



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**

**REPORT OF THE EXPERT GROUP MEETING OF LOCAL COMMUNITY
REPRESENTATIVES WITHIN THE CONTEXT OF ARTICLE 8(j) AND RELATED
PROVISIONS OF THE CONVENTION ON BIOLOGICAL DIVERSITY**

INTRODUCTION

A. *Background*

1. At its tenth meeting, the Conference of the Parties, in paragraph 21 of decision X/43, noted that the involvement of local communities in accordance with Article 8(j) has been limited for various reasons, and requested the Secretariat to convene an ad hoc expert group meeting of local community representatives, bearing in mind geographic and gender balance, with a view to identifying common characteristics of local communities, and gathering advice on how local communities can more effectively participate in Convention processes, including at the national level, as well as how to develop targeted outreach in order to assist in the implementation of the Convention and achievement of its goals, for consideration at the seventh meeting of the Working Group on Article 8(j) and Related Provisions.

2. Accordingly, in accordance with paragraph 21 of decision X/43, an Expert Group Meeting of Local Community Representatives within the context of the Convention on Biological Diversity was convened with a view to identifying common characteristics of local communities, and gathering advice on how local communities can more effectively participate in Convention processes, including at the national level, as well as how to develop targeted outreach, in order to assist in the implementation of the Convention and achievement of its goals;

3. The Ad Hoc Expert Group Meeting of Local Community Representatives was held in Montreal, from Thursday, 14 July to Saturday, 16 July 2011.

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B. Attendance

4. Further to this request, the Executive Secretary of the Convention, by notification 2011-050 (ref. No. SCBD/SEL/OJ/JS/DM/75215) of 4 March 2011, requested nominations from interested parties. A total of 34 nominations were received. The selection of participants was completed by the Secretariat based on the expertise of nominees, the need to ensure fair and equitable geographic representation and gender balance. Thanks to the generous support of the Governments of Japan and the European Union, the Secretariat was able to provide financial assistance to 23 participants from developing and least developed countries, including small island developing States, as well as local community representatives and experts.

5. The meeting was attended by experts nominated by the Governments of India, Madagascar, Saint Lucia and South Africa. The experts nominated by the Governments of Bangladesh and Samoa, who had been selected and invited to the meeting, were unable to participate.

6. Experts from the following organizations also participated in the meeting: Farmacopéia Popular Do Cerrado (Brazil), Commission on Environmental Law CEL/IUCN, Chibememe Earth Healing Association's (CHIEHA), Equator Initiative UNDP, European University Institute, Exceptional Flowers of Grasse, ICCA Consortium, Indian Confederation of Indigenous and Tribal Peoples (ICITP)/Organization of Indigenous and Tribal Peoples of India, International Development Law Organization, Oficinas Regionales de Políticas de Equidad Racial, Red de cooperación amazónica (REDECAM), Red Internacional del Manglar/ World Forum of Fisher Peoples Mundo Afro, Shidhulai Swanirvar Sangstha. Experts from Cooperativa Ecologica Das Mulheres Extrativistas Do Marajo, Kibale Association for Rural and Environmental Development, TESAI REKA Paraguay (TRP), The Coral Reef Alliance, were selected and invited to the meeting but were unable to participate.

ITEM 1. OPENING OF THE MEETING

7. The representative of the Executive Secretary, Mr. Olivier Jalbert, opened the meeting at 9.30 a.m. on Thursday, 14 July 2011.

8. In his opening remarks, Mr. Jalbert thanked the Government of Japan and the European Union for their financial support for the meeting. He noted that the close and traditional dependence of indigenous and local communities on biological resources had been recognized in the Convention on Biological Diversity. There was also a broad recognition of the significant contribution that traditional knowledge could make to the conservation and the sustainable use of biological diversity, two fundamental objectives of the Convention. Mr. Jalbert further noted that, while indigenous peoples from all over the world had participated actively and in good numbers in the work of the Convention on Biological Diversity, the participation of local communities had been limited for various reasons. In an effort to address this problem, the Conference of the Parties had decided to convene an Ad Hoc Expert Meeting of Local Community Representatives with a view to identifying common characteristics of local communities, gathering advice on how local communities can more effectively participate in Convention processes, including at the national level, and on how to develop targeted outreach to assist in the implementation of the Convention. The Secretariat looked forward to advice and guidance from participants on how to increase local community participation in the CBD process since the latter's active participation was essential to the successful implementation of the Convention. (Participants were then invited to introduce themselves. Representatives of local communities ceremonially opened the meeting through a group blessing and prayers for the success of the work.

ITEM 2. ORGANIZATIONAL MATTERS

2.1. Officers

9. In keeping with the established practice for meetings of expert groups, participants elected Mr. Gladman Chibememe, the National Focal Point for Traditional Knowledge for Zimbabwe and Chibememe Earth Healing Association's (CHIEHA), as chairperson.

2.2. Adoption of the agenda

10. The meeting adopted the provisional agenda (UNEP/CBD/AHEG/LCR/1) prepared by the Executive Secretary in accordance with paragraph 21 of decision X/43, of the Conference of the Parties as the agenda for the meeting.

