



## 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

Seventh meeting

Montreal, 31 October - 4 November 2011

Item 4 of the provisional agenda\*

#### CAPACITY-BUILDING INITIATIVE FOR INDIGENOUS AND LOCAL COMMUNITIES IN LATIN AMERICA AND THE CARIBBEAN ON ARTICLE 8(j) AND ACCESS AND BENEFIT-SHARING

*Note by the Executive Secretary*

1. This note provides an overview of a capacity-building initiative for indigenous and local communities in Latin America and the Caribbean on Article 8(j) and access and benefit-sharing (henceforth “the initiative”), implemented primarily through a series of workshops held in 2009-2011 in partnership with the Indigenous Women’s Biodiversity Network of Latin America and the Caribbean. It is provided for consideration by the Ad Hoc Open-ended Inter-Sessional Working Group on Article 8(j) and Related Provisions, as an input for discussions on the mechanisms to promote the effective participation of indigenous and local communities in the work of the Convention. Further details can be found in the workshop reports.

#### A. BACKGROUND

2. The initiative for capacity-building for indigenous and local communities and specifically women in Latin America and the Caribbean on the Convention on Biological Diversity, including Article 8(j) and related provisions and Article 15 (Access and benefit-sharing) of the Convention, is based on the elements of a plan of action for the retention of traditional knowledge, particularly the element on capacity-building, education and training,<sup>1</sup> and the following decisions of the Conference of the Parties on capacity-building for indigenous and local communities:

(a) Decision V/16, annex, task 4 of the programme of work on Article 8(j) and related provisions of the Convention on Biological Diversity;

(b) Decision VIII/5 B, section II, on elements of a plan of action for the retention of traditional knowledge, innovations and practices embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity, paragraph 13;

(c) Decision IX/13 D, on the plan of action for the retention of traditional knowledge, in which the Parties decided that the priority for future work on the plan of action should focus on section E, on capacity-building;

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\* UNEP/CBD/WG8J/7/1/Rev.1.

<sup>1</sup> Decision VII/16 E, annex, section E.

(d) Decision IX/13 E, on participatory mechanisms, paragraph 7.

3. Based on these decisions, the Secretariat of the Convention on Biological Diversity signed a Memorandum of Understanding<sup>2</sup> concerning a capacity-building initiative, in partnership with the Indigenous Women's Biodiversity Network of Latin America and the Caribbean (RMIB-LAC), for a period of three years (April 2009-2012), for a series of workshops for the creation of regional and subregional capacities, especially for indigenous women in Latin America and the Caribbean, on Articles 8(j) and 15. The agreement was signed in April 2009 during the seventh meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing in Paris.

4. The initiative has been funded with support from the Governments of Spain and Japan.

5. The objectives of the initiative are:

(a) Implementation of the decisions mentioned above;

(b) Building and strengthening the capacity of representatives of indigenous and local communities, particularly women, to effectively participate in processes of the Convention on Biological Diversity, especially those pertaining to Article 8(j) and Article 15; and

(c) Increasing the number of representatives of indigenous and local communities, particularly women, involved in processes of the Convention on Biological Diversity.

6. A series of regional and subregional workshops for indigenous and local communities in Latin America and the Caribbean were held as part of the implementation of the initiative.

7. For each workshop, indigenous and local communities were invited by the Executive Secretary to submit their applications through notifications. The Executive Secretary informed Parties and indigenous and local communities ahead of the meetings, through official notifications, regarding the list of participants selected in consultation with RMIB-LAC to participate in the workshops. Some participants received funding assistance, which included the payment of their travel, accommodation, and food. Given the interest in participating in the workshop, some participants covered their own costs.

8. The workshops were held with the collaboration of host Parties, namely:

(a) Government of Argentina (Ministry of Foreign Affairs, International Trade and Worship; Secretariat of Environment and Sustainable Development);

(b) Government of Guatemala (Ministry of Environment; National Council of Protected Areas, CONAP);

(c) Government of Brazil (Ministry of Foreign Affairs);

(d) Government of Panama (National Environmental Authority, ANAM);

(e) Government of Colombia: (Bureau of Economic, Social and Environment of the Ministry of Foreign Affairs; Ministry of Environment);

(f) Government of Guyana (Ministry of Amerindian Affairs).

9. The RMIB-LAC and the following local organizations contributed to the successful facilitation of the workshops:

(a) Argentina Indigenous Youth, and the Faculty of Law at the University of Buenos Aires (Argentina);

(b) Indigenous Women and Biodiversity Network of Guatemala, and the Aktenamit Association (Guatemala);

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<sup>2</sup> <https://www.cbd.int/doc/agreements/agmt-lac%20iwbn-eng-2009-04-08-mou-web-en.pdf>.

