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AD HOC OPEN-ENDED INTER-SESSIONAL WORKING GROUP ON ARTICLE 8(j) AND RELATED PROVISIONS OF THE CONVENTION ON BIOLOGICAL DIVERSITY

First meeting

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Item 7 of the provisional agenda*

INTERNATIONAL COOPERATION AMONG INDIGENOUS AND LOCAL COMMUNITIES

Note by the Executive Secretary

EXECUTIVE SUMMARY

In its decision IV/9, paragraph 1 (e), the Conference of the Parties requested that the Ad Hoc Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity provide advice on measures to strengthen cooperation at the international level among indigenous and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity. The present note provides information on the ongoing cooperation among indigenous and local communities at the international level, and identifies opportunities for and obstacles to such cooperation.

Mechanisms identified that support ongoing cooperation include: international meetings and forums on thematic areas of relevance to indigenous and local communities; networks; and regional projects. The major constraints to the initiation and maintenance of international cooperation among indigenous and local communities are the lack of funds, insufficient mechanisms for information exchange, inadequate coordination of relevant activities among international organizations, and lack of awareness or understanding of traditional protocols and approaches to networking, decision-making and consensus-building.

SUGGESTED RECOMMENDATIONS

With respect to measures and proposals to strengthen mechanisms for indigenous and local community cooperation at the international level, the Ad Hoc Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity may wish to recommend that the Conference of Parties:

1. Emphasizes the need for Parties to increase the participation of indigenous and local community representatives in official delegations to meetings held under the Convention on Biological Diversity and to provide advance meeting time for indigenous and local community participants in order to facilitate traditional approaches to networking, decision-making and consensus-building;

* UNEP/CBD/WG8J/1/1.

2. Requests that Parties strengthen ongoing international cooperation among indigenous and local community and assist them in identifying other networking opportunities that would facilitate the implementation of the programme of work on Article 8(j), including through the organization of meetings on relevant topics, financial support and the development of collaborative projects addressing thematic areas and cross-cutting issues from the perspective of indigenous and local communities taking into account the ecosystem approach;

3. Requests the Executive Secretary to investigate how the clearing-house mechanism can best serve the cooperation needs of indigenous and local communities, taking into account such issues as the need for prior consent from indigenous and local communities before putting their knowledge in public domain;

4. Requests the Executive Secretary to invite appropriate international institutions and organizations to join an informal high-level inter-agency task force, coordinated within the framework of the Convention on Biological Diversity and focusing on proposals for action agreed by the Conference of the Parties, to undertake, in a transparent and participatory manner, further coordination and to explore means for collaboration and coherent action at the international, regional and country levels, in support of international initiatives of relevance to indigenous and local communities;

5. Requests the Executive Secretary to compile information on existing initiatives undertaken or commenced by indigenous and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity with a view to better articulating and understanding barriers and support-mechanisms for ongoing cooperation among indigenous and local communities, to increasing the respect and worth of indigenous and local community initiatives and fostering trust towards non-members of such communities.

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I. INTRODUCTION

1. The present note has been prepared by the Executive Secretary, with input from a liaison group convened by the Executive Secretary that met in Montreal on 25-26 November 1999. The note is intended to assist the Ad Hoc Open-ended Inter-Sessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity in its consideration of that part of its mandate set out in paragraph 1 (d) of decision IV/9 of the Conference of the Parties, by which the Working Group was requested to provide advice on measures to strengthen cooperation at the international level among indigenous and local communities and to make proposals for the strengthening of mechanisms that support such cooperation.

2. Accordingly, the note provides examples of ongoing cooperation initiatives among indigenous and local communities. In a following section, mechanisms that support these initiatives and some of the obstacles that are faced by indigenous and local communities in their efforts to cooperate on an international basis are identified. Finally, the note puts forward some proposals for strengthening mechanisms that support indigenous and local community cooperation at the international level.

II. ONGOING COOPERATION AT THE INTERNATIONAL LEVEL

3. Despite their diversity, indigenous and local communities often have common or shared interests, experiences, and areas of expertise, many of which transcend borders across the globe. International cooperation among indigenous and local communities facilitates, *inter alia*, access to a broader range of expertise, an increase in the efficiency of actions, the avoidance of duplication of efforts, and the ability to address transboundary and other issues common to many countries and relevant to the conservation and sustainable use of biological diversity. Cooperating on an international level also enables the sharing of information that ultimately improves domestic activities and brings cohesive resolution to global issues.