1. Opening of the meeting.
2. Organizational matters.
3. Presentation by the Secretariat – Local Communities within the Framework of the Convention.
4. Regional and subregional presentations of local community experiences.
5. Identification of common characteristics of local communities.
6. Effective participation of local communities in Convention processes:
 - (a) At the international level;
 - (b) At the national level.
7. Targeted outreach for local communities to assist in the implementation the Convention and achievement of its goals.
8. Adoption of the recommendations.
9. Closure of the meeting.

2.3. Organization of work

11. At its opening session, the group decided to work initially in plenary to hear a number of presentations. On the second day the meeting broke into several small groups based on preferred working languages (English, French and Spanish) to consider the substantive items. Each group appointed a chairperson and rapporteur to assist in reporting back to plenary on behalf of each group. On the final day the meeting worked in plenary to adopt the recommendations and advice of the meeting. Annex I contains recommendations adopted by the expert participants, and annex II contains a complete set of the advice² emerging from the three language groups which worked in small groups and presented to plenary under the three headings mandated to the group.

² At the request of the participants.

ITEM 3. PRESENTATION BY THE SECRETARIAT – LOCAL COMMUNITIES WITHIN THE FRAMEWORK OF THE CONVENTION

12. The Secretariat provided some background information on participation and on the role of indigenous and local communities in the work of the Convention with a focus on local communities. The presentation was followed by a discussion on local communities within the mandate of the Convention. Discussions under this item contributed to item 5 of the meeting's agenda, which was to identify common characteristics of local communities.

13. To assist discussions, the Secretariat made available two working documents, Guidance for the discussions concerning local communities within the context of the Convention on Biological Diversity, and the most recent document of the seventh meeting of the Working Group on Article 8(j) and Related Provisions on the participation of indigenous and local communities in the work of the Convention (UNEP/CBD/WG8J/7/9), as well as an information document on the concept of local communities from the United Nations Permanent Forum on Indigenous Issues (PFII/2004/WS.1/3/Add.1).

14. The Chairperson, in his capacity of a participating expert and representative of a local community in Zimbabwe, provided a context to the discussions on local communities within the framework of the Convention through his presentation on the history of local community involvement with the Convention and critically analyzed statistics of participation, over a decade, to emphasize the case for equitable access participation mechanisms for local communities. He also discussed the need for greater involvement of local communities at all levels, local, sub-national, national, regional and international. He also reflected on the nature of local communities and linked them to local sustainable access to and use and management of local natural resources. He emphasized that this increased local responsibility and accountability. He noted the efforts made by the Ministry of Environment and Natural Resources in Zimbabwe to support community based natural resource management and local community initiatives in both biodiversity policy development and implementation. He notes that the concept of local community was important for the African region. He further recommended the disaggregation of data concerning indigenous peoples and local communities in the future progress reports to the Working Group on Article 8(j) and Related Provisions.

ITEM 4. REGIONAL AND SUBREGIONAL PRESENTATIONS OF LOCAL-COMMUNITY EXPERIENCES

15. Under this item, local community representatives and experts provided regional, subregional and national experiences, through presentations on characteristics, effective participation in national and international processes and targeted outreach, as well as related issues of relevance to local communities. Presentations by experts included, but are not limited to, the following issues: where are local communities situated; what are some of the ways that local communities manifest themselves under diverse cultural and political situations; characteristics of local communities, what are the similarities and differences between local, traditional and indigenous communities; who are fisher communities; local community case-studies and lessons learned; official recognition of local communities; local communities, traditional knowledge, customary-use practices and customary management practices concerning biological resources; and what is the role of local communities within the Convention on Biological Diversity.

16. Most importantly, the various issues under consideration contributed to the broader mandate of the meeting, which was to identify common characteristics of local communities, gather advice on how local communities can more effectively participate in Convention processes including at the national level, as well as how to develop targeted outreach in order to assist in the implementation of the Convention and the achievement of its goals.

17. The expert from Saint Lucia provided a deep insight into the nature of local communities of Saint Lucia and noted that in many ways, Saint Lucia was a microcosm, both culturally and biologically of the wider Caribbean subregion. Saint Lucia was made up of four ethnic groups but these groups did not live in separate areas. Many local communities were an amalgamation of various ethnic groups. He did note that indigenous descendants did exist as distinct sectors of society with allocated lands in both Dominica and Trinidad and Tobago, and that historically the indigenous peoples of much of the Caribbean were Caribs and Arawak peoples. In discussing characteristics and situations of local communities, he noted that in general they did not own or have titles to lands, although they may have a traditional territory. In reflecting on the strengths of local communities he emphasized that traditional knowledge may provide solutions to many contemporary problems and especially lessons learnt for sustainability and eco-system management. At the same time communities were struggling to continue the intergenerational transmission of knowledge as youth turned away from their traditions and communities to pursue modern lifestyles. He also noted that the traditional language of transmission *kweyol* was also in danger. In questions after the presentation, participants noted the strong link between food safety, security and sovereignty and the role of access to lands and resources.

18. An expert from Brazil provided an overview of an important project on behalf of the representative of the Cooperativa Ecologica Das Mulheres Extrativistas Do Marajo, Brazil, who was not able to participate in the meeting. The project aimed to increase the capacity of local community women to participate in the Convention of Biological Diversity at national and international levels.

