

**CONVENTION ON
BIOLOGICAL
DIVERSITY**

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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**

Fourth meeting

Granada, 23-27 January 2006

Item 5 of the provisional agenda*

**REPORT OF THE AUSTRALIAN REGIONAL MEETING ON THE COMPOSITE REPORT
ON TRADITIONAL KNOWLEDGE**

(Canberra, 16- 18 August 2005)

Regional report: Australia

Note by the Executive Secretary

The Executive Secretary is circulating herewith, for the information of participants in the fourth meeting of the Ad Hoc Open-ended International Working Group on Article 8(j) and Related Provisions, the report of the workshop held in Australia in support of the Asia/Australian Regional Report on the status and trends regarding the knowledge, innovations and practices of indigenous and local communities, which has been used as input for the Executive Summary of the second phase of the composite report on the same subject (UNEP/CBD/WG8J/4/4).

The report is being circulated in the form and language in which it was received by the Secretariat.

* UNEP/CBD/WG8J/4/1.

I. SUMMARY

The Australian Regional Meeting was attended solely by delegates from Australia. A total of 26 people participated, with an Indigenous specific workshop on August 16 and 17, attended by 10 Indigenous people and 2 Australian Government experts, with a further 14 Government experts from a variety of Government Departments and Agencies joining on August 18. The participants contributed greatly to research for considering threats to the retention and use of the knowledge, innovations and practices of Indigenous and local communities relevant to the conservation and sustainable use of biological diversity, that is traditional knowledge (TK) at local, national and international levels. Day 3 developed a positive dialogue between Indigenous delegates and Government representatives which achieved a number of outcomes which may assist to further this dialogue in the future on TK related matters.

The meeting was organized and report prepared by Mr. Glen Kelly, Visiting Research Fellow, Australian Institute of Aboriginal and Torres Strait Islander Studies, 2005.

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I. INTRODUCTION

1. In paragraph 4(a) of decision VII/16 of its seventh meeting, the Conference of the Parties of the Convention on Biological Diversity (CBD), requested the Executive Secretary to continue work on phase one of the composite report on the status and trends regarding the knowledge, innovations and practices of Indigenous and local communities in order to produce a revised version of it, taking into account the following elements, *inter alia*: (a) the organization of regional workshops. An Australian Regional Meeting on status and trends on TK was held at the Australian Institute for Aboriginal and Torres Strait Islander Studies (AIATSIS) in Canberra and at the Australian National University (ANU), Canberra, Australia 16 – 18 August 2005.

2. The regional workshop was made possible thanks to the support of the Genetic Resources Management Policy Section of the Australian Governments Department of the Environment and Heritage (DEH) and was coordinated and facilitated by the Native Title and Land Rights Unit (NTRU) of AIATSIS in cooperation with the DEH.

3. The meeting was divided into two phases. The first on 16 and 17 August 2005 at AIATSIS provided the opportunity for Australian Indigenous delegates to contribute to the preparation and the substantive content of the report on the status and trends of traditional knowledge and factors that threaten TK in the Asian and Australian region. The second phase on 18 August 2005 at the ANU allowed the participation of a variety of Australian Government Agencies (see annex III) involved in the development of policy and legislation surrounding the protection, management and use of TK and genetic resources to enter into a dialogue on matters associated with threats to TK and of matters of mutual concern, particularly substantive policy development and network creation.

II. ORGANIZATION OF WORK

A. Attendance

4. Mr. Glen Kelly, who is compiling the Asian Australian Regional report co-ordinated and facilitated the workshop. Mr Geoff Burton, Mr Ben Phillips from the Genetic Resources Management Policy Section of the DEH were also present and participated in all three days of discussion.

5. The Workshop was attended by 12 people on days 1 and 2, being Indigenous people, representatives of Indigenous organisations, AIATSIS and DEH and a total of 23 persons on day 3. The attendance list is contained in Annex III of this report.

B. Documentation

6. The participants had before them a proposed agenda and a background paper outlining the aims and objectives of the workshop. The executive summary of the first draft of the threats to TK report was delivered as a presentation during the first session of the workshop.

7. Documentation made available for the Workshop is listed in Annex II with the background paper provided to participants included in Annex IV.

C. Opening of the meeting

8. The meeting was opened at 9:30 am on Tuesday 16 August 2005 by Mr Glen Kelly, a member of the Nyungar people of the South West of Western Australia, a staff member of AIATSIS, the compiler of the Asian Australian Regional report and the co-ordinator and facilitator of the workshop.

D. Election of officers

9. Mr. Glen Kelly was accepted as the facilitator of the meeting and Mr Ben Phillips of the DEH was accepted as rapporteur.

E. Adoption of the agenda and programme of work

10. The Workshop adopted its agenda on the basis of the proposed agenda and programme of work as submitted by AIATSIS and the DEH. The agenda and programme of work are contained in annex I.

