar rights, value, and IP in several projects and advances achieved, as how he Marcus Goffe attained a Masters Degree at the St. Mary College and achieved a job at JIPO specifically based on his access and representation of the RMC at WIPO and in consultation with the Executive Members in developing policy. His thesis is based on this work.
64. The calibre and quality of work that was documented and received the benefit from was as an identified consultant. That no funding was yet achieved presumed that funding achieved would equate value as any project related to IP would necessitate my incorporation.
65. This behavior continued under the contact of these persons with the Minister of Justice, where all these people were awarded positions and for the main make up the Advisory Rastafari Council and its shadow government. Marcus Goffe is noted as a lawyer for the Rastafari In Inity Company registered, is promoted as an officer of the company in the launch of the Rastafari Rootzfest event, is most likely the officer who conducts the review at JIPO under the Practice Note to pass the Trademark. All these persons and other persons identified to build a core have all uniquely earned from the Rootzfest Event thus being paid for their support of these illegal actions.
66. Rastafari identity has been used to defraud and devalue Rastafari labor and where said person's professional occupation in 'Babylon' for said level of work is sacrosanct. It is this unique contradiction that I find professional persons in the Rastafari Faith are employing and is indicative of the contradiction that the Elders of the Community find themselves with across this new generation of administrators.

HON. NEVILLE O. LIVINGSTON OJ, CD PKA BUNNY WAILER

67. Hon. Bunny Wailer has been a Nyahbinghi member for decades and has been a vital contribution to the Ancient Council and Order. He is considered an Honorary member of the Nyahbinghi Ancient Council.
68. Hon. Bunny Wailer was invited by members of the Council, specifically Sister Marcia Stewart, in writing to become a co-chair to Sister Mitzie Williams. In general circumstances he provided offices, funding for general meetings and forums, payment of Executive members stipends and other supportive financial support. This he did as a function of his role in the Community. This was actively done with the RMC from 2010. Based on his reluctance to engage in day to day functions, it was agreed that he should be the Honorary Chair for the RMC.

69. Due to his professional incorporation in the Snoop Dogg dispute as a recording artist and the use of his image and likeness to confer and promote the current trademark 'Snoop Lion' , he has been specifically targeted and maligned by Sister Mitzie Williams. This as his Honorary Chair role has provided the legal defense for the RMC, where the title 'Snoop Lion' was identified as a Community title and said redress though involving him should go to the Community.
70. The prior referenced audio visual social media attacks engineered by attorney Charles Nesson, has in a large part incorporated these issues to the detriment of an ongoing trademark opposition case at JIPO. These materials have also tainted Minister of Justice Mark Golding and the Attorney General's office.
71. The peculiar concentration of IP Rights, knowledge, and representation in the Nyahbinghi Ancient Council, Hon. Bunny Wailer, EADUMC Ltd./RMC and I Maxine Stowe, has been peculiarly targeted and described as 'Maxine and Bunny' or 'self-serving' by the Minister of Justice. The Minister of Justice and the Minister of National Security have had and continue to have private economic interests and are not referred to as 'Mark and Peter' in their respective governmental administration.

SPECIFIC DAMAGES AND REMEDIES

72. The Sacramental Rights and Exemptions under the Ganja Bill must be protected by Intellectual Property provisions.
73. The Minister of Justice must be removed as having discretionary authority over these provisions of the Bill and it either be removed to the Minister of Industry and Commerce where the Cannabis Licensing Authority or Cannabis Business Advisory and JIPO exist or the Office Of The Prime Minister where a Rastafari Community Tribunal is impanelled.
74. The Rastafari Community advisory must be the Nyahbinghi Ancient Council, the RMC in sufficient quota to protect the governance rights of the Community.
75. Marcus Goffe must be removed from all professional dealings with the Rastafari Community Rights as an employee of JIPO.
76. JIPO must legally empower the formation of RIPA to administrate the Rastafari IP of the Community.
77. The Executives of the EADUMC Ltd./RMC that were publicly and illegally stated as dismissed in an attempt to misuse the Bylaws of the RMC are protected by the provisions provided by the Nyahbinghi Ancient Council. All these Executive Directors work must be assessed and paid retroactively from any and all damages received from this Declaratory Order.
78. The Nyahbinghi Ancient Council must be awarded damages related to the tarnishing of their reputation and all funds earned by the related parties must be reimbursed directly to the Nyahbinghi Ancient Council.
79. All legal costs associated with the defense of this action must be paid for by damages assessed to be done by this Declaratory Order.
80. The IP of the Rastafari Community must be ordered to be prepared by the legal persons linked to the Minister of Justice to comply with the Ganja Bill.
81. The Priests of the Nyahbinghi Order must be accorded all the privileges of any religious group in Jamaica and internationally.
82. The gazetted incorporation of the Royal Judah Coptic Church must be immediately addressed in order to facilitate the proper structure to access the theocracy of the Nyahbinghi Order.

83. I, Maxine Stowe, must be given commensurate consultancy contract and pay retroactively to market standards from damages assessed.
84. An apology from the Government of Jamaica for any damages based on its assessment and actions.
- I. Record of GENERAL MEETING dd. November 28th 2010.
 - II. Registration of the EADUMC Ltd.
 - III. Summary, Report Smithsonian Exhibition: Discovery Rastafari.
 - IV. WIPO/RMC Indigenous IP Forum Report from Expert Roger Chennells.
 - V. WIPO Consultant Report by Rob Bowman – August 2013.
 - VI. WIPO: Protecting Traditional Knowledge / Cultural Expression
 - VII. JIPO TKE PRACTICE NOTE
 - VIII. JNHT Declaration of Heritage Site Lot 199 re Pinnacle.
 - IX. Email from JIPO to Confirm Arbitration Date in January 2016 re Snoop Lion.
 - X. UNESCO IFCD Application & Review - 2013/2014
 - XI. JIPO/WIPO 2014 IP Report
 - XII. Hon. Neville ORiley Livingston OJ, CD pka Bunny Wailer UNESCO ICH Submission
 - XIII. Sacramental Ganja Rights Submission to GOJ
 - XIV. Letter to National and International Agencies Outlining Ganja Rights
 - XV. Report from the OPM Meeting dd. March 3rd 2013

Affidavit Statement of Facts

Ras Rocki Hill's role of Director of Rastafari Millennium Council, (RMC) from its inception to present day, is hereby outlined on this day December 12, 2014 are as follows:

1. To see to it that the RMC operates in a respectable and professional manner in peace, love and inity among all members representing the Council from the respective Houses, Mansions and Rastafari affiliated organisations speaking with one voice on all matters pertaining to the preservation, security and protection of the Rastafari Culture in unison both advocating for InI Human, Spiritual and Economical Rights and also InI Intellectual Property Rights which is being violate by many unscrupulous business interests.
2. To engage Government(s) and Civil Society in the agitation of InI basic Human Rights in the areas of Reparations, Repatriation, Ganja Legalisation, Rastafari Sacramental Spaces, Rastafari

Indigenous Culture, Rastafari Tangible and Intangible Culture, Healing and Wholistic Lifestyle, Authentic Rastafari Arts Crafts, Cuisine, Juices etc.