19. The expert then went on to provide a deep comparative legal analysis of the identity, status, characteristics and recognized rights of comparable local communities in France (the Department of French Guyana) and Brazil. In reflecting on the common characteristics of local communities, she noted a dependence on nature, even a symbiosis with nature and its cycles, which was reflected in the development of strategies to use and manage natural resources. Commonly traditional knowledge was transmitted orally from generation to generation. She further reflected on the nature of territory and the connection over generations, which created social and economic systems although individuals may move away and return. The ancestral link allowed urban communities to create products linked to traditional territories. In the comparative study the expert traced the history of local communities in both Brazil and French Guyana and their commonalities, including close association to certain areas, including rivers, and their determination to reject the mainstream societies that had enslaved them and to pursue their own development based on traditional values. In Brazil, local communities such as Quilombos had an opportunity to pursue a land claim process but in reality although many had achieved some recognition of territories, many more had not. She noted that lands guaranteed the physical, social, cultural and economic security for local communities. Land claim processes required historical information as well as information about ways of life, anthropological studies, relationships with other communities, and when successful awarded territories were collective and unalienable and passed on the future generations.

20. The expert continued to explore the situation of comparable local communities in French Guyana who under the French legal system were not recognized beyond their status as French citizens. She noted that French law prohibited all ethnic distinction, however local communities were able to claim rights to land and zones for various uses were allocated. Communities were also able to obtain access to forests for traditional subsistence. Summing up common characteristics, the experts touched on common history of colonization, slavery, traditional territories, resistance to acculturation, and maintenance of traditional ways of life. She proposed that a flexible working definition might be possible based on minimal characteristics.

21. The community representative from Venezuela emphasized the need for self-identification as a crucial element of common characteristics of local communities. He also noted the diversity of local communities and that different characteristics were often reflective of different biomes and encapsulated cultural and biological diversity. Because of this diversity, local communities can exhibit both distinct

and common characteristics. He also noted that often local community identity was connected to traditional occupations including rubber-tappers, fisher-folk, traditional farmers, etc. These communities held vast amounts of knowledge acquired from their ancestors and families and communities essential for sustainable use and eco-system management. He provided a comparative study of local communities in Venezuela and the North Amazonia region which touched on issues of self-identification, intergenerational oral transmission of traditional knowledge, geographic traditional areas, cultural traditions and roots, and traditional occupations. He also noted that many local communities occupied marginal or border areas, experiences problems of remoteness including communication difficulties, and extreme poverty, and many had high biodiversity indexes but a low human development index. He also examined the legal situation of local communities noting the lack of specific legislation although proposed Bills were being considered on traditional and local communities as well as agricultural heritage. He finished by explaining the development of regional organizations such as REDCCLAM based on inter-regional relationships including Andes – Amazon; Atlantic Amazon; and Caribbean Amazon.

22. The local community representative from Brazil provided a deep insight into local communities, the role of biodiversity and traditional medicines. She noted the specific role of women and that many traditional healers also worked as midwives. She noted that in Brazil, traditional medicine was practiced but not officially recognized. Communities had taken the initiative to establish community pharmacies for traditional medicines and had created *sui generis* protection through the development and publication of the Cerrado peoples' Pharmacology. Yet local communities were forbidden to sell traditional medicines but could sell raw materials based on natural biological resources. Lack of access to modern or culturally appropriate health care made traditional medicines essential for the health and well-being of the local communities. She noted with irony that Brazil recognized and adopted Chinese traditional medicine within the national health care system but not local or indigenous traditional medicine. Local communities self-regulated their traditional medicines and community workshops were held to promote good practices in preparing herbal remedies. Obstacles to traditional medicine included the conversion of eco-systems into agriculture lands, including mono-cropping and the corresponding loss of biodiversity, misappropriation of traditional knowledge, failure to respect and officially recognize and value traditional knowledge. The local communities continued to lobby government for the recognition and inclusion of Raizeiros (traditional occupation as healers) and their practices as intangible cultural heritage.

23. The expert from India discussed targeted outreach for local communities. She provided an overview of the nature of local communities in North-Eastern India and reflected on issues of energy and water security, the role of the Himalayas in providing water for much of the Indian sub-continent and the role of traditional management of natural resources. The expert's region the Indian Sub-continent was both biologically and culturally diverse and on an important flight path for many migratory birds. The local communities exhibited strong ties to nature, which were exhibited in the pursuit of traditional occupations, however these were declining. She further noted that increasing tourism had to factor in potential for misappropriation of traditional knowledge, as well as biopiracy of native plants, animals and microorganisms and increase in invasive alien species. Furthermore the exploitation of bush-meat and wild edibles by non-local / non-native or immigrant worker communities was further accelerating the loss of biodiversity and corresponding traditional knowledge. She also noted that many local communities lived in boundary, border and/or marginalized lands and were affected by border security priorities. She emphasized the need for communities to be able to access their ancient texts, as well as historical and research studies which needed to be shared by the researchers in order to reclaim and restore traditional knowledge of natural history and to promote cultural revitalization, and also noted the importance of task 15 of the programme of work on Article 8(j) (repatriation). She emphasized the concept of sacred spaces and landscapes for conserving biodiversity and a strong political commitment in her state Sikkim. She informed about the institutions of State Biodiversity Boards, the important role of women and oral traditions needing documentation and the need to take forward the initiatives of the State Biodiversity Strategy and Action Plans. Target groups included all state and central government authorities, village

level self-governing bodies, traditional healers and practitioners, religious heads, village elders, women, teachers, nomadic pastoralists and immigrant populations, and building their capacity. She further emphasized the importance of sensitization of research organizations and raising the profile of the traditional knowledge holders. She finished by noting that India had many useful and strong laws but enforcement needed strengthening.