11. The Workshop was conducted through initial presentation, information sharing and scene setting, followed by a number of plenary sessions. Day 3 followed a similar format with presentation of background materials, a summary of the previous 2 days of workshop, followed by open discussion and plenary sessions.

F. Closure of the Workshop

12. The meeting was closed after the final plenary session on 18 August 2005.

III. OBSERVATIONS

A. Goals and expectations

13. At the commencement of day one, it was noted that the purpose of the workshop was to provide an opportunity for Indigenous peoples to provide input into the Second Phase of the Asian and Australian Regional Report on the status and trends concerning the knowledge, innovations and practices of Indigenous and local communities relevant to the conservation and sustainable use of biological diversity and specifically to identify processes that may threaten traditional knowledge with the view to the identification and assessment of measures and initiatives to protect, promote and facilitate the use of TK.

14. The workshop also had additional goals that supplemented the report on threats to TK, mainly based on dialogue and networking between Indigenous peoples and Government Agencies. These goals were outlined in the background paper sent to participants and were listed as:

- 1 To assist in the development of the report to the Secretariat of the CBD into the threats to the practice and transmission of TK.
- 2 To further develop and maintain dialogue between Indigenous peoples and Australian Government on the matter of TK and its related issues.
- 3 To bring a group of knowledgeable Indigenous people together from around Australia and to provide a forum through which they can conduct a dialogue, share information, network and consider future directions for the subject matter of TK.

15. There were also a number of supplemental outcomes that were hoped to be achieved, as outlined in the background paper, supplied in Annex IV.

B. Process

16. Participants were provided by AIATSIS with a summary and an overview of the first draft of the composite report into threats to the practice and transmission of TK in Asia and Australia complimented by a visual MS Powerpoint presentation. This was to provide a context for discussions concerning threats to TK which were to be conducted throughout the course of the workshop. This prompted discussion amongst delegates on the body of work to be performed and the information provided, which assisted in developing focus on the body of work at hand.

17. Following this, group based and facilitated mind-mapping exercises to contextualize discussions on TK, to identify obstacles to the retention of TK and to identify and assess measures and initiatives to protect, promote and facilitate the use of TK, where they exist, were performed. Each mind mapping exercise was facilitated, but recorded by the group itself in the manner felt most appropriate by the group. This developed a series of mind maps, which are visual depictions of concepts and their interrelations, and were considered as raw data for inclusion into the report on threats to TK in the Asian and Australian region.

18. These mind mapping exercises were conducted sequentially in separate plenary sessions so as to build a comprehensive set of data for reporting. Firstly, the topic of TK itself and the manner in which it was visualised was discussed, which was important for setting the foundation for subsequent discussion on threats to TK. Subsequent plenary sessions were held on threats to TK at a local, national and international level. All of these sessions were facilitated, with workshop participants

recording information in a mind map format in the manner that was seen to be most appropriate by the group. In particular, the mind map exercise on matter and content of TK itself produced a very powerful visualisation of how the group, and indeed Australian Indigenous peoples, view TK.

19. Day three, conducted on campus at the ANU, commenced with a presentation on essential concepts of TK from an Australian Indigenous perspective and an overview of the work completed on days 1 and 2 with Indigenous participants on threats to TK. This was followed by 3 plenary sessions with officials from Government Agencies. These plenary sessions engaged in discussion on explanation of Indigenous perspectives, gaining understandings of the role of each agency at a local and international level in regard to TK, its use and/or protection and areas of progress that could be undertaken from each party.

C. General Observations

20. The first plenary involved participants mind mapping their perceptions or visions of TK. This was not an easy exercise, but was important in order to set the foundations for further discussion. Visualisation involved a number of iterations prior to a level of consensus being reached, and after many permutations, the following visualisation was developed.