3. Represent the RMC Agenda at several Forums, Symposiums Conferences and other places of Public Discourse e.g. UWI Mona Campus, Jamaica Conference Centre, Mico Teacher Training College, and other Educational Institutions.

4. Attend meetings at all the major Houses and Mansions of Rastafari including Twelve Tribes of Israel, E.A.B.I.C., Bobo Shanti, Theocracy Reign Order of the Nyahbinghi, Rastafari Youth Initiative Council and other spaces; Peacemakers at Green Bottom, Clarendon, Liberty Hall and Emancipation Square, Spanish Town, Scott's Pass, Stony Gut, Pitfour, Malvern, Great Pond Sunny Hill and many more places, including The Taewedo Ethiopian Orthodox Church.

5. Observe important celebration dates on the Ethiopian Calendar and important African achievements and milestones, customs and traditions concerning the African way of life and planned important events linking the past with the present, recognizing the significance of these memorial days in the history of African progress and Redemption from the oppressors who handed out sub-human bondage of chattel slavery and the trans-Atlantic slave trade in millions of Africans to the west and in Africa.

6. See to the day to day operations of the RMC and both its corporate image and good public relations practices to the wider society in a business friendly environment and also interact with High Commissions, Parliamentarians, and Public Officials e.g. Their Worships the Mayors, the Ministries of Culture Industry and Trade, Justice as well as Prime Ministers and other Heads of State. Foster good welfare and camaraderie among the various levels of members among the Executive Representation of the different Mansions and Organisations acting in a fair, unbiased and equitable manner when settling all disputes that may arise between the Houses, mansions and Organisations of the RMC.

7. Attend Ancient Council Meetings and give a timely report to the Ancients on the activities going on in the RMC.

8. Represent the E.W.F. Charter 43 registered member organisations with the RMC from its inception and one of the longest serving members of the RMC with its Chairman Mr. Brisset, one of the pioneers of Repatriation to Africa to Sashamane and who was given the Land Grant through the stewardship of the E.W.F. Inc. Made by agreement by the Emperor Haile Selassie the First to the EWF Benevolent Society Family which recently lost two stalwarts among the flock, namely Brother Drummond and Wolde Africa. Also the RMC has lost many of its original foundation members whose memories are etched into the scrolls of the RMC Honours Hall of Achievements. These include, Ras Junior Manning, first Chairman of the RMC, Ras Howie Wright second Chairman of RMC, Bongo Tawny, Bongo George Irons, Sister Aduga Sister Sandra Alcott, Ras Clifffen, Ras Alvaranga, Ras Souse, Ras Historian, Ras Iration, Sister Novelette, among others who were members of RMC also Ras Becky, Issachar Beckford from the Twelve Tribes of Israel. After the transition of these foundation members the number of representatives within the RMC decreased to a point where after four (4) years of operations there were only two living directors remaining from a compliment of seven (7) directors on the original registration. When the Council was being registered with the Register of Companies Office in 2007, Ras Howard Wright, former Chairman of RMC along with Greg Mogg, General Secretary were asked to submit the names of the Directors of the registered Council to be duly incorporated as a registered entity to operate as a limited liability company. Twelve names were submitted to the Register of Companies, Some of the names were rejected because of a number of reasons chief among them were lack of proper documentation including TRN Income Tax Returns and proper police records and good financial standings. The RMC operated its affairs throughout the years with little or no budget, we had no income generating programmes in place at the beginning of the Council's registration, so when it was time to do so the annual returns with the Register of Companies Office there was no money to update the registration. After both Chairmans had transitioned the matter of the update of the Council, registration

fees and an increase in the number of Directors to be appointed was brought to the Executive members by Ras Rocki with suggestions of fund raising by virtue of a "Family Affair" stage show to be promoted by Ras Bunny Wailer in order to raise the money to clear off all outstanding taxes that had accumulated at the Register Office and put some money into RMC's bank account which was empty. The then co-chair Mitzie Williams was asked to preside over the charring of the RMC and this matter was brought to her attention, but it was not responded to positively by herself or Ras Marcus Goffe who were both contemplating the scaling down of operations of the Ethio African Diaspora Union Millennium Council and to dissolve the Council and register a new entity and create a different registered organization because of the money owed to the Register of Companies Office by the EADUMC. When they both had enquired within the Companies Office of Registry they discovered that to change the name of the Ethio African Diaspora Union Millennium Council to a new identity they would have to carry forward the two remaining Directors in the Council's original registration, namely Ras Rocky Winston Bowen and Sister Maxine Stowe, to the new entity that they were contemplating. They refused to clear off the taxes accrued over the seven years of the Council's registration and allowed the Council to operate in a new name, Rastafari Millennium Council illegally with the Council's liability being carried by only two (2) Directors Ras Rocky Bowen and Sister Maxine Stowe for a number of years. Ras Marcus Goffe said in a meeting of executive members and I quote "in an ideal world the Directors were responsible and in charge of the Council" but to upgrade the the directorship of the Council was not a matter of importance or urgency in the real world, the informal operation of the Rastafarian Community as it stands and interface with Government was not of any significant interest to update the Board of Directors and pay taxes owed to the Register of Companies Office in a timely basis, thus the Council was allowed to be operated illegally which was disclosed in a general meeting called by Sister Mitzie Williams on April 6, 2014 in an effort to incite the Rastafari Community to muting the Directorship and sought approval from some members of the Rastafari Community to dismiss the executives of the Registered Council and replace them with an illegal, unauthorized Council which sought to take over authority from the legally registered entity by way of a kangaroo trial court aided and abetted by Ras IvI, Ras IyahV, Ras Witter and Priest Dermot Fagan and other dissidents. They suspended the standing order of the meeting and proceeded to intimidate and verbally abuse members of the RMC Executive and attacked the General Secretary to occasioned bodily harm after it was stated by members of the Executive that the dismissal of Sister Mitzie Williams was caused by her participation in the breach desecration of the Nyahbinghi Tabernacle at Pinnacle.

BRIEF ON THE ETHIO--AFRICA DIASPORA UNION MILLENNIUM COUNCIL

By Charles Nessim and Supported by Marcus Goffe.

1. The Ethio--Africa Diaspora Union Millennium Council (the Millennium Council) was established in June 2007 as an All-Mansion Rastafari Council, comprising representatives from the majority of Rastafari mansions and organizations in Jamaica including two of the three main mansions -- the Nyahbinghi House and the 12 Tribes of Israel. The intention of the community for many years before was to unite the several sects of the community. The Millennium Council was therefore established to manifest that objective and to represent the community on issues of common import. The Millennium Council later began using the name the Rastafari Millennium Council.
2. In order to facilitate contracts and development initiatives for the Rastafari community, the Millennium Council registered a limited liability company. The Ethio--Africa Diaspora

Union Millennium Council Limited (EADUMC Co. Ltd.) was therefore registered in September 2007.