4. Ongoing international cooperation among indigenous and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity can be supported through attendance and networking at international meetings or forums addressing topics of relevance or interest to indigenous and local communities. Examples of such meetings would be as follows:

(a) Meetings under the World Intellectual Property Organization on the protection of intellectual property rights of holders of traditional knowledge;

(b) Meetings under the Convention on Biological Diversity, such as meetings of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA);

(c) Meetings within the framework of the Commission on Human Rights, such as those held by the Sub-Commission on the Elimination of Discrimination and Protection of Minorities and its Working Group on Indigenous Populations;

(d) Forums under the Commission on Sustainable Development, such as those held by the Intergovernmental Forum on Forests on the topic of traditional forest-related knowledge;

(e) Meetings organized by IUCN – the World Conservation Union.

5. Ongoing international cooperation among indigenous and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity can be achieved through the support of existing international networks, both human and technological, of indigenous and local communities participation. Barriers exist however in simply identifying and obtaining information on these initiatives. For example, with the exception of IBIN (Indigenous Peoples Biodiversity Network), the North American Indigenous Peoples Biodiversity Network and COICA (Coordinating Body for the Indigenous Peoples' Organizations of the Amazon Basin), international organizations or initiatives among indigenous and local people are not readily identifiable through searches on the Internet. These barriers, which are ultimately barriers to international cooperation among indigenous and local communities can be related to

communication capacity (i.e., no access to Internet transmission of information, traditional use of oral rather than written forms of communication, language), issues of trust (reluctance to share information with outsiders) and consent (consent to use information obtained orally.) In order to further identify such initiatives, it would be important to compile further information at the local or community level in a manner that removes these barriers.

6. A few international cooperation initiatives have been identified, primarily from the first-hand knowledge of members of the liaison group referred to in paragraph 1 above:

(a) Information-sharing and resource management initiatives are under way between peoples of the Andes and the Pacific on common resources such as sweet potatoes; an Asian indigenous pact on drylands exists; an international network of indigenous peoples in South-east Asia exists on marine-coastal matters; there are some initiatives in southern Africa: workshops have been held to establish cooperative links and an African research centre for indigenous knowledge has been established, as well as a working group on minorities;

(b) In the Americas, a network of traditional indigenous healers ("healers") in Canada commenced a medicine knowledge exchange in 1998 with healer counterparts in Mexico. Supported by one-time funding from Health Canada, this exchange began without the healers' knowledge of other international activities or processes and was initiated by the healers themselves in order to pursue the protection and preservation of traditional medicine knowledge across the Americas. Their efforts to cooperate internationally are based, from their perspective, on a recognition of shared matters: traditional spiritual teachings, colonial experience, the loss of precious medicinal plants in the face of rising environmental damages, and a justifiable fear of third party exploitation. The exchange forms an integral part of their efforts to create an appropriate and cohesive body in Canada for the collection and distribution of traditional medicine knowledge in connection with other such lodges across the Americas. The continuation of this exchange has been actively pursued since the first meeting and is currently being considered for funding by Canadian International Development Agency for continuation in March 2000 with a view to extending the network among healers into Central and South America.

III. OPPORTUNITIES, SUPPORT AND OBSTACLES TO INTERNATIONAL COOPERATION

7. International meetings and forums can provide opportunities to support ongoing international cooperation among indigenous and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity. International thematic areas, such as access to and management of genetic resources, benefit-sharing, and intellectual property rights can also provide opportunities for international cooperation and the promotion of international networking. Networking at these meetings and forums as well as around specific topics can provide indigenous peoples and local communities with the opportunities to make partnerships, exchange information and views, and strategize with counterparts.

8. In view of the importance of the ecosystem approach to biodiversity management, the ability of indigenous and local communities to cooperate around traditional territorial areas becomes compelling. Such an approach, as in transboundary protected areas, can generate opportunities for indigenous and local community cooperation and, in overcoming political boundaries, can promote the peace and stability of many regions, leading to better maintenance of biological resources.