- (c) Brazilian Indigenous Institute for Intellectual Property (INBRAPI) (Brazil);
- (d) National Centre for the Promotion and Defence of Indigenous Rights YANAPANAKUY (Colombia);
- (e) Foundation for the Promotion of Indigenous Knowledge (Panama); and
- (f) Justice Institute (Guyana).

## B. OVERVIEW OF THE WORKSHOPS

10. Seven three-day workshops were held in 2009-2011:<sup>3</sup>
- (a) Montreal, Canada, 29-31 October 2009 (Latin American and Caribbean Indigenous and Local Community Capacity-building Workshop on the Convention on Biological Diversity including Article 8(j) and Access and Benefit-sharing);<sup>4</sup>
  - (b) Buenos Aires, Argentina, 4-6 February 2010 (Southern Cone region);<sup>5</sup>
  - (c) Guatemala City, Guatemala, 4-6 March 2010 (Mesoamerican region);<sup>6</sup>
  - (d) Brasilia, Brazil, 2-4 June 2010 (Amazonia region);<sup>7</sup>
  - (e) Panama City, Panama, 11-13 August 2010 (in preparation for the tenth meeting of the Conference of the Parties);<sup>8</sup>
  - (f) Bogota, Colombia, 23-25 September 2010 (Andean region);<sup>9</sup>
  - (g) Georgetown, Guyana, 16-18 March 2011 (Caribbean region).<sup>10</sup>
11. A total of 207 representatives of indigenous and local communities in Latin America and the Caribbean attended the workshop series. The lists of participants are provided in the workshop reports.
12. Most participants were women from indigenous and local communities; many were previously unfamiliar with the Convention on Biological Diversity. Participant characteristics are summarized in the annex below.
13. Topics covered in the workshops included the following:
- (a) Overview of the Convention on Biological Diversity;
  - (b) Mechanisms for an effective participation in the work of the Convention;
  - (c) Overview of access and benefit-sharing (ABS) and negotiation of the international regime;
  - (d) Overview of Article 8(j) and related provisions, and work to date;
  - (e) Analysis of the agenda of the tenth meeting of the Conference of the Parties related to the report of the Sixth Session of the Ad Hoc Open-ended Inter-Sessional Working Group on Article 8(j) and Related Provisions;

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<sup>3</sup> A first capacity-building workshop was held in Panama City, 7-9 April 2008, in preparation for the ninth meeting of the Conference of the Parties (Report: UNEP/CBD/WG8J/6/INF/8, English and Spanish, <http://www.cbd.int/doc/?meeting=wg8j-06>)

<sup>4</sup> Report: UNEP/CBD/WS-CB/ILC/LAC/1/2 (in English), <http://www.cbd.int/doc/?meeting=ABS8JCBW-LACILC-01>.

<sup>5</sup> Report: UNEP/CBD/WS-CB/ILC/LAC/3/2 (in Spanish), <http://www.cbd.int/doc/?meeting=WSCBILC-LAC-03>.

<sup>6</sup> Report: UNEP/CBD/WS-CB/ILC/LAC/4/2 (in Spanish), <http://www.cbd.int/doc/?meeting=WSCBILC-LAC-04>.

<sup>7</sup> Report: UNEP/CBD/WS-CB/ILC/LAC/5/2 (in Spanish), <http://www.cbd.int/doc/?meeting=WSCBILC-LAC-05>.

<sup>8</sup> Report: UNEP/CBD/WS-CB/ILC/LAC/6/2 (in Spanish), <http://www.cbd.int/doc/?meeting=WSCBILC-LAC-06>.

<sup>9</sup> Report: UNEP/CBD/WS-CB/ILC/LAC/7/2 (in Spanish), <http://www.cbd.int/doc/?meeting=WSCBILC-LAC-07>.

<sup>10</sup> Report: UNEP/CBD/WS-CB/ILC/LAC/8/2 (in English), <http://www.cbd.int/doc/?meeting=WSCBILC-LAC-08>.

- (f) Assessment of the international regime on access and benefit-sharing (ABS);
- (g) Consideration of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization;
- (h) Consideration of decisions of the tenth meeting of the Conference of the Parties on Article 8(j) and related provisions.

14. In each workshop, publications on the Convention on Biological Diversity, the Nagoya Protocol, the Bonn Guidelines, the Akwé: Kon Voluntary Guidelines, the Addis Ababa Principles and Guidelines, and other information on the activities, programmes and initiatives related to Article 8(j), among others, were discussed and distributed to participants.

15. Compact disks (CDs) were also included, containing the publications, presentations, official documents and reference material.

16. The workshops were facilitated by the members of the Secretariat responsible for the programme of work on Article 8(j), in collaboration with the RMIB-LAC and its members under the coordination of Ms. Florina Lopez Miro of RMIB-LAC.