3. The Millennium Council is run by an Executive Committee comprising representatives from the several Rastafari member mansions and organizations. First Chairperson was Ras Junior Manning who died in 2009. Second Chairperson was Ras Howie Wright who died in 2012. Third Chairperson since 2012 is Sister Mitzie Williams, who had been Co-Chair with Ras Howie Wright.
4. The EADUMC Co. Ltd. is run by Directors who were supposed to be the representatives from the several Rastafari member mansions and organizations and would therefore ensure that the Co. Ltd. serves the needs and purposes of the Millennium Council. However not all the representatives from the several Rastafari member mansions and organizations were registered as Directors. For expediency, Maxine Stowe, who was engaged as a Consultant to the Rastafari Community and the Millennium Council, was registered as one of five Directors of the EADUMC Co. Ltd. to act with fiduciary responsibility on behalf of, in consultation with and with the approval of the Millennium Council member mansions and organizations. However within the governing and functional structure of the Millennium Council from inception, Maxine Stowe has at all material times been engaged in the capacity of a Consultant to the Millennium Council.
5. After the passage of Ras Howie Wright in 2012, a few members of the Millennium Council Executive led by Maxine Stowe began to undermine and usurp the Chairperson and the Executive of the Millennium Council by taking decisions and sending out official communications on behalf of the Millennium Council without consultation, input and approval of the Millennium Council member mansions and organizations. Such unauthorized communications have been sent by Consultant Maxine Stowe and General Secretary Prophet Greg to Ministers of Government, Government agencies, the Prime Minister, international organizations and international press.
6. Consultant Maxine Stowe and General Secretary Prophet Greg and others began promoting and representing Bunny Wailer as the Honorary Chairperson of the Millennium Council, without the consent of the Millennium Council Executive and member mansions and organizations. They also embarked upon a campaign to discredit Chairperson Sister Mitzie Williams, Marcus Goffe (who has assisted the Council with legal advice) and the majority of Millennium Council member mansions and organizations, in order to promote their private agenda. Such unauthorized communications have also been sent by Consultant Maxine Stowe and General Secretary Prophet Greg to Ministers of Government, Government agencies, the Prime Minister, international organizations and international press.
7. Their agenda appears to be to control Rastafari rights and representation and to merge those with Rastafari rights in reggae music and ganja under the leadership and personality of Bunny Wailer. In their email communications, they have repeatedly disrespected and undermined the Millennium Council member mansions and organizations and their representatives, who are the legitimate authority and representation of the Rastafari community in Jamaica. They have alienated

the wider Rastafari community from Rastafari representation while at the same time sought to appropriate to themselves the authority and legitimacy of the Rastafari community in Jamaica. This is what led to a breakdown in the negotiations with the Government in 2014 regarding the future of Pinnacle and has also been affecting the legitimate voice of the community in the current ganja debate.

8. The majority of Millennium Council member mansions and organizations are not in agreement with the way in which Consultant Maxine Stowe and General Secretary Prophet Greg were representing the Millennium Council and breaching internal policy and protocol regarding decision-making and issuing of public communications on behalf of the Rastafari community without discussion and approval.
9. As a result of the above, the Millennium Council had a General Meeting at Liberty Hall in April 2014 where those issues were aired and addressed by a wide cross-section of Millennium Council mansions and organizations and other community members. It was determined that the representation of the Rastafari community by Maxine Stowe, Prophet Greg and Bunny Wailer was not desired and that they should be asked to cease and desist from further community representation at any level based on repeated breach of community and organizational protocol (see letter dated April 13, 2014). Since that time the Millennium Council Executive has been dissolved and the Rastafari mansions and organizations resumed control and representation of themselves and their collective community interests under the Millennium Council.
10. On April 11, 2014, five days after that General Meeting, Maxine Stowe registered six new additional directors of the EADUMC Co. Ltd. including Bunny Wailer and Prophet Greg, without any prior discussion, approval or consent of the Millennium Council mansions and organizations and against the community's interest in the EADUMC Co. Ltd. Therefore although they are directors of the EADUMC Co. Ltd on paper, they are not authorized by the Millennium Council to hold those positions nor to have such authority or to represent the Rastafari community's collective authority and positions. All representations which have been made by Maxine Stowe, Bunny Wailer and Prophet Greg since April 2014 have been done without the consultation, authorization or approval of the Rastafari mansions and organizations which are members of the Millennium Council. Those individuals are therefore using the name of the Millennium Council falsely to legitimise themselves as still representing the wider Rastafari community when in fact they are not representing the Rastafari community but themselves.
11. The only recognized representatives of the Rastafari community are the Rastafari mansions and its elders collectively, hence the original establishment of the Millennium Council. That is not to say that the other Rastafari mansion (the Bobo Shanti) and other Rastafari organizations who are not a part of the Millennium Council cannot properly make representation on behalf of the community, but the only representative organization representing collective community authority and decision-making for the Rastafari community in Jamaica is the original Millennium

Council as currently represented by Sister Mitzie Williams and the other leaders of Rastafari mansions and organizations which are members.

12. The Millennium Council currently comprises the Nyahbinghi House, the 12 Tribes of Israel, Haile Selassie School of Vision, House of Dread, Empress of Zion, Rastafari Indigenous Village, Rastafari Centralization Organization, Rastafari Youth Initiative Council, Country Farmhouse Lifeline.

EXECUTIVE DIRECTORS REPONSE TO BRIEF ON ETHIO-AFRICA DIASPORA UNION MILLENNIUM COUNCIL LTD (EADUMC)

- 1) The ETHIO-AFRICA DIASPORA UNION MILLENNIUM COUNCIL (EADUMC) was formed after a series of meetings by leading Rastafari Representatives. An All Mansion Meeting had been called by the Nyahbinghi Ancient Council who convened the Haile Selassie I High School Meeting that formalized the EADUMC and shortly thereafter the World Intellectual Property Rights Organization (WIPO) Consultation was called in July 2007. It was the WIPO Consultation that grounded the above energies and further in October a mandate from both the GOJ related to registration of organizations and the necessity to be legally registered to engage the WIPO procedures that led to the formal registration of the Council within the Companies Office of Jamaica.
- 2) EADUMC aka RASTAFARI MILLENNIUM COUNCIL (RMC) was duly registered on November 21st 2007 as **ETHIO-AFRICA DIASPORA UNION MILLENNIUM COUNCIL LTD** [CERTIFICATE OF INCORPORATION OF A COMPANY] through the traditional All Mansion Process that incorporated the specific instrument of Intellectual Property (IP) Rights that was based on the specific intervention of Sis. Maxine Stowe, who through her expertise and role in the local and international Music Industry and specific relationship with WIPO related to Reggae Music and IP Management and Brand Jamaica, had sponsored and caused to be convened an Indigenous Intellectual Property Conference for the Rastafari and Maroon Communities. International lawyer from South Africa, Roger Chennels was the main cultural IP Consultant and had workshops with both the Rastafari and Maroon Communities and made recommendations. These recommendations suggested the development of a Council, Trust Fund and IP NGO to professionally drive and develop the IP processes [REPORT FROM ROGER CHENNELS]. It was clearly stated that the deepening of the Organize and Centralize process was going to be long term and that the IP objectives would assist through economy and increased information on the cultural process assist, but was recommended to be an independent professional driven organization independent of the natural and historic tensions that were ongoing within the Community Centralization and the Repatriation and Reparation agendas.
- 3) The EADUMC/RMC submitted 12 Names for the Directorship on registration comprising of various Mansions Representatives e.g. School of Vision, L. P. Howell Foundation, Theocracy Reign Order of the Nyahbinghi. The EADUMC is run by an Executive Committee comprising representatives from the several Rastafari member Mansions and Organizations. First Chairperson, Ras Junior Manning who was a Director, died in 2009. Second Chairperson, Ras Howie Wright who was a Director, died in 2012. Third Chairperson since 2012 was Sister Mitzie Williams, who had been Co-Chair with Ras Howie Wright, was NOT a Director though advised by the Directors [Email dd.