24. The local community representative and expert from Uruguay provided a comprehensive history of the African descendants in the Americas. He noted the South American port of Montevideo served a two fold purpose of both importation and distribution of African slaves in the Americas. The Africans who arrived in the Americas with their own traditional knowledge, cultures and traditions today were represented by more than 150 million African descendants in the Latin American region. Today more than 80 per cent continued to live in extreme poverty. Many lived in impoverished yet biodiverse areas. Local communities descended from the African freed or escaped slaves, exhibited systematic relationships to territories and biological resources. They maintain Afro-centric values including the inseparability of tangible and intangible heritage. They were characterized by oral traditional, the inter-generational transmission of traditional knowledge, common rituals, beliefs and customs. He emphasized that failure to recognize their rights has led to community and societal disruption and that imbalances amongst local communities were reflected in imbalances in nature and eco-systems. Because of lack of land tenure, access or access to territories and resources, local communities remained vulnerable to private companies, including multi-national corporations. Local communities thus remained in a human rights struggle and some had pursued legal remedies through human rights bodies, including the Convention on the Elimination of Racial Discrimination. Finally the local communities experts from Uruguay and Peru recommending various ways that local community representatives and specially the African Descendant could more effectively participate in Convention processes, most of which were reflected in the recommendations adopted by the meeting.

25. The expert from Iran, on behalf of the semi-nomadic and nomadic pastoralists of Iran made a presentation. He noted the value of community biodiversity registers that were both decentralized and interconnected and of the development of community protocols for access to genetic resources held by local communities and associated traditional knowledge. He emphasized that access to territories was more significant to semi nomadic and nomadic pastoralists than direct land ownership. He further contemplated and compared the identities and definitions of indigenous peoples, local communities and tribal peoples. He then presented a case-study concerning the establishment of community herbariums providing a fascinating insight into the depth of knowledge held by local communities and possible processes for recording and registering knowledge as mechanisms for protection. He noted the assistance of the Head of Protected Areas in Iran in supporting the recognition of community protected areas. He suggested that before communities could develop protocols for accessing traditional knowledge and/or associated biological resources, it was desirable to create community biodiversity registers. He also noted that the integration of modern science and traditional knowledge was desirable but the community should remain in control of pace and integration of these knowledge systems. He recommended that the creation of registries for wild biodiversity should be a pre-requisite to creating registries of domesticated crops and animals, as it provided a carpet or context for the development of domestic breeds of animals and varies of plants. He suggested that community biodiversity registers could eventually contribute to a national biodiversity registry. He reflected on characteristics of local communities noting that there were at least a quarter of a billion semi-nomadic and nomadic pastoralists in the world. They exhibited seasonal vertical (mountains and plains) and/or horizontal seasonal migration patterns. He finished by emphasizing that policies and programme imposed on local communities did not work and advocated for participatory policy and programme development.

26. The expert from Morocco provided an overview of Moroccan ecosystems and local communities. He provided a fascinating insight into local communities in the Atlas Mountains region and the role of

integrated cultural landscapes. He contrasted state and community managed forests and noted the quality and long term success of community protected areas including forests, as compared to state managed forests. He further noted the integration of community, individual and state lands. He emphasized the importance of access to seasonal pastures for local communities and their herds. He called for the recognition of customary laws and collective rights for local communities.

27. The expert from Bangladesh discussed channelling solutions for flood prone Bangladesh and local communities. He explained local level adaption to climate change was based on an integration of traditional knowledge and new technologies and were evidenced in the use of traditional boats as floating schools, libraries and training centres and were powered by solar energy. These floating service centres provided biodiversity and environmental education. He emphasized that innovative community solutions based of traditional knowledge were essential in addressing the increasing problem of seasonal flooding. He discussed further innovations such as floating three level farms, which addressed the scarcity of land in Bangladesh. He finished by recommending a combination of traditional knowledge and modern science as the basis for innovative local community based solutions to climate change.

28. A legal expert from Brazil provided in-depth advice on the definitional elements of local communities provided by international legal instruments and international court decisions. She noted that nation states tended to adopt two different approaches to international law, the first being that international law when adopted was automatically incorporated into domestic law and the second approach required domestic implementation through national legal systems. She examined Agenda 21, which seemed to use the term “local communities” as a type of community-based organization rather than a human group, and suggests that family farmers are in fact local communities. She noted inaccuracies in some international instruments which provided too broad a definition of local communities or simply replicated the definition of “tribal peoples” offered by ILO. She explained that the adoption of the ILO definition could be problematic because it would exclude many local communities of mixed ethnic descent. She also discussed definition of the African Model Law, which required a distinct geographic location, and noted that this may restrict the term to rural based or isolated communities. She further reflected on a series of legal cases which touched upon the identification of local communities, as riparian or local populations and noted that legal decisions remained vague, inconsistent and imprecise. She finished by recommending that a working definition may be possible based upon some common characteristics but that self-identification is paramount to any other characteristics.