9. Integral to an efficient and effective international cooperation is the ability of indigenous and local communities to organize nationally. This provides continuity, improved access to and sharing of information, and the ability to create cohesive strategies and approaches for sharing at the international level.

10. Notwithstanding the ability of international meetings and thematic areas to provide opportunities for international cooperation among indigenous and local communities, there remains a need for adequate

coordination to avoid unnecessary duplication or possible conflict with overlapping or relevant international initiatives being undertaken by international public and private bodies.

11. Difficulties faced by indigenous and local community efforts to cooperate on an international level are most often related to economics (poverty) and a need for capacity enhancement. While opportunities exist for indigenous and local communities to obtain international funding assistance, not all indigenous and local communities have access to them. In these instances, indigenous and local communities can only look to State funding sources that may not have the finance available for international initiatives. Indigenous and local communities may also face difficulties in obtaining domestic sources of funding where conflicts arise over the expression of rights. Difficulties are also related to a general lack of awareness within possible funding bodies, custom officials (searches of traditional sacred objects, regalia, etc.) and meeting hosts on the subject of traditional indigenous knowledge and related protocols. The resultant impediments reduce the opportunities for members of indigenous and local communities to travel and participate in international processes that would otherwise provide opportunities for networking and cooperation.

12. Related to international cooperation, dissemination and exchange of information is the use, among indigenous and local communities, of languages that are not dominant. Furthermore, modes of communication among many indigenous and local communities are oral in nature. Use of written documents solely in dominant languages can create barriers to both communication and understanding of substantive issues. Nonetheless, where written forms of communication are acceptable, the use of Internet technology, while still limited for many indigenous and local communities, provides significant opportunities for the exchange of knowledge, ideas and innovations. The clearing-house mechanism under the Convention could provide a supportive mechanism for ongoing cooperation among indigenous and local communities. This mechanism, however, requires prior consideration of intellectual property rights in order to fully facilitate the public sharing of traditional knowledge. Further, in order to establish and build on the trust of indigenous and local community users, representatives of indigenous and local communities should be involved in its operation.

IV. PROPOSALS FOR STRENGTHENING MECHANISMS FOR INDIGENOUS AND LOCAL COMMUNITY COOPERATION AT THE INTERNATIONAL LEVEL

13. Attendance and participation in international meetings. Indigenous and local community representatives should be further included in official delegations to give them an opportunity to meet and consider, among themselves, issues relevant to their concerns. Additionally, in order to support oral and protocol traditions, including ceremonial requirements, on education, communications, and networking objectives, indigenous and local community participants should be provided adequate time for preparation prior to international meetings, forums and other Convention-related meetings.

14. Exchange of information. A clearing-house mechanism dedicated to and involving indigenous and local communities in its operation be supported. This mechanism should also be supported to develop an electronically accessible collection of translations into indigenous and local community languages.

15. Networking: Indigenous and local communities should be encouraged to identify topics under thematic areas and cross-cutting issues and to develop networks around these matters. These networks could subsequently be strengthened through the development and funding of projects. Computer-technology resources for indigenous and local communities should be given a high priority, taking into account the need to preserve and respect oral traditions. Networks based on ecosystems and thematic areas should be supported and coordinated with other relevant international agencies.

16. Capacity -building. Global funding opportunities for all indigenous and local communities who are pursuing international cooperation around biodiversity matters should be developed and/or identified. Funds should be made available for capacity building and to provide input and recommendations for

thematic areas and the cross cutting issues within the present program of work. (see the proposed programme of work (UNEP/CBD/WG8J/1/3): task one)

17. International agency coordination. An inter-agency task force should be established for the collection, coordination, facilitation and dissemination of information and actions on international (public and private) agency initiatives of relevance to international cooperation initiatives of indigenous and local communities.

18. Research. Further research should be conducted on existing initiatives undertaken or commenced by indigenous and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity to better articulate and understand barriers and support mechanisms for ongoing cooperation between indigenous and local communities. Further, the scope and range of the application of traditional biodiversity related knowledge requires better understanding in order to further identify relevant thematic areas, as well as international agencies and processes. (see the proposed programme of work : task six).