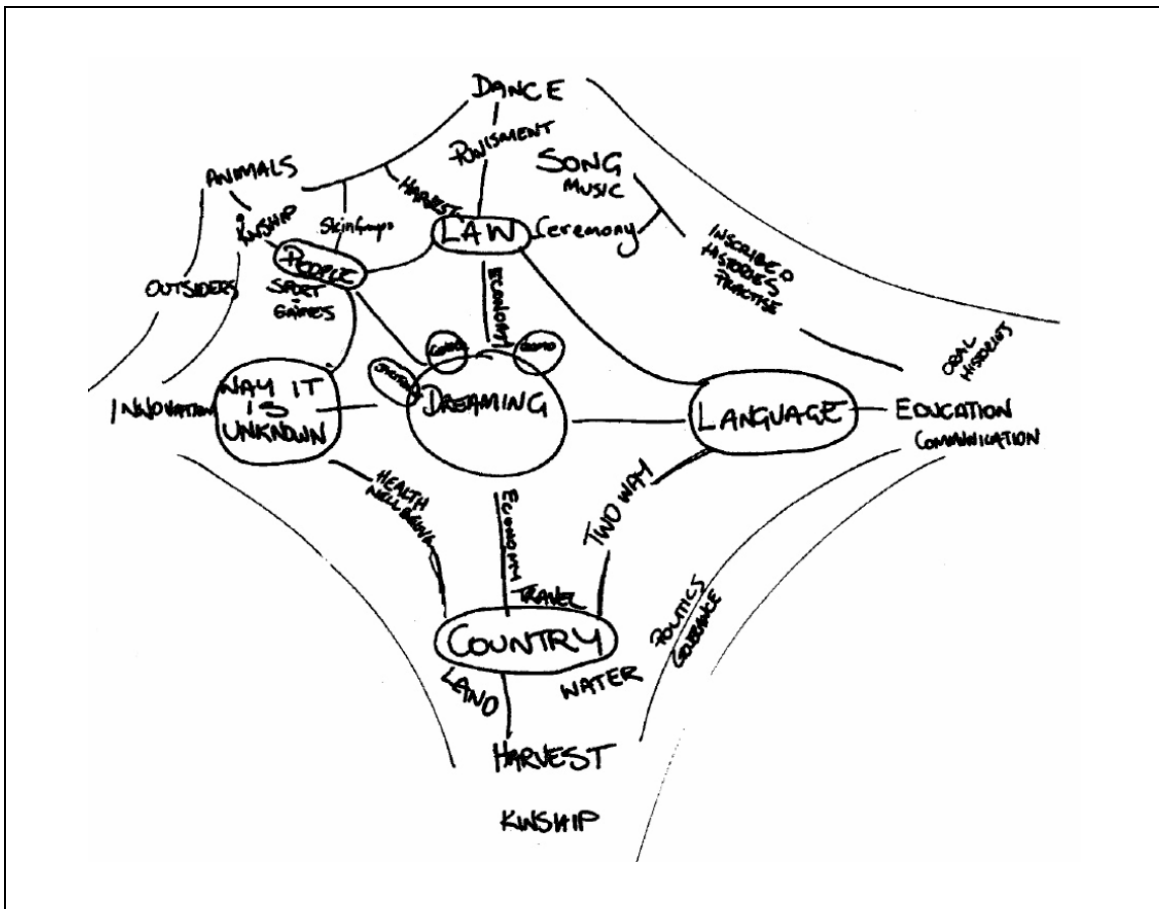


Figure 1: A Conceptualisation of TK from an Australian Indigenous Perspective

21. This abstract looking figure is a raw reproduction of the visualisation that was developed through negotiation by Indigenous peoples from across the continent of Australia. As it is developed by way of consensus, many of the terms used in Figure 1 are generalised, such as the word “dreaming” in the centre, which can be given in this sense to mean the origin of people, country, culture, law and knowledge, and has replaced the term “traditional knowledge” in this conceptualisation. It must be noted that the term “dreaming” is a generic term and is not one that is used as a local level, with peoples preferring their own localised terms which more accurately express

their cultural conceptions of the concept. However, in the spirit of consensus, this and other more commonly used terms, rather than local terms, were used in this diagram.

22. The next matter to note is that as a device, this diagram is a conceptual tool that provides a foundation for further discussion, and shouldn't be regarded as a definitional instrument. This is the case as there is too much diversity within Indigenous Australia for a small group of people to provide a 'definitive' definition of TK from an Australian Indigenous perspective. This was a matter that was discussed and fully acknowledged by the group.

23. With these qualifications made, there are some key attributes of this diagram that remain illustrative of the manner in which Indigenous peoples from Australia view their knowledge, and it is these observations that are perhaps more important than the content of the diagram. Firstly, and although a term arrived at through compromise, the word "dreaming" in the centre, in replacement of the term "traditional knowledge" provides a strong cultural context for knowledge.

24. This is a statement that culture and knowledge are intertwined, and a declaration that traditional knowledge has a cultural context in which it exists. It was noted by participants that this is a far greater acknowledgement than that which is often put forward by those operating in a western knowledge set, who often do not think of their knowledge, its development and its use, particularly in the scientific field, as deriving from a cultural tradition. It was asserted by participants of the workshop that followers of reductionism and empiricism clearly follow a particular school of thought or epistemology, yet are unaware that this has been established through a long chain of European based cultural traditions and assertions. In this workshop, participants were keen to make the point that TK has a cultural space, and to reiterate the importance of this in relation to TK systems.

25. The second important point to note in relation to this diagram is the diversity of subject matter that is reflected. What is being asserted is that a TK system, as envisaged by delegates, does not contain few or isolated parcels of knowledge, but in fact contains a diversity of knowledge on a variety of subjects which together, enable a society to function. While these may differ from other societies, these diverse knowledge sets, combining into a TK system, provide the normative system through which an Indigenous society functions, makes decisions and adapts to new circumstances.