29. The local community expert from Honduras provided an overview of local communities including fisher communities and struggles with the industry shrimp farming. The loss of wetlands, including salt marshes and mangroves had led to loss of resources and territories, traditional occupations and livelihoods of local communities and accelerated a drift to urban areas and community breakdown. Displacement of local communities had exasperated social conflicts. Commercial shrimp farmer also produced affluent and pollution which affected a huge area. Up to 70 per cent of the wetlands of Ecuador had been lost to development including industry shrimp farms. He discussed how local communities, together with fisher-folk and small farmers and environmentalists had created alliances to protest commercial shrimp farming. His presentation was complemented by another presentation from a local community woman from Ecuador who emphasized the gender dimensions of the impact of industry shrimp farming, this industry was the main cause of the reduction of fishery resources (molluscs, crustaceans, fish etc.), a situation that was making vulnerable the food sovereignty of families, especially families of single mothers who were now forced to extend their working hours and travel long distances to find those resources. Women were the ones who started the fight to defend the mangrove ecosystem and they were continuing to lead this process. She called for recognition of rights including prior and informed consent for developments proposed to take place on traditional territories.

30. The manager of the Equator Initiative addressed the meeting to inform them about the Equator Initiative and more broadly on the work of United Nations Development Programme (UNDP) with local communities. The Equator Initiative was a partnership that brought together the United Nations,

Governments, civil society, businesses and grassroots organizations to build the capacity and raise the profile of local efforts to reduce poverty through the conservation and sustainable use of biodiversity.

31. The Equator Initiative was dedicated to (i) identifying and celebrating the success of local and indigenous initiatives; (ii) creating opportunities and platforms for the sharing and exchange of local success and good practice; (iii) informing policy to foster an enabling environment for local and indigenous community action; and (iv) building the capacity of local and indigenous initiatives to scale-up their impact. The Equator Initiative accomplished these goals through concentration on three action areas.

32. The **Equator Prize** was awarded biennially to recognize outstanding community efforts to reduce poverty through the conservation and sustainable use of biodiversity. As local and indigenous groups across the Equatorial belt charted a path towards sustainable development, the Equator Prize shined a spotlight on their efforts by celebrating them on an international stage. **Equator Dialogues** was an ongoing series of community-driven meetings and exchanges, held in conjunction with related international fora. Equator Dialogues created space for grassroots leaders to influence policy and share their experiences with relevant stakeholders. **Equator Knowledge** was a research, documentation and learning programme focused on local best practice in conservation and sustainable livelihoods. The Equator Initiative worked with partners to profile, document and analyze the success factors of local best practice. The Community Knowledge Service (CKS) was dedicated to peer-to-peer learning, knowledge exchange and best practice replication, although at this time they did not have funding for grants.

33. The Global Environment Facility's (GEF) **Small Grants Programme** was delivered by UNDP and aimed to deliver global environmental benefits in the areas of biodiversity conservation, climate change mitigation, protection of international waters, prevention of land degradation (primarily desertification and deforestation), and elimination of persistent organic pollutants through community-based approaches.

34. SGP's strong commitment to biodiversity conservation was reflected in its portfolio of projects that accounted for over 6,800 small grants to local NGOs, community-based organizations and indigenous peoples to safeguard the ecosystems and natural resources on which they depend. These two programmes taken together were a strong statement of UNDP's (SGPs) commitment to local capacity and action on the environment. A film from the Community Taba dialogue space at the eighth meeting of the Conference of the Parties held in Curitiba, Brazil, was shown.

35. The representative of the *Fleurs de Grasse*, a community organization representing traditional flower growers from France provided a perspective from a local community in the North (Europe). He noted there were many local communities particularly small traditional farming communities throughout France and Europe. He further noted that maintaining local communities and their traditional practices including plant diversity in the north was a challenge for the future. He noted the loss of plant diversity in his region and explained the struggle to maintain and increase plants/flower varieties, against growing trends of homogenization. His philosophy was that people need to know where they came from to know where they were going. He noted commonalities with local communities in the South, such as their important role in maintaining biodiversity and the erosion of their knowledge and biodiversity. The local farmers in Grasse faced encroachment of their lands by urban sprawl and industrial development. At the same time the young were moving to cities searching for better economic opportunities and the numbers of farmers continued to drop. They also faced homogenization and loss of biodiversity as markets demanded standardized produce. Difficulties in obtaining fair reimbursement for their products caused farmers to fall into debt and sell off lands to survive. Constant erosion of their lifestyle and lands had caused local farmers to form local associations to promote traditional diversity of crops, to protect their lands and lobby for fair prices for their produce. The local association *Fleurs de Grasse* wants to ensure a

viable and sustainable future for young farmers and future generations through sustainable agricultural practices based on rich biodiversity.

