



## Convention on Biological Diversity

Distr.  
GENERAL

CBD/A8J/WS/2018/2/1/Add.1  
30 May 2018

ENGLISH ONLY

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### ASIAN REGIONAL TRAINING WORKSHOP ON NATIONAL ARRANGEMENTS ON TRADITIONAL KNOWLEDGE FOR ACHIEVING AICHI BIODIVERSITY TARGET 18 AND CONTRIBUTING TO AICHI BIODIVERSITY TARGET 16 OF THE STRATEGIC PLAN FOR BIODIVERSITY 2011-2020

Kandy, Sri Lanka, 27 to 31 July 2018

### ANNOTATED PROVISIONAL AGENDA

#### INTRODUCTION

1. The Conference of the Parties to the Convention on Biological Diversity and the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization have adopted several decisions<sup>1</sup> relevant to the importance of establishing national arrangements on traditional knowledge for achieving Aichi Biodiversity Target 18 and contributing to Aichi Biodiversity Target 16 of the [Strategic Plan for Biodiversity 2011-2020](#).<sup>2</sup>

2. In addition, the Conference of the Parties adopted [decision XIII/18](#) on the Mo'otz Kuxtal Voluntary Guidelines, which provides guidance to Parties for the development of mechanisms, legislation, administrative and policy measures or other appropriate initiatives to ensure that potential users of knowledge, innovations and practices that are held by indigenous peoples and local communities, obtain their prior informed consent for accessing their knowledge.

3. Pursuant to these decisions, the Secretariat of the Convention is implementing a project called "Capacity development programme on national arrangements for achieving traditional knowledge elements of Targets 18 and 16 of Strategic Plan for Biodiversity 2011-2020" which includes the present workshop for the Asian region. This programme builds on the previous trainings and responds to the needs assessment for capacity-building activities as follows:

(a) 2015-2016: training programme on community protocols, indicators and customary sustainable use of biodiversity;

(b) 2013-2014: capacity-building initiative on traditional knowledge under the Convention on Biological Diversity.

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<sup>1</sup> See decisions [XIII/18](#), [XII/12 A, para. 7](#); [XII/12 B, para. 8](#); [NP-1/2](#); [NP-1/8](#); [NP-1/9](#); [X/40 para. 5](#); [XI/14 B, para. 1](#); [XI/14 B, para. 2](#); [XI/14 B, para. 10](#); [XI/14, B, para 5](#); [Plan of action on capacity-building, \(decision XIII/23\) activity 68](#).

<sup>2</sup> These Aichi Biodiversity Targets established the following:

Target 18: By 2020, the traditional knowledge, innovations, and practices of indigenous and local communities relevant for the conservation and sustainable use of biodiversity, and their customary use of biological resources, are respected, subject to national legislation and relevant international obligations, and fully integrated and reflected in the implementation of the Convention with the full and effective participation of indigenous and local communities, at all relevant levels;

Target 16: By 2015, the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization is in force and operational, consistent with national legislation.

4. The current workshop has the following objectives:

(a) To provide an opportunity for participants to share experiences on national policy measures on traditional knowledge and related indigenous issues, including gaps and challenges;

(b) To share experiences where indigenous peoples and local communities have established rights to grant access to genetic resources;

(c) To build capacity to develop potential draft elements for the development of effective national action plans to address traditional knowledge according to regional situations and unique national realities, taking into account the decisions emanating from the [recent meetings of the Conference of the Parties and the meetings of the Parties to the Protocols](#);

(d) To provide an opportunity for participants to discuss the post-2020 biodiversity framework;

(e) To prepare for the fourteenth meeting of the Conference of the Parties to the Convention on Biological Diversity, the ninth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety, and the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.

5. As outcomes of the workshop, Parties to the Convention (national focal points for traditional knowledge) and indigenous peoples and local communities from developing countries will be able to develop national action plans on traditional knowledge in order to achieve Aichi Biodiversity Target 18 (see [Conference of the Parties decision XIII/18](#) on the Mo'otz Kuxtal Voluntary Guidelines) by 2020. It will also contribute to the better understanding of the traditional knowledge associated with genetic resources under the Nagoya Protocol (Articles 5, 6, 7, 12, 18 and 19) and how to implement them effectively in the national context. Overall, the programme will contribute to achieving Aichi Biodiversity Targets 18 and 16.