26. The third important aspect of this diagram is its web like nature, which reflects the interconnectedness of the varying elements of a TK system. In this conceptualisation, this is a statement that one cannot disturb or disrupt one aspect of a TK system without having resultant or similar effects in other areas, as they are connected and reliant upon each other. It is also an assertion in support of the notion of holism, in that it is not possible to isolate, or reduce to one part of a TK system and expect to understand it, as it is without context if the interconnections and the other portions of the system that one part relies on are not understood.

27. With this conceptualisation of TK, subsequent plenary sessions were focussed on threats to these knowledge systems, focussing in turn on local, national and international issues. Initially, extensive discussion was held on the actual terminology being used, that is the word 'threat' and what this conveyed, as it was put to the group that the term 'threat' implied a passivity on the part of Indigenous peoples, an inability to respond and a perception of inevitability that a 'threat' may be insurmountable. Rather than use this terminology, participants chose to work in a more active nomenclature, and chose to use the term 'challenge' to TK.

28. The idea of challenges to TK conveys that there exists a number of negative influences that provide challenges to the ongoing viability of TK systems and therefore Indigenous cultures, but these could be recognised, understood, acted upon and managed by Indigenous peoples. This simple nomenclature change provided an immediate and positive change to the type of discussion being held, and enabled participants to engage in a dialogue that was active and positive, rather than passive and negative, a type of dialogue that Indigenous peoples around Australia are seeking to develop in a variety of areas. It also developed the idea that participants weren't merely attending the workshop to record threats to TK, but were attending to discuss challenges and commence the development of strategies which may assist to overcome them.

29. The plenary sessions on TK challenges at local, national and international levels were also illustrative of the types of common pressures that are placed on Indigenous peoples around Australia,

with consensus on most matters being relatively easy to reach. These plenary sessions produced mind maps of the areas of consideration, which have not been reproduced here in a raw form. Rather, the information contained within them has been incorporated into the full report on challenges to TK in the Asia and Australia region and generally summarised in this report.

30. The most striking feature in relation to the various areas of consideration, that is local, national and international, was the very strong hierarchy of thought in relation to the challenges to TK at each of these levels. This emerged as delegates developed and recorded their thoughts in the mind mapping exercise, and engaged in open discussion on their experience from each geographic area.

31. At a local level, the main class of pressure was seen to be largely social in nature, and deriving from such things as poverty, health effects and low life expectancy, substance abuse, capacity, lack of local pathways and tools to meet challenges, lack of access to lands, displacement, disempowerment and internalised oppression, stolen generation effects, poor regard of knowledge from outsiders and general assimilationist pressures as presented by Governments, media, education systems through inappropriate pedagogy and other sources which seek alienate people, particularly youth, from their TK systems.

32. At this level, there was significant discussion on the idea of a “cultural crush” in which in particular, younger generations are placed. This discussion related to the pressures of Indigenous society, and the norms and precepts that it imposes, and the often conflicting expectations and imperatives of non-Indigenous society. This creates a dual set of expectations on Indigenous peoples, and often creates a dilemma that people are unable to navigate, resulting in alienation from both societies. This in turn creates a variety of social issues and tends to disrupt the cultural institutions of Indigenous peoples, which places significant challenge before the continued practice and transmission of TK.

33. At a national level, many of the challenges that were raised were political in nature, in particular, political issues that are developed by the state and/or could be resolved by the state. This was a strong theme at this level of consideration, as the effects of these political issues were seen to be causal, that is, many of the issues that were considered at the local level were either caused or perpetuated (or both) by Governments that either do not represent, in any substantive manner, Indigenous peoples, or Governments who work against the interests of Indigenous peoples, and seek to subsume Indigenous rights and interests into those of the state and redistribute them to corporate entities or non-Indigenous citizens.

34. Some of the issues raised in this political theme related to the more assimilationist policy setting of Government at the current time, the lack of recognition of Indigenous peoples in Australia as a distinct polity, the development and amendment of legislation, such as the *Native Title Act (1993)* which now places burdens of proof only on Traditional Owners while simultaneously validating the titles of non-Indigenous peoples at the expense of native title, the hollow or insincere implementation of Indigenous heritage legislation so that it only provides symbolic protection of Indigenous interests, manipulation of majority politics to cast Indigenous interests as subordinate or counter to any national interest (an effect Alexis DeTocqueville termed the “tyranny of the majority” in his 1830’s publication “Democracy in America”).