February 17th 2013].

- 4) The Email dd. February 17th 2013 had address ALL current Executives and Directors of the EADUMC / EADUMC Ltd. i.e. Ras Rocki – Co. Treasurer, Sis. Maxine Stowe – International Consultant being the only 2 surviving Directors. At no time in the history and functioning of the EADUMC / EADUMC Ltd. was the directorship every associated with individuals outside of the Council and Limited. Prior to the updating of the Directorship on April 11th 2015, there had been only 2 out of the total 15 positions filled which had required a minimum of 5 Directors registered to legally operate the EADUMC / EADUMC Ltd. Sis. Maxine Stowe strategic incorporation into the Directorship was to..... Further to this, Emails dd. April 22nd & 23rd 2014 show the interference of Mr. Marcus Goffe from allowing the EADUMC / EADUMC Ltd. to raise Funds to keep the Council / Limited legitimate.
- 5)
 - a) The transitioning of Chairman Ras Howard Wright – CEO Haile Sellassie I Theocracy Government, weakened the Chairmanship of the EADUMC as Sis. Mitzie’s cooptation to the Co-Chair position – Omega Chair, was not fully committed by her as she sought to negotiate this role with her Chairperson position within the Administration Council of her Mansion; and she was asked for a commitment by the General Assembly before accepting her position as being the sole Chairperson until the appointment of the new Alpha Chair. She was fully aware of the 2 major agenda of the EADUMC / EADUMC Ltd. in regards to the representation of the Rastafari Community’s Rights i.e. IP and Repatriation & Reparations. Her early lack of commitment to the responsibilities of the Chair had cause her lack of representation for the EADUMC / EADUMC Ltd. which was manned by Ras Howie Wright, the General Secretary (GS) Prophet Greg, under the guidance of Int. Consultant Sis. Maxine Stowe as the Legal Counsellor – Marcus Goffe, found himself to be in conflict of interest with the EADUMC / EADUMC Ltd. by working with the Jamaica Intellectual Property-Rights Office (JIPO) in 2012. As a result, commitment in communications had to be continued through letters sent out by the GS when approved at Executive Meetings. Letters communicated to Ministers of Government, Government Agencies, and other entities signed by Sis. Mitzie were seldom as the records of the EADUMC / EADUMC Ltd. will show.
 - b) The inability of Sis. Mitzie’s Chairmanship is also recorded in: (i) Her AFFIDAVIT to the SNOOP LION Trademark Opposition by her Mansion and the EADUMC / EADUMC Ltd. It clearly stated Sis. Maxine Stowe representing matters concerning IP, and having presented the same 7 page Statement that the GS submitted against SNOOP DOGG in her AFFIDAVIT though herself and Mr. Goffe carried out a ‘crusade’ against the GS for submitting the 7 page statement because they were still negotiating for a Bus as declared in her AFFIDAVIT. (ii) Her failure to represent the EADUMC / EADUMC Ltd position on Repatriation & Reparation within the National Council on Reparation as Chairperson. Emails by the GS will confirm his submissions of the EADUMC / EADUMC Ltd Position Papers on Repatriation & Reparation due to her delinquencies.
- 6) These are again slanderous statements. Emails and letter dd. March 25th 2013 clearly outline the procedures in regards to the EADUMC / EADUMC Ltd. appointment of the Hon. Neville O. Livingston pka Ras Bunny Wailer. The fact that Sis. Mitzie, Ras Garth, and the late Bro. Becky had supported the nomination of Ras Bunny Wailer to be an Honouree at the UWI / EADUMC Rastafari Conference makes it even more absurd for them to be complaining. At the presenting of their Brief in 2015, Ras Bunny Wailer was further honoured by CARICOM in 2013 to be the Cultural Ambassador for Reparation in front of Sis. Mitzie so these are clear evidences of prejudice! The Smithsonian Exhibit that had been at the center of the negotiations between the RMC and the Government and her respective agencies was again shifted away from the Council through Ras Marcus Goffe and the newly created Consultative Council led by Sister Mitzie Williams and

based on aggressive negotiations by the traditional Council members to retain central ownership and governance independently by the Community is in a state of stalemate to the benefit of IOJ, UWI and other Government Agencies. An attempt to link this Jamaica Exhibit to Trench Town was sabotaged after extensive negotiations with the Trench Town Cultural Administrators.

7) The Policy and advocacy for the IP Rights of the Rastafari Community were finally lodged into Jamaican Law firstly by the instituted Practice Note by JIPO on April 30th 2012, and then the Jamaica National Heritage Trust Declaration of a Rastafari Heritage Site (Lot 199) at Pinnacle in September 2013. Further mentioning of the Community's IP Rights were presented during a WIPO/JIPO Forum by Prof. Rob Bowman. The signing of 2 MOU's with the UWI and IOJ, the approach to UNESCO Funding Application for Capacity Building that highlights the importance of the IP Rights of Rastafari, along with a UNESCO Intangible Cultural Heritage Workshop in 2013 cements the declared IP Policy and Agenda of the EADUMC / EADUMC Ltd. in regards to IP Rights and its advocacy dispelling all fabrications. What has clearly transpired instead was the inability of Sis. Mitzie to correctly apply and protect the IP Rights for the Rastafari Community opting instead to protect individuals' interest. Following up her incompetence with the SNOOP DOGG negotiations, the debacle at Pinnacle completely undermined the IP Rights of the Rastafari Community! As the Administrative Chairperson of the Theocracy Reign Order of the Nyahbinghi, Sis. Mitzie should be protecting the IP Rights of her Mansion. What transpired at Pinnacle instead were:

- a) Her failure to defend a desecrated Nyahbinghi Tabernacle that is under her Mansion's IP Protection by the JIPO Practice Note.
- b) Her failure to uphold the Law governing the JNHT Act for Heritage Sites for Lot 199.
- c) Aiding and Abetting Sis. Donisha Prendergast and Sis. Hodesh illegal Campaign to Occupy Pinnacle in breach of the Court ruling – the Howells has lost the Court Case for land ownership.
- d) Misleading other Members of the EADUMC / EADUMC Ltd., and the Rastafari Community by and large by falsely accusing the Directors and Executives of the Council and Limited for 'chasing off' Rastafari from Pinnacle even though the Email presented against the desecration of the Nyahbinghi Tabernacle had identified 'Occupy Pinnacle's' two named leaders.
- e) Defying the Executive Order of the Prime Minister's Committee to desist with the 'Occupy Pinnacle' Campaign whilst negotiations are on the table.
- f) Holding the Chairmanship position of the EADUMC / EADUMC Ltd. at ransom by firstly declaring in her Email dd. March 13th 2014 that the Email sent out by Executives of EADUMC was unauthorized, and secondly her Email dd. March 26th 2014 advising her Mansion that she will NOT be attending anymore meetings until her planned meeting of April 6th 2014 effectively demanding the EADUMC / EADUMC Ltd. to act in breach of the Laws.

