



CBD



CONVENTION ON
BIOLOGICAL DIVERSITY

Distr.
GENERAL

UNEP/CBD/COP/3/Inf.3
16 October 1996

ORIGINAL: ENGLISH

CONFERENCE OF THE PARTIES TO THE
CONVENTION ON BIOLOGICAL DIVERSITY
Third meeting
Buenos Aires, Argentina
4 to 15 November 1996

SUBMISSIONS RECEIVED BY THE EXECUTIVE SECRETARY CONCERNING
KNOWLEDGE, INNOVATIONS AND PRACTICES OF INDIGENOUS AND LOCAL
COMMUNITIES

(Submissions have been reproduced as received by the Secretariat)

CONTENTS

Burundi Page 3

China..... Page 4

Costa Rica..... Page 5

New Zealand..... Page 7

Peru..... Page 8

South Africa..... Page 9

BURUNDI

J'ai l'honneur de me référer à votre note de demande d'information relative aux forêts, populations autochtones et communautés locales, pour vous adresser notre sincère encouragement et vous assurer de notre entière disposition pour contribuer à la réussite de votre projet de document.

En effet Monsieur le Secrétaire exécutif, comme dans toutes les sociétés traditionnelles, le Burundi dont la population est rurale à 85 % possède encore dans sa culture des atouts non négligeables pour la protection du patrimoine naturel. A travers les contes, les récits, les proverbes et poésies populaires les adultes parviennent à inculquer à la jeunesse des attitudes positives pour le respect de la vie. Ils adoptent des comportements bénéfiques pour la Conservation du Patrimoine Naturel, surtout en ce qui concerne la petite faune sauvage (aussi bien les animaux anthropophiles que les animaux de forêts ou de savanes).

Le séminaire atelier que vous organiserez durant la première semaine de février 1998, nous intéresse à plus d'un titre, et je vous serais très reconnaissant de bien vouloir associer nos cadres techniques à ses travaux. Le Directeur Général de l'Institut National pour l'Environnement et la Conservation de la Nature (INRECN), Dr. Gaspard NIKWERU est prié de vous fournir la synthèse des informations utiles à ce sujet.

VII. On knowledge, innovations and practices of indigenous and local communities

China is composed of various and colourful ethnic cultures. Many minority nationalities believe in their primitive religions which hold that everything in this physical world has its own spirit, and they worship the mountain, water, forest and physical things. To cite examples, the Tibetans settling in the Northwest of Sichuan province believes in their Bon religion and they hang the streamers with scriptures on it in the trees, the Ha'ni nationality and the Dai nationality also worship the trees and enshrine them. In the areas where the Dai, Miao, Buyi, Li nationalities dwell, the "holy woods" can be seen all around and the plants and animals as well as the scenery are well preserved. The Tong nationality opens up a little area for the oxen to browse in the woods and the little area is enclosed and the oxen are prevented from entering the woods to destroy the young trees. In this way the contradiction between the forestry and grazing is solved and the forest ecological system is thus protected.

COSTA RICABIOPROSPECTING AND INDIGENOUS TRADITIONAL KNOWLEDGE IN
COSTA RICAPrior Consent

An international agreement of bioprospecting that involves a research to be carried out in Indian territories, needs the prior consent of the local communities, when the investigation includes collecting ethnobotanical information about samples from the flora and fauna and/or genetic studies about the samples, or detecting active compounds with therapeutical effects. Regarding this matter, the Convention on Biological Diversity (ratified by Costa Rica with Law No. 7416, published in the official journal "La Gaceta" No. 143, of July 28, 1994), provides in article 8 (j), that signatory parties are bound to "...respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilisation of such knowledge, innovations and practices" (underline is mine).

Rainforest Alliance in collaboration with others, has prepared a model contract which "...is intended as a guide to the negotiation of contracts for collection of biological samples.", that requires "...informed consent...of any indigenous people who traditionally reside in or use an area..." in which research activities are to be conducted; this model contract also covers other issues, such as royalties to be paid in case of a useful discovery, and the acknowledgement by any publication of the contributions made by an ethnobiologist, indigenous person or people, providing information leading to the identification or better understanding of a sample or product.