35. A further theme that was developed at this level of discussion was non-recognition of TK, and the lack of value that the dominant western society places in the passage and practice of TK. This was seen as a particularly important issue as it was perceived to encourage the development of policy and legislation that undermines the practice of TK by regarding it as superstitious and unreliable, and therefore presents major challenges for the continued transmission and practice of TK. One such enquiry that was raised was why caring for country (that is TK based environmental management by Indigenous peoples) is not seen to be in the national interest? This is an enquiry that indeed does have some resonance in relation to the practice and passage of TK, as if caring for country was valued, the use of TK would be encouraged, thereby enhancing its retention.

36. At the international level, challenges were mainly listed as concerns with the development of intellectual property (IP) systems that do not properly and adequately protect Indigenous IP, or that allow states to develop regimes that discriminate against the interests of Indigenous peoples. These

concerns were also linked to challenges presented by globalisation developments, which were seen to weaken protections and make Indigenous peoples in particular, open for further exploitation from new capital driven colonial forces.

37. There were also a number of positives considered in relation to the international arena that look towards providing some protections from these challenges. The Convention on Biological Diversity is one, and other developments from other international players are considered in a positive light. There are significant challenges related to these more positive efforts however, being the time that it takes to generate outcomes at the international level and the inability, particularly of Indigenous peoples in Australia, to independently participate in these international forums due to lack of support.

38. The information gathered at these two days of workshop was then collated for inclusion into the report on threats to TK in the Asia and Australia region. Please note, the term 'threat' has been used here due to the mandate provided by the Secretariat of the CBD for the subject matter.

Day 3, Meeting with Government Representatives at the Australian National University.

This part of the workshop was held with agreement that it would be conducted under Chatham House rules, whereby participants of the discussion are free to use the information made available, but neither their identity nor the affiliation of those who make particular statements can be revealed.

39. In the spirit of the Chatham House rules in which these discussions were held, the reporting of this stage of the workshop is generalised into broad themes of discussion and the types of conclusions that were reached from these discussions. Participants are listed in Annex III, however it must be remembered that their participation was based on broad discussion and the presentation of Departmental and Governmental perspectives in the spirit of sharing information, rather than on a basis of negotiation.

40. Instead of a day for further research on the topic of challenges to TK then, day 3 was held specifically to create a dialogue between Indigenous peoples and Government Agencies who have a mandate to act on areas that affect TK, its protection, its practice and its transmission. From the outset, this dialogue is critical to commence any movement towards agreed outcomes in this area, which is hoped to be achieved in future meetings and workshops.

41. Day 3 of the workshop was held in 4 sessions, the first being a presentation of the summary of the previous 2 days workshop, and a summation of the key concepts surrounding TK. The second was the commencement of a facilitated dialogue between Indigenous participants and Government officers, which continued into the third session, and the fourth related to outcomes that were to be taken away from the meeting.

42. Initial presentation and discussion assisted to develop a common understanding of the underlying notions at issue, and outlined some of the characteristics of TK, some of the spaces in which TK is situated, that is territorial (spatial), cultural and temporal spaces and the notion that when you change one of these spaces, be it the land, the culture or the time in which you observe, TK will have also changed. The notion of the word tradition referring to the social process or knowledge transfer rather than a definitional moment in the past was also presented. Following this, a summary of the challenges to TK discussed in the previous two days of workshop was discussed.

43. Attention was drawn to the challenge that Indigenous peoples in Australia currently have in representing and presenting concerns to Governments and Government agencies, to develop dialogues with agencies involved and in general, do not have a good understanding of the roles of particular Government Agencies and Departments who deal in matters associated with TK. From this basis, representatives of each of the Departments and Agencies present put forward summary of their role in matters related to TK, and entered into a dialogue with Indigenous participants regarding these roles and the opportunities that existed for further engagement and dialogue with Indigenous peoples, particularly in relation to the development of policy, legislation and positions at international forums.

44. While engaged in this discussion, the issue of improving Indigenous networks was also raised by an number of the representatives of the Australian Government. Government agencies strongly indicated they were keen to engage the Indigenous community in order to seek informed and timely advice in regard to matters related to TK, but were required to undertake a development of their

Indigenous networks pursuant to changes in the administration of Indigenous affairs in Australia. It was also presented that the workshop presented an positive opportunity in which this could occur.

45. While it was noted that the workshop was a preliminary meeting, it was agreed that the mutually held issue of lack of access to, and information from, each party could be advanced. worked on and was then developed further, and several options for future action were discussed.

46. One particularly urgent action was identified by Indigenous participants, that being the forthcoming meetings on Article 8j of the CBD and on access and benefit sharing (ABS) in January 2004. It was noted that the Australian Government was to be represented at this meeting, but would be doing so with little Indigenous input into its position, and also in the absence of any Indigenous people from Australia at the meeting itself, due to lack of support mechanisms for Indigenous people from Australia to independently attend these meetings. As such, there was a strong and pressing need for agencies to have strong contact with Indigenous peoples prior to this meeting so as to be able to present positions which were, at least in part, reflective of the people they were set to affect.