Any one of the first 3 points would have placed the EADUMC / EADUMC Ltd. in jeopardy of a Law suit had the Directors and Executives followed Sis. Mitzie's illegal actions and who was told by Members from the Prime Minister's Committee (OPM Committee) that they could no longer countenance an 'Occupy Pinnacle' campaign since the Court had ruled against the Community's interest.

- 8) The Majority Member Mansions when presented with the facts were not aware of the breaches and legal implications; some have yet to grasp the severity because of personal friendship and / or association with Sis. Mitzie and company.
- 9) The so called 'General Meeting' initiated by Sis. Mitzie at Liberty Hall on April 6th 2014 was in fact a kangaroo court setting in which the GS was physically threatened causing the Directors and Executives to retreat to avoid any further escalation. The elaborate Agenda was clearly a sham as the

intent of an already irate crowd was obvious, and only came to defend their personalities. The Letter of dismissal that was presented on April 13th 2014 was fraught with illegalities as no Director had signed off for the EADUMC Ltd., and the signature of one Junior Allwood of the RCO is fraudulent as neither he nor the RCO has membership with the EADUMC / EADUMC Ltd. All signatures to the Letter dd. April 13th 2014 will be in agreement to the illegal actions done by Sis. Mitzie as outlined in item 7. And they will remain illegal because all negotiations are still active i.e. Pinnacle's Rastafari Heritage Sites; SNOOP DOGG / SNOOP LION; JIPO Practice Note for Rastafari IP Rights protection and all MOU's are pinned to Rastafari IP Rights. The matter of the EADUMC MOU's legal negotiations has to be address as well as Mr. Goffe's conflict of interest, and constant internal meddlings that are clearly an attempt to neutralize the Rastafari Community's Rights in favour of Brand Jamaica.

- 10) The legitimacy of the EADUMC Executives and Directors grounded by its registration and ownership of the works created and developed by the organization remains legally unchallenged. The illegal and inappropriate attitude by the renegades of the EADUMC / EADUMC Ltd. has prompted the Director and Executives to update the Directorship of the Limited in order to protect the over 7 years hard work that clearly has no interest by the oppositions. For the Record, after the April 6th 2014 Liberty Hall settings the EADUMC has become physically divided. To date, the opposing faction has not presented any Position Paper to represent the Rights of the Rastafari Community. This against the backdrop of CARICOM's 2nd Conference on Reparation – their Ten Point Agenda was only addressed by the Executive Directors. The current Ganja Bill 2015 was only addressed by the Executive Directors. The MARCHES for Rights locally and internationally for Rastafari / African Rights were only supported and / or planned by the Executive Directors. Sadly though the Rastafari Exhibition at IOJ has suffered because the Directors at the IOJ has supported the actions of the signatures on the MOU which has caused the opposition to STOP an cultural exchange from linking two Exhibitions on Rastafari together in May 2014 between Ethiopia and Jamaica. And possibly the relocation of the Exhibit to Trench Town against a Community negotiating platform being usurped by the signees of the MOU.
- 11) Because of the blatant breached committed by the Administrative Council within the Theocracy Reign Order of the Nyahbinghi, Members of the Nyahbinghi Ancient Council has written a Letter dismissing Sis. Mitzie and other members of the Administrative Council.
- 12) The Membership of the the EADUMC / EADUMC Ltd. can only become legitimized once these illegalities are addressed.

15. Conclusion – A Brief Recap on E.A.D.U.M.C. Activisms

1. Formation of Council – Background

The formation of the EADUMC Ltd. is rooted in a history of RASTAFARI Governance mechanisms from 1958 with the formation of the African National Congress and has gone through various historical transformations related to political, social/cultural and economic changes in the status quo. The most significant economic socio-cultural economic agent has been the IP of the Community's engagement in the Jamaica popular music industry. With this industry not having a proper legal framework grounded in Jamaica and having developed this majorly in the diaspora markets, it has transmitted the culture unprotected and where the culture has become the primary agent for business growth in Festivals globally and been taken up as a 'generic descriptor' for global use in lifestyle industries. The largest community enterprise in the Bob Marley brand is itself rife in IP cultural misuse, not just of RASTAFARI but significantly also that of the group The Wailers incorporating the three individual members history.

Since 1983, in response to the death of Bob Marley and the increasing use of merchandise in lifestyle industries, the Rastafari Community focus has been on the creation of policy and enterprises to manage this. Because of the lack of IP policy in Jamaica and internal differences within the traditional and reggae communities, this was not possible.

The convergence of interests came together under 'Brand Jamaica' and the attempts to manage the music/cultural stakeholder interests IP. More precisely the Reggae Museum project and advocacy has been the major catalyst for the definition of the community IP as a major stakeholder in that industry. This resulted in research and development done by WIPO Expert Roger Chennels from South Africa and later incorporated IP Musicologist, Rob Bowman from Toronto, who was instrumental in providing R&D on Reggae Museum processes as also later incorporated as a WIPO Expert to do R&D on music/culture IP.

This created the convergence of those interests in 2007, where WIPO became directly engaged with the Rastafari Community through the formation of the Millennium Council and a dual advocacy emerged with WIPO and JIPO. This was further extended to UNESCO ICH through workshops and a IFCD Application process.

2. WIPO Accreditation - Relationship with JIPO - Creative Heritage Project - Rob Bowman/WIPO

The advocacy and incorporation of the Creative Heritage Project in 2010, was a significant indicator/outcome of the EADUMC/WIPO/JIPO working relationship and recognized the need and ownership of the recording of the knowledge of the Community Elders and processes. There is some amount of angst in this relationship where Civil Society and Govt. to Govt. protocols are concerned with UN Agencies in relation to Indigenous Rights for Rastafari. This moreso as the Indigenous IP Rights through WIPO were directly engaged between 1999 and 2007, between GOJ/WIPO/JIPO Maroon interest. Rastafari was independently acknowledged by WIPO as a Indigenous culture and acceded the protocols of group. The independent engagement and advocacy of the Rastafari Community was to be

further complicated when legal advisor to the EADUMC, Marcus Goffe entered as a contracted worker to JIPO in the area of IP, while seeking to retain his position with EADUMC.