36. The expert from Madagascar provided an overview of ecosystems of Madagascar and reflected on the nature of local communities in the Madagascar context. Madagascar society and communities was based on the concept of “Fihavanana” (solidarity, social relationships and cohesion,). Madagascar society had developed its own unique language “Malagasy”. Madagascar was also a mega-diverse country and the fourth largest island on Earth. Local communities relied directly on biodiversity for their daily subsistence. Customary laws regulated interactions with wildlife. Pressures on biodiversity included: bush fires, burning, illegal exportation of wood and animals and encroachment on protected areas. The Government was in the process of transferring protected areas to local communities for local level management and sustainable use. Local communities maintained their traditional structures established since early colonization (known as “fokonolona”), which were based on voluntary groupings linked with a similar history, problems/issues and aspirations. Local communities continued to lobbying for law reform that recognized their rights including access to lands and resources.

37. The expert from Iran provided an additional presentation on local community protected areas on behalf of the ICCA Consortium. The concept of ICCA took hold internationally in 2004 and had changed the paradigm of local communities and protected areas. The ICCA Consortium promoted a deeper understanding of the linkages of biological and cultural diversity; equity and respect for human rights including prior and informed consent; and a philosophy of “do no harm”; recognition of ICCAs and the value of local management. He lamented that many useful decisions of the Conference of the Parties related to protected areas and indigenous and local communities (PA POW) had not been effectively implemented and unfortunately business continued as usual for many Governments. ICCAs represented some of the oldest forms of conservation by indigenous peoples and local communities. Many ICCAs were not recognized and faced many pressures. ICCAs had specific indigenous peoples or local communities, who were closely concerned about the areas because of cultural roots and livelihoods; such communities took management decisions regarding the territories and resources and voluntary management decisions and efforts of such communities achieved conservation results, although they may not be their chief purpose. Many ICCAs contained sacred sites and biodiversity hotspots. ICCAs may cover an estimate of 12 per cent of the surface of the Earth and as such could potentially double to current size of the world’s conservation areas simply through official recognition. Although there remained a long way to go, ICCA were growing in acceptance by governments and offered a major contribution to national conservation areas. Further information is available at www.ICCAforum.org

ITEM 5, 6 AND 7 IDENTIFICATION OF COMMON CHARACTERISTICS OF LOCAL COMMUNITIES; EFFECTIVE PARTICIPATION OF LOCAL COMMUNITIES IN CONVENTION PROCESSES, INCLUDING AT THE INTERNATIONAL LEVEL AND THE NATIONAL LEVEL; TARGETED OUTREACH FOR LOCAL COMMUNITIES TO ASSIST IN THE IMPLEMENTATION OF THE CONVENTION AND ACHIEVEMENT OF ITS GOALS

38. After the presentations, on the second day of the workshop, participants were invited to break into small groups to discuss lessons learned from the presentations in light of the mandate of the meeting. To promote the full and effective participation of all participants, participants decided to break into three languages groups (French, Spanish, and English) and worked in their preferred language. Each group appointed a chairperson and rapporteur to report back to plenary. Each group moved through three work stations, which covered the mandated issues of participation, outreach and characteristics, taking one hour for each issue. After an in-depth discussion, the chairpersons and rapporteurs of each language group reported back to plenary on this issue.

ITEM 8 ADOPTION OF THE RECOMMENDATIONS

39. Participants adopted advice and recommendations under the three headings proposed by paragraph 21 of decision X/43 (items 5 to 7), and provide additional recommendations and advice which will be submitted for the consideration of the seventh meeting of the Working Group on Article 8(j) and Related Provisions, to be held in Montreal from 31 October to 4 November 2011. The advice and recommendations are contained in the annex.

ITEM 9 CLOSURE OF THE MEETING

40. The Ad Hoc Expert Group Meeting of Local Community Representatives closed at 5 p.m. on Saturday, 16 July 2011.

Annex

**ADVICE AND RECOMMENDATIONS ARISING FROM THE EXPERT GROUP MEETING OF
LOCAL-COMMUNITY REPRESENTATIVES**

The following recommendations were adopted by consensus and are transmitted for the consideration of the seventh meeting of the Working Group on Article 8(j) and Related Provisions:

I. COMMON CHARACTERISTICS

The experts recommended that a working definition may be possible based on the following characteristics, some of which could be considered essential. The group agreed that self-identification or the right to self-identify should be foremost and essential in any list of characteristics and that, because of the diversity of local communities, a possible list of characteristics should be broad and inclusive. Furthermore, from the list of possible characteristics below, a local community could possess a cluster of characteristics, reflecting its own unique cultural, ecological and social circumstances. The list below appears in no particular order of priority.

Local communities living in rural and urban areas of various ecosystems may exhibit some of the following characteristics:

- (a) Self-identification as a local community;
- (b) Lifestyles linked to traditions associated with natural cycles (symbiotic relationships or dependence), the use of and dependence on biological resources and linked to the sustainable use of nature and biodiversity;
- (c) The community occupies a definable territory³ traditionally occupied and/or used, permanently or periodically. These territories are important for the maintenance of social, cultural, and economic aspects of the community;
- (d) Traditions (often referring to common history, culture, language, rituals, symbols and customs) and are dynamic and may evolve;
- (e) Technology/knowledge/innovations/practices associated with the sustainable use and conservation of biological resources;
- (f) Social cohesion and willingness to be represented as a local community;
- (g) Traditional knowledge transmitted from generation to generation including in oral form;
- (h) A set of social rules (e.g., that regulate land conflicts/sharing of benefits) and organizational-specific community/traditional/customary laws and institutions;
- (i) Expression of customary and/or collective rights;
- (j) Self-regulation by their customs and traditional forms of organization and institutions;

³ Territory is interpreted as lands and waters.