47. While it was agreed that this was an important challenge to overcome, there was some reticence to engaging in formal structures due to cost implications. Still, there was agreement amongst parties of types of actions that may be undertaken, which are outlined in the following section.

48. In general, this part of the TK workshop was thought to be a success, and the preliminary commencement of a dialogue between the varying parties present at the workshop was thought to be a positive step towards more robust developments.

IV. OUTCOMES

49. The days one and two of the workshop provided a significant amount of information and data for the report into threats to TK. This data has not been translated to this report, and rather the overview that is contained in the previous section provide the reportage of these two days.

50. Day three, the discussion between Indigenous peoples and Government Agencies did produce some preliminary outcomes, which are hoped to set the foundation for further work in this area. These outcomes are:

1. That although the workshop was a preliminary meeting, it commenced the development a foundation for future interaction between Indigenous parties and Government Agencies on TK related matters.
2. All participants recognised the need for ongoing, increased and expanded liaison between Indigenous and Government parties with responsibilities relating to TK.
3. That Government parties recognised the need for and were willing to have increased liaison with Indigenous parties in relation to TK issues and developments, particularly in light of the upcoming 8j and ABS meetings in January 2006.
4. That an informal networks need to be created between Indigenous peoples themselves and between Indigenous peoples and Government Agencies on the matter of TK for the purpose disseminating information, discussing ideas and issues and for providing input and comment into pertinent TK issues, policies and legislation both within Australia and at an international level.
5. That formal mechanisms such as formal workshops on an hoc and issues based basis or on a planned and regular basis for the purpose of providing a high level forum for interaction between Indigenous people and Government agencies for dialogue, debate and the development of formal sets of advice and direction setting in areas relevant to TK.
6. That AIATSIS would provide leadership in the investigation, commencement and promotion of both informal and formal arrangements by providing research and stewardship of proposals.

Annex I
Agenda and programme of work

ADOPTED AGENDA

Tuesday, 16 August 2005, Mabo Room, AIATSIS

1. Opening of the meeting;
 - 1.1 Introduction of delegates;
 - 1.2 Aims of the Meeting.
2. Organizational matters:
 - 2.1 Adoption of the Agenda;
 - 2.2 Organization of Work;
 - 2.3 Review of Report from Philippines meeting
3. Background and introduction to work performed so far.
4. Mind-Mapping Traditional Knowledge
5. Reflections on Mind Mapping
6. Examining the threats to TK on a local, national and international level.

Wednesday, 17 August 2005, Mabo Room, AIATSIS

7. Presentation on the proposal for the development of a United Nations University centre in Australia dealing with Traditional Knowledge.
8. Item 6 continued
9. Workshop Plenary.
 - 9.1 Development of recommendations for the SCBD;
 - 9.2 Discussion on Australia specific action items;
 - 9.3 Discussion on communiqué for Day 3 meeting with Government representatives.

Thursday, 18 August 2005, University House, Australian National University

10. Welcome government representatives to workshop.
 - 1.1 Introduction of delegates;
 - 1.2 Aims of the Meeting.
11. Background and presentation of work performed over previous 2 days.
12. Mapping policy terrain
13. Mind-Mapping TK policy integration
15. Summary and Conclusion

ORGANIZATION OF WORK FOR THE REGIONAL WORKSHOP ON THE THREATS TO THE PRACTICE AND TRANSMISSION OF THE KNOWLEDGE, INNOVATIONS AND PRACTICES OF INDIGENOUS PEOPLES IN AUSTRALIA

	<i>Item</i>	<i>Notes</i>
<i>Tuesday</i> 16 August 2005		<u>LOCATION: Mabo Room, AIATSIS.</u>
9:30 am – 12:30 pm <i>Includes morning tea</i>	1. Opening of the meeting; 1.1 Introduction of delegates; 1.2 Aims of the Meeting. 2. Organizational matters: 2.1 Adoption of the Agenda; 2.2 Organization of Work; 2.3 Review of Report from Philippines meeting 3. Background and introduction to work performed so far.	1. Meeting opened by AIATSIS in partnership with the DEH. 2. Representative of AIATSIS to act as chairperson, Representative of DEH will act as Rapporteur. 3. Power-Point presentation of draft report “Threats to the Practice and Transmission of Traditional Knowledge in the Asia and Australian Region” by Glen Kelly.
1:30 pm – 5 pm <i>Includes afternoon tea</i>	4. Mind-Mapping Traditional Knowledge 5. Reflections on Mind Mapping 6. Examining the threats to TK on a local, national and international level.	4. Activity designed to create the context for workshop discussions by working in groups to discuss Indigenous perspectives of TK, what it is built from and its importance within the Indigenous community. 5. Reflections on mind mapping will take the form of a brief presentation from groups of results of item 4, as well as questions from the floor. 6. With common understandings on TK developed and negotiated, this session deals with producing information on the processes and actions that threaten TK on local, national and international levels as well as identification of measures and initiatives that may offset these threats. This will also be guided by draft report presentation at Agenda item 3.
<i>Wednesday</i> 17 August 2005		<u>LOCATION: Mabo Room, AIATSIS.</u>