6. The rationale is that developing and implementing national action plans on traditional knowledge will assist Parties in fulfilling obligations concerning:

(a) Traditional knowledge in accordance with Article 8(j) of the Convention;

(b) Traditional knowledge associated with genetic resources under the Nagoya Protocol;

(c) Aichi Biodiversity Targets 18 (traditional knowledge) and 16 (Nagoya Protocol).

7. The participants will be representatives from indigenous peoples and local community organizations and Parties from Asian countries, who will work together collaboratively to develop possible elements of national action plans on traditional knowledge.

8. The workshop uses the methodology of “train the trainer” which prioritizes participants from Governments and indigenous peoples and local communities who are able, upon returning to their home countries and communities, to train others. The course uses online training (through an e-learning course) in order to prepare the participants for the five days of face-to-face training.

9. An online course will provide background information on the Convention and the Nagoya Protocol, with a focus on Aichi Biodiversity Targets 18 and 16, in order to maximize the face-to-face component of the training. For the Asian workshop, the online course will be offered during July, 2018. The three (3) modules are:

(a) Module 1: Overview of the Convention on Biological Diversity, including its Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets;

(b) Module 2: Articles 8(j) (traditional knowledge), 10(c) (customary sustainable use of biodiversity) and related provisions;

(c) Module 3: The Nagoya Protocol for indigenous peoples and local communities.

10. The workshop (face-to-face component) will take place in Kandy, Sri Lanka, from 27 to 31 July, 2018. Registration of participants will take place at the site of the workshop from 8:30 a.m. to 9 a.m. on 27 July, 2018. In due course, the Secretariat will issue an information note containing details of the logistical arrangements for the workshop, including registration, travel information, visa requirements, accommodation, venue and other matters.

11. This workshop has been made possible by the generous financial support of the Government of Japan, through the [Japan Biodiversity Fund](#), and hosted by the Government of Sri Lanka and local community organization Nirmanee Development Foundation.

### **ITEM 1. OPENING OF THE WORKSHOP**

12. A representative of the Executive Secretary, representative of the Government of Sri Lanka, representatives of the [International Indigenous Forum on Biodiversity](#), together with the Ministry of Mahaweli Development and Environment, Sri Lanka, Nirmanee Development Foundation, will open the workshop at 9.30 a.m. on Friday, 27 July 2018. A traditional ceremony is expected to take place to welcome participants.

### **ITEM 2. ORGANIZATIONAL MATTERS**

#### **2.1. Officers**

13. The workshop will be facilitated by one representative of the Secretariat in collaboration with representatives of the International Indigenous Forum on Biodiversity, the Asian Indigenous Peoples Pact, and other partner organizations.

#### **2.2. Adoption of the agenda**

14. The participants will be invited to consider and adopt the provisional agenda that has been prepared by the Secretariat for the workshop.

#### **2.3. Organization of work**

15. The workshop will be held in plenary and group sessions. The workshop will be conducted in English. Each topic will be presented through PowerPoint presentations. Some items will include work in small groups, after which the Rapporteurs appointed by each group will present their findings to the plenary. There will be practical exercises and case studies where participants will be able to apply what they learned from the presentations. The PowerPoint presentations used during the workshop will be made available to the participants to assist them in their training activities on their return to their home countries. Annex I contains a list of documents and a list of resources for the workshop.

### **ITEM 3. TRADITIONAL KNOWLEDGE AND ACCESS AND BENEFIT-SHARING**

16. Agenda item 3 has five sub-items, which will collectively fulfil the purpose of the Workshop. The areas covered in this item include:

- (a) Overview of the [Convention on Biological Diversity](#) and the [Nagoya Protocol](#);
- (b) Mechanisms, legislation or other appropriate initiatives for the implementation of the Nagoya Protocol;<sup>3</sup>
- (c) Mechanisms, legislation or other appropriate initiatives for protection, preservation, or maintenance traditional knowledge relevant to the conservation and sustainable use of biological diversity;
- (d) Local mechanisms including customary laws, community protocols and procedures, or other appropriate initiatives;
- (e) Development of potential elements for national plans of action on traditional knowledge.