3. Rastafari IP Defined - WIPO - TK/TCE/GR - Crown Council

In developing relationship with WIPO, various questionnaires and inputs to the Caribbean Regional model was engaged. The traditional conflicts between Jamaica and the rest of the Caribbean emerged in this process based on cultural dominance particularly enhanced by Rastafari/Reggae's influence in the Caribbean. The UNESCO ICH and Cultural mapping process was seen as an important process to define IP governance to the Rastafari Community in Jamaica, vis a vis the influential growth of the Community in the Caribbean/Diaspora/International Communities in Africa, USA, Europe, Asia.

4. Rastafari Trust Fund - Registration: RIPA - Registration

In accordance with the framework set for the Governance of the culture which involved the setting up of the Council, a Rastafari Trust Fund and a Rastafari Intellectual Property Authority were mandated. Both of these structures were registered in _____ and _____ respectively. The Council has been acting as the RIPA awaiting the incorporation of the RIPA agenda in national law. The main physical legal documentation and administrative protocol has been the establishment of an Intellectual Property Rights Contract for the Rastafari Community, primarily in the use of audio visual recordings. This has created a legal framework to address current and future appropriation, where a Trademark Opposition case is now in place at JIPO involving Intl. Recording Artist Calvin Broadus aka Snoop Dogg.

5. Pinnacle Project - Rastafari Indigenous Village/Heritage Negotiations/TPDCO/JNHT.

The Community Heritage Rights has been activated through the negotiations with the Smithsonian Exhibit 'Discovering Rastafari' that was also launched in 2007 with the Council. This Exhibit was the first of the Rastafari Culture and was engaged through consultation with the Rastafari Community Advisory. The Council upgraded the Advisory status to Ownership of the Exhibit and a range of negotiations were ensued with the Smithsonian. As the Ownership involved the mounting of what would be the first Exhibit in Jamaica, these negotiations converged with the ongoing Pinnacle negotiations, that also became the remit of the Council in 2007. The past Late Chairman, Ras Howie Wright, was a leader in the Pinnacle negotiations since 1999 with the Nyahbinghi Spanish Town House, and current Acting Chair Ras Kremlin. This brought together the convergence of the Pinnacle Negotiations and the IP Heritage Negotiations of the Community into the Pinnacle Project. These Heritage negotiations took into consideration all the Rastafari Community sites across the Island for a specific foundation for Heritage and Community development. There developed a conflict of interest with the registration of RASTAFARI Indigenous Village (RIV) in Montego Bay by a Community member, Ras Edi Wray, as the name is a descriptor developed by the Council and had IP and governance issues related to its private registration. It is understood that the (RIV) cannot be established outside of this initial enterprise and may at some later date have to be reverted based on the negotiations and incorporation of the legal framework of RIPA. This is an indicator of the ongoing and futuristic internal Community negotiations and edification as to the contours and protection of RASTAFARI IP from both an internal as well as external framework.

6. UWI MOU - Conferences

The UWI since 1960 has been involved with GOJ/Societal negotiations with the Rastafari Community. It has been the ground where several Community Conferences were held, particularly from the 1983 Rastafari International Theocracy Assembly and as late as the 2003 Conference. When the Council was formed in 2007 a plan of action to hold a Community Conference in 2010 involving Community IP Rights were challenged by a group of RASTAFARI Professors who sought to establish a Rastafari Studies Unit and Conference at UWI. This clash of objectives highlighted fault lines within the Community related to grassroots and intellectuals that had been developing over the years. Based on the IP protocols of the Community established by the Council, negotiations were held with UWI which resulted in the MOU. This has been a continuing challenge that UWI and Community members have been challenging to unseat the IP Rights and its resultant power base for the traditional community members, where they sought to incorporate a Consultative Committee at UWI incorporating Community members. This ongoing contention and the Trademark Opposition to Snoop Dogg's appropriation of RASTAFARI has resulted in the current status quo of the Council being challenged by a conglomerate of UWI Rastafari professors, contested administrative members of the Nyahbinghi House and Marcus Goffe at JIPO. This was very self-evident in the 50th Anniversary Visit negotiations and the previous Justice Minister Rastafari Community negotiations around the Ganja Bill. It must be noted that the Community IP Rights were verified by negotiations with UWI and Carolyn Cooper regarding a similar Reggae Conference/Studies program there, where she attempted to take this as a project off campus and the Supreme Court ruled that anything developed at UWI belongs to the UWI. There is therefore absolutely no basis for any compromise of the existing MOU.

7. IOJ MOU - Smithsonian - Unconquerable Exhibit/ Legacy Strategy/Trademark/Trench Town

The contention around the IP Governance extended to IOJ, when the UWI Consultative Committee negotiations broke down with IOJ related to the mounting of the Rastafari Exhibit and its incorporation of the Smithsonian Exhibit. This resulted in a MOU between IOJ and the Council, where various attempts to water down the agreement by Marcus Goffe has had to be challenged and withstood by the Council. This led to IOJ requesting the Attorney General to review the signed MOU and where a negotiating process began to be engaged and has been stalled based on the actions of the 'Consultative Committee' developed around the UWI negotiations. This 'Consultative Committee' has its own legal framework with the Council and has used clear political connections to attempt to over-ride this framework. The central issue at all times is the IP of the Community and its relation to the achieved legal frameworks at JIPO/Practice Notes and ongoing TK/TCE/GR negotiations.

8. Snoop Dogg - Rastafari IP Contract - Trademark Opposition - Ongoing Negotiations

The Trademark Opposition at JIPO and the blurred lines of this process is the clearest indication of the conflict of interest related to Marcus Goffe's employment and continuing engagement with the UWI Consultative Committee incorporating political influence. His employment has been an ongoing contested negotiations with JIPO and WIPO, which has significantly impacted the functioning of the Council in respect of advancing our IP issues that was particularly eroded under the convergence in the

Ganja Bill negotiations where the existing Practice Note of 2012 was amended without consultation with the Council to reduce collective right and introduce an individual right to complement the ideation and governance of RASTAFARI Rights in the Ganja Bill. This conflict of interest because of his duality in remaining in and around the Rastafari Community negotiations with the government, specifically in conjunction with the UWI Consultative Committee.

9. JIPO Conflict Of Interest - Marcus Goffe Employment - JIPO Meetings

The inability of the Council to afford legal counsel has caused this ongoing issue to manifest. The Council has recently been able to engage Hannah Barrington Harris as legal representative who will be representing the JIPO Trademark Opposition and negotiations with the GOJ re IP Rights as it crosses various aspects in the Cultural Industries and the right and ability to monetize and govern Community IP.

10. UNESCO Workshop - UNESCO IFCD Application Process

The application by the Council that was endorsed by JIPO was similarly torpedoed by this convergence of interests by the UWI Consultative Committee. This after hired facilitator by the Council, Lloyd Stanbury, was caused to withdraw detrimentally by false influence garnered through a similar false premise developed by this Consultative Committee around the Pinnacle Court Case and his personal positioning with members of Occupy Pinnacle. The complexity of this political involvement would see the UNESCO Jamaica Committee continuing to continue to submit the application process, UNESCO grading the application as recommending of support, and then an abandoning of the follow up submission process by the UNESCO Jamaica office.