	<i>Item</i>	<i>Notes</i>
9:30 am – 12:30 pm <i>Includes morning tea</i>	7. Presentation on the proposal for the development of a United Nations University centre in Australia dealing with Traditional Knowledge. 8. Item 6 continued	7. Presentation from Henrietta Marrie, Christensen Foundation. 8. A completion of item 6, and include a session on group reporting and entire group discussion.
1.30 pm – 5 pm <i>Includes afternoon tea</i>	9. Workshop Plenary. 9.1 Development of recommendations for the SCBD; 9.2 Discussion on Australia specific action items; 9.3 Discussion on communiqué for Day 3 meeting with Government representatives.	9. An overall discussion on the workshop as a whole and on the actions that delegates wish to see taken from it. Example actions could be recommendations for further research, papers or a record of the meeting published (a report will be developed from the meeting) and other broader actions as the delegates see fit.
<i>Thursday</i> 18 August 2005		<u>LOCATION: Drawing Room, University House, Australian National University</u>
9.30 am – 11:30 am <i>Includes morning tea</i>	10. Welcome government representatives to workshop. 1.1 Introduction of delegates; 1.2 Aims of the Meeting. 11. Background and presentation of work performed over previous 2 days. 11.1 What is TK? 11.2 What threatens TK?	11.1 Outline of Indigenous perspectives of traditional knowledge, what it is built from and its importance within the Indigenous community. 11.2 Present the processes and actions that threaten TK on local, national and national levels as developed on days 1 and 2.

	<i>Item</i>	<i>Notes</i>
	11.3 How to offset threats to TK?	11.3 Present identified measures and initiatives to minimise threats to TK.
11.30 am – 1pm	12. Mapping policy terrain 13. Mind-Mapping TK policy integration	12.1 Brief identification by each government representative of the policy terrain in which they engage with TK. 13.1 Group activity to identify and discuss mechanisms through which indigenous consultation can occur in the development of policy.
2.30 pm – 4.30 pm	14. Item 13 continued 15. Summary and Conclusion	14.1 Present maps to the group and discuss findings as a whole.

Annex II

**DOCUMENTS FOR THE REGIONAL WORKSHOP ON THE STATUS AND TRENDS
REGARDING THE KNOWLEDGE, INNOVATIONS AND PRACTICES OF INDIGENOUS AND
LOCAL COMMUNITIES RELEVANT TO BIOLOGICAL DIVERSITY**

Australian Regional Meeting

A. Working documents

1. Provisional agenda

B. Background/information documents

2. Background Paper on meeting (see annex IV)

Other documents and information, such as the context of the work and a summary of the first draft of the report into threats to TK in the Asia and Australia region were presented in the course of the meeting (see agenda).

Annex III
ATTENDANCE

Name	Indigenous/Government	Gender	Organization and Address
Steve Kinnane	Indigenous	Male	Visiting Research Fellow Australian Institute for Aboriginal and Torres Strait Islander Studies (AIATSIS) GPO Box 553 CANBERRA ACT 2601 Australia Tel: +61 2 6246 1160 steve.kinnane@aiatsis.gov.au
Margaret Raven	Indigenous	Female	Murdoch University Cell: +61 423 162 002 M.Raven@murdoch.edu.au
Robynne Quiggin (Days 1 and 3)	Indigenous	Female	Principal Vincent-Quiggin Consulting PO Box 42 Narrabeen NSW 2101 Tel: +61 2 9913 9110 robynne.quiggin@bigpond.com
Melissa George	Indigenous	Female	Cell: +61 429 022 753 MelissaGeorge@bigpond.com
Kado Muir	Indigenous	Male	Cell: +61 419 866 506 admin@kado.com.au
Les Malezer (Days 2 and 3)	Indigenous	Male	Chairman Foundation for Aboriginal and Islander Research PO Box 8402 Woolloongabba Qld 4102 Tel: +61 7 3391 4677 les.malezer@faira.org.au http://www.faira.org.au
Bill Bennell	Indigenous	Male	Indigenous Land Management Facilitator South West Catchment Council PO Box 5066 Bunbury WA 6230 Tel: + 61 8 9780 6164 btbennell@agric.wa.gov.au
Steve Johnson	Representing Indigenous Organisation	Male	Indigenous Knowledge Project Officer North Australian Indigenous Land & Sea Management Alliance(NAILSMA)

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Annex IV

BACKGROUND PAPER

*AIATSIS/DEH Workshop to Consider Threats to Traditional
Knowledge in Australia*

1. Purpose of this Paper

AIATSIS is holding a workshop on the threats to traditional knowledge (TK) in the Australian context. This workshop has been funded by the Genetic Resources Management Section of the Department of Environment and Heritage.