- (k) Performance and maintenance of economic activities traditionally, including for subsistence, sustainable development and/or survival;
- (l) Biological (including genetic) and cultural heritage (bio-cultural heritage);
- (m) Spiritual and cultural values of biodiversity and territories;
- (n) Culture, including traditional cultural expressions captured through local languages, highlighting common interest and values;
- (o) Sometimes marginalized from modern geopolitical systems and structures;
- (p) Biodiversity often incorporated into traditional place names;
- (q) Foods and food preparation systems and traditional medicines are closely connected to biodiversity/environment;
- (r) May have had little or no prior contact with other sectors of society resulting in distinctness or may choose to remain distinct;
- (s) Practice of traditional occupations and livelihoods;
- (t) May live in extended family, clan or tribal structures;
- (u) Belief and value systems, including spirituality, are often linked to biodiversity;
- (v) Shared common property over land and natural resources;
- (w) Traditional right holders to natural resources;
- (x) Vulnerability to outsiders and little concept of intellectual property rights.

II. EFFECTIVE PARTICIPATION OF LOCAL COMMUNITIES TO ASSIST IN THE IMPLEMENTATION OF THE CONVENTION AND THE ACHIEVEMENT OF ITS GOALS

- (a) Encourage indigenous peoples' representatives and local community representatives to work collaboratively to ensure the realization of mutually beneficial results;
- (b) Provide capacity-building, by the Secretariat and its civil-society partners, in collaboration with local communities, their networks and organizations, especially women, in order to establish a common agenda and position them to better implement the objectives of the Convention on Biological Diversity;
- (c) Request donors to support initiatives for the capacity building of local communities including the provision of fellowships and grants, exchange of experiences and training for local community members in key Convention areas such as wetlands, marine and coastal zones, access and benefit-sharing and programme of work on protected areas and in all the processes of the Convention on Biological Diversity;
- (d) Request national authorities to contribute financially and at technical levels to capacity building and the effective participation of local communities in the work of the CBD at national and sub-national levels, including in the revision of NBSAPs and preparation of national reports;

- (e) Parties should ensure information on the Convention on Biological Diversity is available in the languages of local communities;
- (f) The SCBD to ensure the simultaneous translation into the appropriate official languages of the United Nations during all the meetings held under the Convention, in order to assist the full and effective participation of local communities in the work of the Convention;
- (g) Develop CEPA (two-way communication, education and public awareness) materials for and with local communities to among other things, assist their effective participation in the work of the Convention;
- (h) Request the Executive Secretary to collaborate with the Office of the High Commissioner for Human Rights (OHCHR) to commission a study on the recognition of local communities, and their legal identities at national and international levels, linking biodiversity and human rights and to submit the study and its recommendations for the consideration by Working Group on Article 8(j) at its eighth meeting;
- (i) Request the Executive Secretary to consult local community representatives to create local community networks for the dissemination of information about participation in the Convention taking into account gender and geographic dimensions;
- (j) Fund and facilitate preparatory meetings of local-community representatives to allow for the preparations of common positions before each meeting of the Conference of the Parties or other official meetings under the Convention;
- (k) Provide for the equitable and full and effective participation of local communities in meetings held under the Convention;
- (l) Provide for equitable access for local community representatives to the Voluntary Fund for the Participation of Indigenous and Local Community Representatives in Meetings held under the Convention;
- (m) Ensure local communities are represented on the selection committee for the Voluntary Fund, or create a new fund specifically for the participation of local communities in meetings held under the Convention;
- (n) Strengthen the current Article 8(j) team of the Secretariat to increase its capacity to provide services to local communities, or establish a separate division within the Secretariat dedicated to the needs of local communities;
- (o) Encourage the development and use of new communication technologies such as social networks, and other mechanisms such as the online systems used by the BCH (Biosafety Clearing-House);
- (p) Request that the Convention should promote biodiversity for livelihoods and well-being;
- (q) Request Parties to include local representation in their delegations to meetings of the Convention;
- (r) Encourage Parties and the Secretariat to promote mutual support between indigenous and local community groups, thereby promoting mutual solidarity and synergies to assist them to develop common agendas;
- (s) Encourage Parties to facilitate national CBD planning meetings, where possible, outside of capitals and co-hosted by local communities /indigenous peoples;
- (t) Request Governments and research institutions to include as co-authors the traditional/customary knowledge holders, practitioners and communities, as well as require the dissemination of reports to local communities;

- (u) Request the Secretariat in partnership with local communities and Governments to develop best practice guidance on national level engagement of local communities;
- (v) Requests the Parties to ensure adequate resources are made available to the Secretariat to ensure that official documents produced under the Convention are translated into all official United Nations languages;
- (w) Request Parties to provide translation of essential CBD documents into national languages, and then into local languages (with verification of translation);
- (x) Encourage the formal/informal co-hosting by indigenous and local communities/civil-society organizations of meetings of the Conference of the Parties starting with the eleventh meeting;
- (y) Request the Government of India to provide funding for participation of local-community representatives in the COP-11 process;
- (z) Request donors, Governments and the Secretariat to support local communities to create an International Local Community Forum on Biodiversity (ILFB) as soon as possible and in time for seventh meeting of the Working Group on Article 8(j) and COP-11;
- (aa) Provide free facilities for community space within the conference venue, including that organized by the Equator Initiative to facilitate local dialogue at CBD forums (The IUCN World Conservation Congress was given as a good example.).