11. OPM/Ministerial Meetings - AU/UWI Conference/Coral gardens Committee/Pinnacle

The Consultative Committee interfered with meetings held with OPM in relation to Council submissions where follow up became subject to a special committee appointed by OPM to singularly deal with Coral Gardens instead of the comprehensive Rastafari issues delineated by IP Rights and Governance. This was immediately upended by the Pinnacle Court Case where said special committee was forced to deal with Pinnacle instead of Coral Gardens. It is this impasse created by the Consultative Committee misinformation and internal political machinations that have stalled the Pinnacle negotiations by trying to reframe along Occupy Pinnacle narrative instead of the formal negotiations established through the Council. The Council's objection to Heritage negotiations were related to governance of Community IP by JNHT and the constitution of the Act, which has been misquoted and misrepresented to malign the Council. The Council's position is that it is the valuation and development of the Community IP that is the core negotiation. This is to be managed through the Rastafari Trust Fund and the protocols established there, where internal community issues are secondary to the collective rights and ownership of the community IP. External negotiations must be primarily based on IP Rights and Governance and not be subjected to 'disunity' narratives. These 'disunity' narratives are all subject to the Rastafari Trust Fund structure, where the disunity silos are required to submit their grievances in a manner that relates to their contribution to the culture and how the creed of the culture is to be distributed and used by their accepted variance.

12. Indigenous Rights/Treaty/IP – Mansions

The incorporation of Indigenous Rights has forced the narrative of Mansion Rights to become governable under the cultural acceptance of the Elders not just as individuals, but the standards and cultural norms that were created by them. It has given the Elders and the codification of their cultural philosophy primacy that is challenging to the administrations that have been left behind in the three major mansions being the Nyahbinghi House, EABIC/Bobo Shanti and the Twelve Tribes. It has forced new levels of transparency and accountability as the collective IP Rights and standards that have been mandated and legally entrenched requires same. It is this juncture of transparency and accountability that is the central contestation between specifically the Nyahbinghi House administrators and the Council. This became focused in the incorporation of Sister Mitzie Williams as both Chair of the Council and the Nyahbinghi Administration and is the central contestation of the Council and the Elders of the Nyahbinghi House who have distanced themselves from their administrative representatives. This is at the center of all the current disputes with the Council, JIPO and the Ganja Bill. The legal standard is that these disputes cannot override the Council and it is only the machinations of Marcus Goffe and the ability to influence the GOJ agencies from JIPO that has continued to feed the imperative of legal governance and standards.

13. Ganja - GGPA - Liberty Hall Meetings - EADUMC removal of lawyer - chair

As with the Pinnacle negotiations/Occupy Pinnacle, the Ganja Bill negotiations had this Consultative Committee create a public meeting to disenfranchise the Council. The legal rights and status of the Council could not be removed and it is this Consultative Committee that has to be outlined and shown to be governed by the Council in relation to IP Rights and Governance that was overshadowed by the Minister of Justice and his subsequent ‘Advisory Committee’, that will be cleared up by the Trademark Opposition legal representation at JIPO and the clearing up of the Rastafari Sacramental Rights that were instituted under the Ganja Bill. The Council has been clear that the IP Rights of the Community are the benchmark for the governance of all cultural, economic and trading rights.

14. Submissions - IP - Ganja Bill - CLA - CBA - Cannabis Cup - Rebel Salute - Legal Challenges

All the abuses under the Ganja Bill for Rastafari are squarely centered at the Rastafari IP Rights as also recently outlined by former Minister of Industry and Trade. The Council has submitted and widely distributed throughout the Rastafari Community how the Rastafari Sacramental right would have to be administered based on how the demographic of the Community is structured in the Tourism and Inner City frameworks. In the latter case of Inner City neighborhoods and use, long time trading patterns will have to be addressed and absorbed beneficially, which was one of the mainstays of the Council’s recent program in Trench Town. The trading focus was centered around ‘Herb Gates’ and how this traditional pattern along with the ‘Revival Yards’ that were identified through the IKS Bilateral with South Africa would be affirmatively managed. This layer is the foundation on which individual naturopaths would be built on. Further observation of how the ‘Herb Houses’ in the legitimized states of the Western USA are structured, would require a clear understanding of how and what the ‘THC’ that is legalized under Sacramental Use, would be treated in the ‘Herb Houses’. Additionally based on ‘reparatory and affirmative’ frameworks that will have to be addressed, a definitive quota and relevant investment into

and of 'Herb Houses' for the Rastafari and Indigenous Communities would have to be obtained. Again reference is made to the mandate of the Rastafari Trust Fund/RIPA as the arbiter of these actions.

15. Rastafari Advisory Council/Justice Minister - UNGASS Submission

The former Rastafari Advisory Council under the Ministry of Justice and the actions that were taken there are sufficient evidence to show the impossibility of administration of Rastafari Community rights without the IP Governance and where the arbitrary changes in the Practice Notes of JIPO have to be rationalized and readdressed. The primacy of the Rastafari Trust Fund and its collective administration protocols are where all collective economic and trading rights rest.

16. 50th Anniversary - New Administration

The recent change of administration has brought a halt of the brazen political power brokering of Community Rights.

17. Reparations - Repatriation - CARICOM/NCR/Jamaica Political Vote

The Council has been able to be representative at all the major CARICOM and GOJ positions by providing attendance and submission of positions and reporting in the absence of any activist representation by Mansions. To the extent that the IP Rights and Collective Governance of Community economic interests and benefits have to be transparently and accountable administrated, it is the framework of the Rastafari Trust Fund that will have to become pre-eminent. The Council will continue to provide the level of advocacy and information necessary to beneficially impact this process and will continue to apply the kind of applications to access Community funding as outlined in the UNESCO IFCD Application to achieve greater Community cohesion. The JLP Manifesto recommendations for cultural indigenous communities and the advocated ratification of the Indigenous Treaty is where future progressive developments rest.

18. The Way Forward - Affidavits - Internal Community Dynamics - New Administration

The Council's legal entrenched mandate is to assist Community governance dynamics, while moving forward with representing and governing Community rights. The initial recommendation was that the Community IP governance is separate from the collective internal negotiations within the Community. . The 10 Year administration of the Council has verified this initial recommendation and the Council's clear mandate is to see that these IP Rights and Governance are not overcome by internal self-interests.



16. E.A.D.U.M.C. / Limited Community Activism For Rastafari and African Human Rights Throughout the Decade: 2006 - 2016



Prime Minister – the Hon. Ralph E. Gonsalves, the EADUMC, and Jamaica’s National Commission on Reparation Reps. in Attendance at the 1st CARICOM REPARATION CONFERENCE in St. Vincent and the Grenadines – September 15th – 17th 2013.



EADUMC and other Rastafari Reps. pose with Members of the National Reparation Committee.



Executive Director for IOJ – Ms. Bonner, addresses the opening of the Rastafari Exhibition.