<sup>3</sup> With a focus on those articles of most relevance to indigenous peoples and local communities.

17. The Secretariat will provide an overview of issues related to access and benefit-sharing of genetic resources and traditional knowledge under the Convention on Biological Diversity and the Nagoya Protocol.

18. Participants will be asked to share their national and local experiences regarding mechanisms, legislation or other appropriate initiatives for the implementation of the Nagoya Protocol (with a focus on traditional knowledge associated with genetic resources), and on the Mo'otz Kuxtal Voluntary Guidelines on Traditional Knowledge.<sup>4</sup>

19. Additionally, participants will be asked to share their experiences with local mechanisms, including customary laws, community protocols and procedures, or other appropriate initiatives concerning traditional knowledge or traditional knowledge associated with genetic resources.

20. Participants will work in groups to identify potential elements or key actions and actors for the development of national plans of action on traditional knowledge, taking into account unique national circumstances.

21. Finally, participants in national or subregional groups will be invited to present possible elements for national plans of action on traditional knowledge.

#### **ITEM 4. DIALOGUE ON THE POST-2020 BIODIVERSITY FRAMEWORK**

22. Participants will be introduced to the process of [preparing for the post-2020 biodiversity framework](#). The Secretariat will present achievements to date concerning the programme of work for Article 8(j) and related provisions so that discussions on future work can build on achievements to date.

23. Following the presentation by the Secretariat, there will be a dialogue on indigenous peoples and local communities and the post-2020 biodiversity framework, led by a panel of expert participants.

24. Participants will be invited to share their views on this process. In particular, indigenous peoples and local communities and other participants will be invited to identify possible major elements of work for a fully integrated programme of work in the post-2020 biodiversity framework.

25. Additionally, indigenous peoples and local communities may wish to consider their contribution to the 2050 vision of the Convention: "Living in harmony with nature".<sup>5</sup>

#### **ITEM 5. PREPARATION FOR THE FOURTEENTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY, THE NINTH MEETING OF THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE CARTAGENA PROTOCOL AND THE THIRD MEETING OF THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE NAGOYA PROTOCOL**

26. Under this item, participants will consider the [recommendations emanating from the tenth meeting of the Ad Hoc Open-ended Inter-sessional Working Group on Article 8\(j\) and Related Provisions](#), and other matters of relevance to indigenous peoples and local communities, to be considered at the fourteenth meeting of the Conference of the Parties to the Convention, the ninth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol and the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.

#### **ITEM 6. EVALUATION OF THE WORKSHOP**

27. Under this item, participants will be invited to share what they have learned from the workshop and how they would apply and/or transfer to others, the new knowledge and skills acquired. They will also be invited to complete a workshop evaluation form. The results will be analysed and annexed to the report on the meeting.

<sup>4</sup> [Decision XIII/18](#).

<sup>5</sup> See Conference of the Parties [decision X/2](#), annex, para. 11.

**ITEM 7. CLOSURE OF THE WORKSHOP**

28. After the above exercise is completed, a representative of the Secretariat will make closing remarks, and a representative of the host Government and partners will officially close the workshop.
29. The workshop is expected to close at 5 p.m. on Tuesday, 31 July 2018.