17. The workshops used a participatory methodology, which included training in participation in formal meetings, official document management, word processing and drafting proposals of recommendations.

### **C. RESULTS**

18. The workshop participants had the opportunity to evaluate each of the workshops. Analysis of evaluations revealed the following:

- (a) Most participants generally agreed that acquisition of knowledge was at a high level and the knowledge learned could be applied in their activities;
- (b) In terms of content, most of participants responded that the content was excellent;
- (c) Regarding support material, the participants agreed that the materials provided were comprehensive and highly relevant;
- (d) The participants also made recommendations to further improve the workshops, including to provide:
  - (i) More workshops at national and local levels to understand the decisions of the Conference of the Parties on Article 8(j), with particular attention to the Nagoya Protocol;
  - (ii) More support material for distribution within the communities;
  - (iii) A binder with all topics covered for easy access.

19. The initiative's objectives were met, with the following results:

- (a) Increased number of representatives of indigenous and local communities, especially women, effectively participating in Convention on Biological Diversity processes for Latin America and the Caribbean;
- (b) Increased awareness of the Convention on Biological Diversity amongst the indigenous and local communities in the region of Latin America and the Caribbean;
- (c) Increased capacity of RMIB-LAC members to participate effectively in meetings and processes of the Convention on Biological Diversity, in particular, in discussions related to Article 8(j) and related provisions and access and benefit-sharing;
- (d) Strengthened capacities of members of RMIB-LAC as trainers at the local, subregional, national and international levels;

(e) Increased understanding of the relevance to indigenous and local communities of the Convention on Biological Diversity, especially Article 8(j) and related provisions, and of decisions of the Conference of the Parties;

(f) Increased understanding of the meaning of biodiversity, genetic resources, and associated traditional knowledge;

(g) Increased knowledge of participants about the process of the International Indigenous Forum on Biodiversity (IIFB) and its impact on the working groups of the Convention, and in particular the working group on Article 8(j) and related provisions;

(h) Increased knowledge among participants about the importance of cultural protocols and advocacy for dialogue between indigenous communities and Parties.

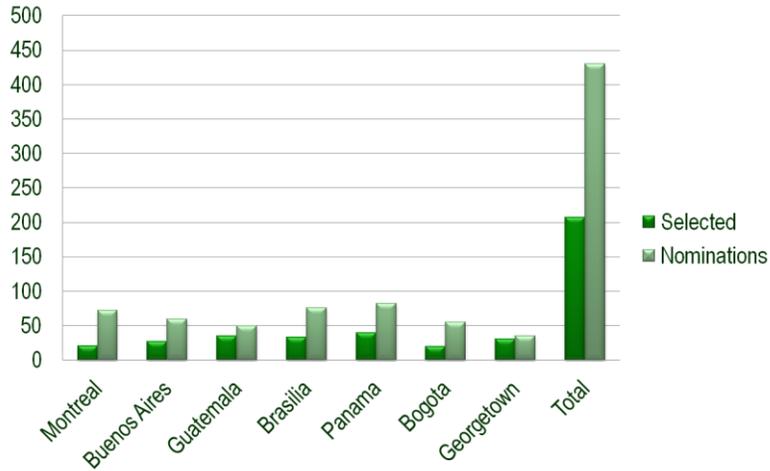
#### **D. CONCLUSIONS**

20. The initiative for capacity-building for indigenous and local communities on Article 8(j) and access and benefit-sharing, facilitated by the Secretariat in collaboration with the Indigenous Women's Biodiversity Network of Latin America and the Caribbean (RMIB-LAC), and with financial support from the Government of Spain and Japan, in 2009, 2010 and 2011 has allowed many representatives of indigenous and local communities, especially women, to engage and participate more actively and effectively at local, national and regional levels and in meetings of the Convention on Biological Diversity.