This paper is to provide further information to the delegates who are attending the workshop, describe the broad aims of the workshop and to discuss the possible outcomes that might be achieved.

2. Context of the Workshop

The AIATSIS/DEH workshop on TK has been prompted by a variety of matters, with perhaps the foundation being the programme of work undertaken by the Convention on Biological Diversity (CBD) regarding the status and trends of TK.

One element of this programme of work is an assessment of the threats to the practice and transmission of TK on a global level. To this end, a report is being constructed by AIATSIS Research Fellow Glen Kelly for the Australia and Asia Region. In order to assist the development of these reports, consultative workshops have been held with Indigenous people around the globe. In relation to the Australia and Asia region, one workshop has been held in the Philippines (April 2005) and subsequently, in this workshop in Australia on August 16-18.

It is intended that the reports on threats to TK from all global regions, including their recommendations, are to be compiled into a composite report which will draw out the major themes, global trends and recommendations in relation to TK threats and the amelioration of these threats. This composite report will then be presented to the Conference of the Parties (COP) of the CBD in early 2006. It is hoped that many of the recommendations contained within the composite report will be taken up by the COP, and will guide the development of policy and law at an international level in respect to TK.

A further basis for conducting this workshop is the strong desire by sections of the DEH to continue to engage the Indigenous community in discussions on TK. These discussions greatly assist dialogue between Indigenous peoples in Australia, the DEH and other Government Agencies, and can inform the development of policy and legislation, or at the very least, provide the conditions through which a network exists to inform policy and legislative matters when issues arise.

This is particularly important with the absence of a permanent and formal Indigenous advisory mechanism dealing specifically with matters of TK. As such, it has become important for Government agencies to establish ways through which to communicate with and receive feedback from Indigenous people who are knowledgeable and able to provide clear and well thought out advice. This workshop is one such occasion where this is being made possible.

3. Aims and Objectives of the Workshop

Given its context, this workshop has 3 major aims. They are:

1. To assist in the development of the report to the Secretariat of the CBD into the threats to the practice and transmission of TK.
2. To further develop and maintain dialogue between Indigenous peoples and Australian Government on the matter of TK and its related issues.

3. To bring a group of knowledgeable Indigenous people together from around Australia and to provide a forum through which they can conduct a dialogue, share information, network and consider future directions for the subject matter of TK.

Consistent with these aims, the workshop hopes to achieve a number of objectives. These are:

- Conduct discussion on and gain a level of critical examination of the draft report on threats to TK in the Australia and Asia region.
- Conduct discussion on TK itself, what its elements are, how it is expressed and other relevant aspects, and with this context, undertake discussion on the threats to TK that exist from an Indigenous Australian perspective at a local, national and international level. It is intended that the results of these discussions will be included in the final report.
- Make recommendations on the positive actions that may be taken to preserve and protect the practice and transmission of TK to the CBD Secretariat for inclusion in both the report of the workshop as well as in the final report on threats to TK in Australia and Asia.
- Present information on possible new developments with relation to TK and TK related research.
- Develop a communiqué on the results of the workshop to present to Government representatives.
- Conduct discussion with Government representatives in order to
 - Present workshop results to inform them of issues surrounding TK
 - Gain greater knowledge of and negotiate greater access to policy and legislative development networks that affect matters of TK.

This set of objectives, while lengthy, should be able to be achieved during the course of the workshop. Given the nature of the discussion that is being held, it is also possible that supplementary objectives may be achieved through the course of the workshop discussion. These are:

- Recommend research directions on the topic of TK in Australia.
- The commencement of the development of an action plan or work programme for the advancement of TK related understandings and work within Australia.

4. Conclusions

While this workshop is not large, it is managing to bring together a group of highly skilled Indigenous people from around Australia who collectively possess a significant level of knowledge on TK, the CBD, international events and developments and the context which Australia provides for the practice and transmission of TK. Such a group has the capacity to significantly advance efforts being undertaken by AIATSIS and DEH in compiling the report on threats to TK in Asia and Australia and enhancing the dialogue on matters of TK between Indigenous people and Government.

It is hoped that achieving these dual aims will further advance constructive discussion on TK in Australia both within the Indigenous community and between the Indigenous community and Government. Currently, this discussion tends to be disjointed and disparate, which prevents solid gains in discourse and enhanced understandings of TK outside of Indigenous circles. This in itself represents a threat to TK, and it is hoped that this effort, along with others can begin to overcome some of these issues.