III. TARGETED OUTREACH FOR LOCAL COMMUNITIES TO ASSIST IN THE IMPLEMENTATION OF THE CONVENTION AND ACHIEVEMENT OF ITS GOALS

- (a) Encourages Parties to promote national dialogue between government and local communities to review the NBSAPs;
- (b) Request the Working Group on Article 8(j) to develop guidance for national legislation, policies and programmes for implementing Articles 8(j) and 10(c) and related provisions of the Convention;
- (c) Encourage Parties to set up CBD Biodiversity National Committees with representatives of local communities, indigenous peoples, civil society and Government, with an emphasis on women and youth to, amongst other things, revise the NBSAPs and support inclusive policymaking; and to review the implementation of the Convention to provide input into the national reports and through the mid-term review of the United Nations Decade on Biodiversity;
- (d) Requests Parties and the Secretariat to promote the effective participation of local communities in achieving the Aichi Biodiversity Targets;
- (e) Requests Parties and the Secretariat to support initiatives of local communities as well as their effective participation at high-level events;
- (f) Promote and publicize the activities of local communities relevant to the Convention through the Traditional Knowledge Portal;
- (g) Requests Parties to establish an Ombudsman to facilitate compliance with the CBD at national level on issues of interest to local communities;
- (h) Requests Parties to establish and support national focal points for local communities;

- (i) Requests donors to support exchange and learning networks between Local Communities;
- (j) Requests Parties and the Secretariat to facilitate the equitable and full and effective participation of local community women in the work of the Convention;
- (k) Local communities to carry out awareness raising on conservation and sustainable use of biodiversity;
- (l) Requests the Secretariat, in partnership with local communities to facilitate local, regional and international capacity-building workshops for local communities regarding the CBD;
- (m) Parties and donors including the GEF Small Grant Programme, to support local communities to organize themselves, to ensure they can effectively participate in national and international dialogues concerning the Convention on Biological Diversity;
- (n) Encourage Parties to devolve power and decision-making regarding biodiversity and including protected areas to the local community levels including through local institutions;
- (o) Requests Governments to support outreach to local communities which amongst other things clarifies the roles of rights-holders, stake-holders and Government and assist in developing collaborative policies on biodiversity;
- (p) Encourage the Secretariat to provide disaggregated data and statistics concerning local communities and indigenous peoples in future progress reports to the working group on Article 8(j) and related provisions;
- (q) Encourage Parties to recognize and respect the right of free, prior and informed consent of the local communities with regard to decisions related to biodiversity, including protected areas, particularly in this regard, encourage Parties to recognize and respect local communities' autonomy to nominate/demarcate protected areas on lands and waters traditional occupied or used by them and involve them in their management.

IV. FURTHER ADVICE TO THE CONVENTION

The Ad Hoc Expert Group Meeting of local-communities representatives, having taken into account the thematic areas of the Convention and having considered issues raised in the Expert Group Meeting, proposes that the theme of the next in-depth dialogue, to be held at the eighth meeting of the Working Group on Article 8(j) and Related Provisions should be “Nomadic, semi-nomadic local communities, transhumance and dry and sub-humid lands” or “Marine and coastal biodiversity and indigenous and local communities”

V. ADVICE TO THE INTERNATIONAL SYSTEM

- (i) International organizations such as the Office of the High Commissioner for Human Rights, the International Labour Organization, the World Intellectual Property Organization, the United Nations Development Programme, the United Nations Population Fund and especially UN Women and other relevant organizations:
 - (a) Creation of an online forum or *hot line* for local communities to allow further quick legal and human rights advice;

(b) Support for local communities and civil-society organizations to launch effective warnings against threats from economic and political forces;

(c) Make available legal assistance and training available for local communities on their legal status, including the right to self-identify and human rights;

(d) Promote training or empowering local communities to ensure they can defend their rights.

(e) Assist local communities in taking formal legal and human rights actions;

(ii) *UNESCO and UNICEF*

(a) Work with Governments to include environmental education, including information on the CBD in school curricula;

(b) Promotion of self-identification of local communities through the production and dissemination of educational materials to local communities;

(iii) *United Nations Public Information Centres*

Encourage the production of soap operas – creative and popular media – to reach out to local communities;

(iv) *UNDP Equator initiative*

Recommend the inclusion of all local communities in the eligibility criteria for the Equator Prize;

(iv) *General Assembly*

Declare an international year on traditional knowledge aiming for 2013.