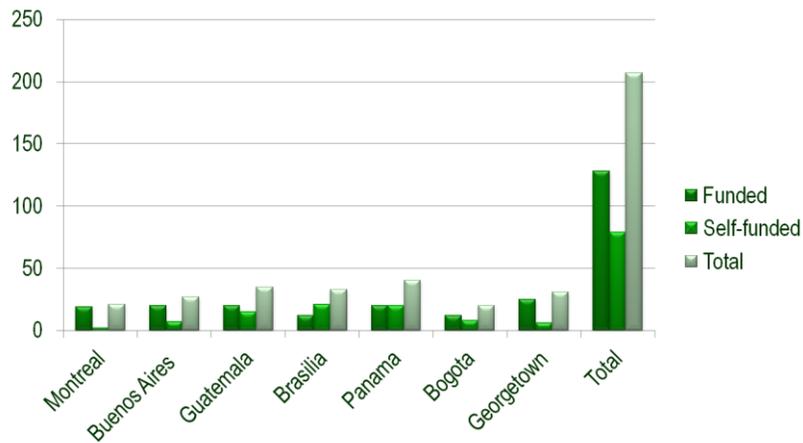
*Annex*

**WORKSHOP PARTICIPANTS**

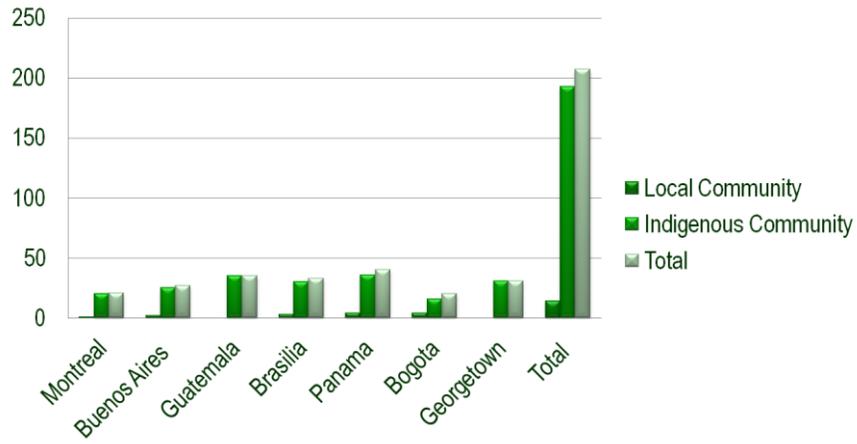
1. To participate in the workshops we received a total of 430 nominations; 207 were selected to participate.



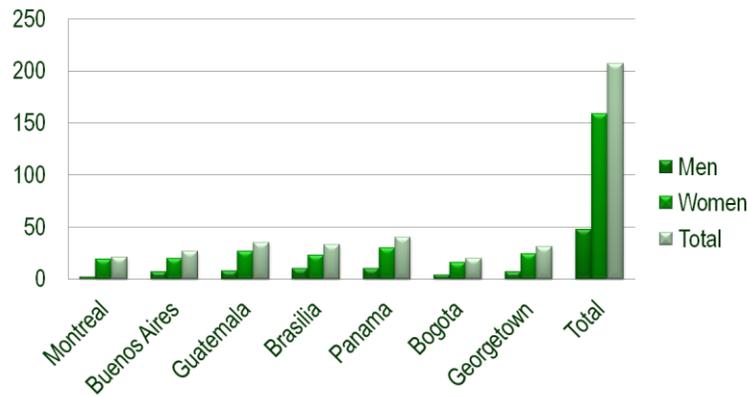
2. Due to the high interest of representatives of indigenous and local communities a total of 128 were funded by the initiative and 79 through other funds.



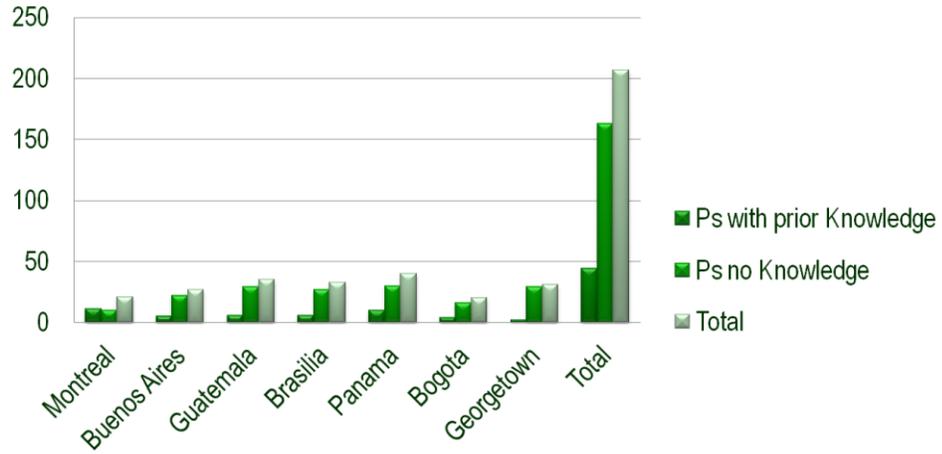
3. A total of 207 representatives of indigenous and local communities participated in the workshops, including 193 representing indigenous and 14 from local communities.



4. Most participants were women of indigenous and local communities: a total of 173 women and 34 men.



5. Of the total of the participants to the workshop, 163 did not have any prior knowledge on the Convention on Biological Diversity, while 44 knew the subject. This relationship was very important, because participants with experience and prior knowledge of the Convention could share this knowledge with others and contribute to the workshop by making presentations on the agenda topics.



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