On 1994, a pharmaceutical company signed an agreement with a local community, being this the first formal acknowledgement by a foreign company of the value and use of traditional knowledge of indigenous peoples in Costa Rica. The company believes it has "...only scratched the surface of the opportunities that lie in the traditional knowledge of medicinal plants" and is "...committed to provide a portion of the profits of any and all products to all of the communities and countries in which..." it has worked.

National Inventory Program

The Inventory of biodiversity in Costa Rica, is being carried out by INBio -Instituto Nacional de Biodiversidad (National Institute of Biodiversity)-, focusing, primarily, on the conservation areas, which are thought to contain most of the species that can be found in the country (see clause first of a cooperative agreement signed on October 7, 1994, between INBio and Mirenam -Ministry of Natural Resources, Energy and Mines-, today called Ministry of Environment and Energy). INBio has offered several training courses in "parataxonomy" to people from rural areas, for the recollection and primary identification of species in the field.

The above mentioned National Inventory Program, could eventually include Indian territories, and train some members of these communities as "parataxonomists", who would be in charge of collecting samples for the Inventory. This would enable the communities to participate in the use, management and conservation of their natural resources (see article 15, I.L.O. Convention No.169, concerning Indigenous and Tribal Peoples in Independent Countries, ratified by Costa Rica with law No.7316, published in the official journal No. 234 of December 4, 1992).

Additionally, international agreements of bioprospecting, could include financial support for the training of indigenous "parataxonomists", since, as the inventory carried out in Indian territories progresses, it will be possible to determine beforehand, in a more precise way, the convenience of a research in these territories (from the beginning of a training course, it is a practice of INBio, to pay a monthly salary to those receiving it).

On 1992, the parataxonomy course given by INBio, was planned especially for rural women, idea that could be applied for Indian communities, so the program complies with the Convention on Biological Diversity and Program XXI, that emphasize the necessity to enhance opportunities for women, in the community social and economic development.

NEW ZEALAND

"Consultations with Maori on how to address concerns that Maori have in relation to their traditional knowledge, cultural property and indigenous material are at a very preliminary stage. Among the issues that are likely to be discussed are expropriation or inappropriate use of such knowledge, and mechanisms for its protection."

Conocimientos, innovaciones y prácticas de comunidades indígenas y locales.

En febrero de 1998, por iniciativa del Ministerio de Agricultura y el INDECOPI se formaron Grupos de Trabajo multisectoriales para abordar los temas de acceso a recursos genéticos y la protección de conocimientos innovaciones y prácticas de comunidades indígenas y locales.

El Grupo de Trabajo 1, trabajará el tema de la organización interna de las comunidades y los mecanismos que utilizan -o podrían establecerse- para compartir los beneficios generados colectivamente por el aprovechamiento de la diversidad biológica.

El Grupo de Trabajo 4, establecerá los mecanismos jurídicos que garanticen una distribución justa y equitativa al interior y entre las comunidades de los beneficios que se derivan del aprovechamiento de sus conocimientos, innovaciones y prácticas asociadas a recursos genéticos.

A nivel de actividades de bioprospección en tierras de comunidades indígenas y locales, así como el aprovechamiento de plantas medicinales, se están proponiendo alternativas contractuales como contratos de "Know-how" con el objetivo de garantizar la propiedad colectiva de las comunidades -específicamente los conocimientos, innovaciones y prácticas- relativos a la diversidad biológica.

SOUTH AFRICA

Re: Request for written contributions and information on:

- a. The Conservation and sustainable use of Marine and coastal biological diversity
- b. Intellectual property rights
- c. Transfer and development of technology under the CBD
- d. Information on Forests and biological diversity.

Re: Background material

- a. Knowledge, innovations and practices of indigenous and local communities
- b. Incentive measures for promoting conservation and sustainable use of biological diversity
- c. Identification, monitoring and assessment of biological diversity

Re: Guidelines of the review of the effectiveness of the financial mechanism of the CBD.

Unfortunately South Africa is not yet in a position to make a meaningful contribution with regard to the above mentioned requests.

South Africa is currently in the process of developing a strategy for the implementation of the Convention on Biological Diversity (CBD). As soon as this process is under way and the appropriate and responsible organisations have been identified, we would submit the information you requested (Target date, 31 August 1996).