*Annex I***LIST OF WORKING DOCUMENTS**

<i>Symbol</i>	<i>Title</i>
CBD/A8J/WS/2018/3/1	Provisional agenda
CBD/A8J/WS/2018/3/1/Add.1	Annotated provisional agenda

**LIST OF RESOURCES**

<i>Resource</i>	<i>Web page</i>
Text of the Convention on Biological Diversity	<a href="http://www.cbd.int/convention/text/default.shtml">http://www.cbd.int/convention/text/default.shtml</a>
Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity	<a href="http://www.cbd.int/abs/text/default.shtml">http://www.cbd.int/abs/text/default.shtml</a>
Mo'otz Kuxtal Voluntary Guidelines: Voluntary guidelines for the development of mechanisms, legislation or other appropriate initiatives to ensure the “prior and informed consent”, “free, prior and informed consent” or “approval and involvement”, depending on national circumstances, of indigenous peoples and local communities for accessing their knowledge, innovations and practices, for fair and equitable sharing of benefits arising from the use of their knowledge, innovations and practices relevant for the conservation and sustainable use of biological diversity, and for reporting and preventing unlawful appropriation of traditional knowledge	<a href="https://www.cbd.int/doc/decisions/cop-13/cop-13-dec-18-es.pdf">https://www.cbd.int/doc/decisions/cop-13/cop-13-dec-18-es.pdf</a>
The Plan of Action on Customary Sustainable Use of Biological Diversity	<a href="https://www.cbd.int/guidelines/">https://www.cbd.int/guidelines/</a>
The Tkarihwaï:ri Code of Ethical Conduct to Ensure Respect for the Cultural and Intellectual Heritage of Indigenous and Local Communities Relevant to the Conservation and Sustainable Use of Biological Diversity	<a href="http://www.cbd.int/traditional/code.shtml">http://www.cbd.int/traditional/code.shtml</a>
Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets	<a href="http://www.cbd.int/sp/targets/">http://www.cbd.int/sp/targets/</a>
Recommendations from the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions adopted at its ninth meeting	<a href="https://www.cbd.int/meetings/WG8J-10">https://www.cbd.int/meetings/WG8J-10</a>
<i>UNEP publications:</i>	
Community Protocols for Environmental Sustainability: A Guide for Policymakers	<a href="https://www.cbd.int/doc/?meeting=WG8J-09">https://www.cbd.int/doc/?meeting=WG8J-09</a>
Community Protocols: Common Underlying Principles	<a href="https://www.cbd.int/doc/?meeting=WG8J-09">https://www.cbd.int/doc/?meeting=WG8J-09</a>

*Annex II***PROPOSED ORGANIZATION OF WORK**

<i>Date/time</i>	<i>Item/activity</i>
<b>Friday, 27 July 2018</b>	
9:30 a.m. – 1 p.m.	Item 1. Opening of the workshop Item 2. Organizational matters Item 3. Traditional knowledge and access and benefit-sharing: (a) Overview of the Convention on Biological Diversity and of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization
2 – 5 p.m.	Item 3. Traditional knowledge and access and benefit-sharing: (b) Mechanisms, legislation or other appropriate initiatives for the implementation of the Nagoya Protocol <sup>6</sup>
<b>Saturday, 28 July 2018</b>	
9 a.m. – 1 p.m.	Item 3. Traditional knowledge and access and benefit-sharing: (c) Mechanisms, legislation or other appropriate initiatives for protection, preservation, or maintenance of traditional knowledge relevant to the conservation and sustainable use of biological diversity
2 – 5 p.m.	Item 3. Traditional knowledge and access and benefit sharing: (d) Local mechanisms, including customary laws, community protocols and procedures, or other appropriate initiatives (e) Development of potential elements for a plan of action on traditional knowledge
<b>Sunday, 29 July 2018</b>	
9 a.m. – 5 p.m.	Field trip to a local community (field training)
<b>Monday, 30 July 2018</b>	
9 a.m. – 1 p.m.	Item 4. Dialogue on the post-2020 biodiversity framework
2 – 5 p.m.	Item 4. Dialogue on the post-2020 biodiversity framework ( <i>continued</i> )
<b>Tuesday 31 July 2018</b>	
9 a.m. – 1 p.m.	Item 5. Preparation for the fourteenth meeting of the Conference of the Parties to the Convention on Biological Diversity, the ninth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol and the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol
2 – 5 p.m.	Item 6. Evaluation of the workshop Item 7. Closure of the workshop

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<sup>6</sup> With a focus on those articles of most relevance to indigenous peoples and local communities.