“All Women of the world should struggle to bring PEACE and JUSTICE! Government Officials may be guided....on the Counsels of GOD!”

“Tell the people to come home! Here their Race originate, and here it can be lifted to its HIGHEST PLANE of Usefulness and Honour!”

EMPEROR HAILE SELASSIE I

EMPERESS MENEEN

The Rastafari Communities in association with the Ethio-Africa Diaspora Union Millennium Council and the Coral Gardens Committee presents:

A Day of

RASTAFARI SOLIDARITY!

Celebrating the 45th Anniversary of the Visit of Emperor Haile Sellassie I to Jamaica!

Thursday, April 21st 2011

at the National Heroes' Park beginning at 2:00PM!

“I would broadly say, wherever there's African blood there is a basis for unity!”

A re-enactment of H.I.M. Haile Selassie I visit to several locations will be done by means of a motorcade. We leave the airport from 10:00AM en-route to the University of the West Indies (U.W.I.) to encircle Ring Road; Next we visit the Haile Selassie I High School on Payne Avenue; Then on to the Mico University College, before ending in the National Heroes' Park to begin the Festivities until Friday 2:00AM!

AIRPORT

U.W.I.

HAILE SELASSIE I HIGH SCHOOL

MICO TEACHERS COLLEGE

HONORING GARVEY NATIONAL HEROES PARK

Nyahbinghi Chanting!

Reggae Music; Film Shows; Live Presentations!

Ital / Vital Cuisines; Arts & Crafts; African Wears;

Black Conscious Books; CD's / DVD's; and much more....

All on Sale!

ADM: Bring Peace 'n' Love!

DONATIONS ACCEPTED.

ETHIO-AFRICA DIASPORA UNION MILLENNIUM COUNCIL AND THE RASTAFARI AND AFRICAN COMMUNITIES PRESENTS:

100th ANNIVERSARY CROWN PRINCE RAS TAFARI 1916 2016

1966 H-I-M, HAILE SELASSIE 1st 50th ANNIVERSARY VISIT TO JAMAICA 2016

@ THE TRENCH TOWN MULTI - PURPOSE CENTER, 10 - 18 FIFTH STREET !

SUNDAY, APRIL 17TH.
LAUNCH OF FOUNDATION 100/50 WEEK! COMMUNITY REASONING ON THE GANJA BILL !

MONDAY, APRIL 18TH.
NUTRACEUTICAL SYMPOSIUM!!! PUBLIC FORUM ON THE NATIONAL NUTRACEUTICAL IND. LEARN ABOUT NATURAL GOODS! INNERCITY DUB !!!

TUESDAY, APRIL 19TH.
INDIGENOUS TREATY MARCH ! FROM MANDELA PARK TO JAMAICA HOUSE @ NOON! REPATRIATION FORUM AT THE MULTI-PURPOSE CENTER!

WEDNESDAY, APRIL 20TH.
INTERNATIONAL 4/20 GANJA DAY! - UNGASS DEBATE - PRESENTATIONS FROM GOVERNMENT AND AFRICAN DIGNITARIES! REASONING WITH INTERNATIONAL GUESTS!

THURSDAY, APRIL 21ST.
THE PAN-AFRICAN MISSION !!!
* HRH PRINCE ERMIAS ARRIVAL @ 11 am* - MOTORCADE FROM NMIA - * OFFICIAL OPENING CEREMONY @ TRENCH TOWN * * PRESENTATIONS FROM GOVERNMENT AND AFRICAN DIGNITARIES * * REPARATION AND PAN-AFRICAN REASONING WITH LOCAL & INTERNATIONAL GUESTS *

FRIDAY, APRIL 22ND.
* PINNACLE HERITAGE SITE CEREMONY * HAILE SELASSIE I HIGH SCHOOL CEREMONY * UWI CEREMONY *

SATURDAY, APRIL 23RD.
* THE BUNNY WAILER TROPHY FOOTBALL MATCH @ HAILE SELASSIE I HIGH SCHOOL * COMMUNITY REASONING @ TRENCH TOWN *

SUNDAY, APRIL 24TH.
* CHURCH CEREMONY @ ETHIOPIAN ORTHODOX CHURCH - Maxfield Ave. * * COMMUNITY REASONING @ TRENCH TOWN *

NYAHBINGHI ORDER CELEBRATIONS AT MANSIONS!

100 YEARS OF PAN-AFRICAN MISSION

Roadmap to the 50th Anniversary Visit of H.I.M.!

Holy Priests, Warriors, and Traitors; be still! And know that I AM HE....

FOR MORE INFORMATION CONTACT: 826 0045; 482 7571; 587 6268.

JAMAICA FORUM FOR HUMAN RIGHTS (Empress Nanaah - Nanaah Harris Barrington)

INDIGENOUS TREATY MARCH AFRO-CENTRIC COMMUNITIES

Healing Of The African Nations

TUESDAY APRIL 19 2016

From: MANDELA PARK HALF WAY TREE To: JAMAICA HOUSE

STARTING TIME 12 NOON

KUMINA MAROON REVIVAL NYAHBINGHI

THE PAN-AFRICAN MISSION 2016

NYAHBINGHI ANCIENT COUNCIL & Rastafari Millennium Council Presents CULTURAL MAPPING

TRENCH TOWN NYAHBINGHI!

Rastafari Intellectual Property Right in Binghi, Ska & Reggae, and Ganja!

SUNDAY, February 14th 2016.

At the MULTI-PURPOSE CENTER 10 - 18 FIFTH STREET in TRENCH TOWN, FROM 10:00 AM - 10:00 PM!

LIVE VIDEO: SYMPOSIUM; Gathering of ELDERS, Fulfilling THE CREED! Roadmap to the 50th Anniversary Visit of H.I.M.!

Holy Priests, Warriors, and Traitors; be still! And know that I AM HE....

RASTAFARI NYAHBINGHI 5th TRUMPET CALL

Venue: TRENCH TOWN CULTURE PARK 1st STREET, KINGSTON 12

Date: SUNDAY, DECEMBER 1, 2013

Time: 10a.m - 7p.m.

Inviting The Communities Of: SCOTT'S PATH, PITFOUR, MALVERN, SPANISH TOWN, OCHO RIOS, PORTLAND, KINGSTON, BOBO HILL, 12 TRIBES OF ISRAEL, HOUSE OF DREAD, SCHOOL OF VISION, EWF Inc. RASTA ROOTS REGGAE ARTIST, ETC....

Special Guest Speakers:
Rastafari Ancients
Rastafari Millennium Council Executives
M.P. Mike Henry
Hon. M. O. Livingston CD, OJ (Bunny Waller)
Trench Town Community Representatives
Legal Representatives
Other speakers to be announced....
For more info contact: (876) 868-7863

REASONING ON: RASTAFARI ADMINISTRATION REPATRIATION REPARATION AT HOME AND ABROAD GANJA LEGALIZATION RASTAFARI CULTURAL AND REGGAE RIGHTS

RASTAFARI VENDING FOOD & REFRESHMENTS ON SALE