



Ref: SCBD/SEL/HM

27 June 2002

NOTIFICATION

Hiring of a consultant team for the preparation of a Composite Report on the Status and Trends Regarding the Knowledge, Innovations and Practices of Indigenous and Local Communities Embodying Traditional Lifestyles Relevant to the Conservation and Sustainable Use of Biological Diversity

Dear Sir/Madam,

The purpose of the present notification is to invite consultants interested in carrying out the preparation of the first phase of a Composite Report on the Status and Trends regarding the knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity to contact the Executive Secretary of the Convention on Biological Diversity. The Executive Secretary intends to hire a consultant team for this purpose by **September 2002**.

Background

At its sixth meeting, in The Hague, the Netherlands, in April 2002, the Conference of the Parties to the Convention on Biological Diversity decided, as part of the work programme on Article 8(j) and related provisions (traditional knowledge), to undertake the first phase of the preparation of a composite report on the status and trends regarding the knowledge, innovations and practices of indigenous and local communities relevant to the conservation and sustainable use of biodiversity. The report is to be submitted to the *Ad Hoc* Inter-sessional Working Group on Article 8(j) and Related Provisions, which is tentatively scheduled to hold its third meeting in January 2004 (see decision VI/10, paragraphs 8 to 11).

The Conference of the Parties adopted an outline of the composite report. Phase one of its preparation is to focus on (i) the retention of traditional biodiversity-related knowledge and (ii) the identification and assessment of measures and initiatives to protect, promote and facilitate the use of traditional knowledge. The detailed outline of the composite report as adopted by the Conference of the Parties is attached to the present notification as Annex I and the full text of decision VI/10 is available at the Convention's website: <http://www.biodiv.org/decisions/>

In accordance with the request of the Conference of the Parties, the Executive Secretary is seeking to appoint a consultant team for a period of 12-15 months to undertake the first phase of the composite report. The task consists in the preparation of a report of some 100-120 pages, including the executive summary (10-15 pages) and recommendations for its distribution.

To: All CBD National Focal Points and NGOs and Indigenous and Local Communities Organizations



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The executive summary and recommendations should be prepared in a format suitable for presentation to the *Ad Hoc* Working Group on Article 8(j). In making recommendations, the consultant(s) will need to include recommendations for the subsequent phases of the composite report, including, if they deem necessary, a revision of the outline of the report as contained in Annex I of decision VI/10.

In the preparation of the report, the consultants will:

1. Make particular use of national reports, case studies, other data submitted to the Executive Secretary in response to various decisions of the Conference of the Parties (for example, paragraph 3 of decision III/14, paragraph 10 of decision VI/9) and other relevant published information (for example, the various relevant reports published by the Commission on Human Rights, the International Labour Organization, UNESCO, the Food and Agriculture Organization of the United Nations (FAO), and relevant non-governmental organizations, such as WWF, ACTS, Terralingua, Third World Network, etc);
2. Ensure that the report is focused, thoroughly researched and scientifically rigorous;
3. Ensure that the report is (a) geographically balanced and that (b) it takes into consideration regional initiatives as a basis for global analysis;
4. Include up-to-date information provided by Parties and indigenous and local community organizations;
5. Keep in mind the programme of work on Article 8(j) and related provisions endorsed by the COP in paragraph 1 of decision V/16 and as contained in the annex to that decision, with a view to providing information that could support further advancement of the programme of work;
6. Ensure the full and effective participation and involvement of indigenous and local communities, and particularly women, in the preparation of phase I of the composite report, through, for example, consultation with the indigenous and local community liaison group;
7. Respect and follow any codes of ethics and/or guidelines established by indigenous and local communities in relation to permission and consent to: enter communities, conduct interviews; record, use and publish information relevant to the report; and to conduct the research relevant to the composite report; and
8. Have due regard to relevant national laws and policies in the conduct of their work.

Reporting requirements:

Every three months, the consultant(s) will provide a detailed report to the Executive Secretary on progress in completing the task.

Terms of reference

The terms of reference for the selection of consultants are as follows:

(i) **Background**

The consultants must possess sound knowledge of the Convention on Biological Diversity (its objectives; relevant decisions, programmes of work and documents), particularly in relation to Article 8(j) and related provisions;

(ii) Qualifications

The consultants must possess either a research degree at the level of Masters or PhD, or equivalent research experience (supported by publications);

(iii) Experience

The consultants must demonstrate their ability in researching, compiling and analyzing data, and preparing reports intended for policy guidance at global and/or regional levels.

(iv) Direct knowledge of indigenous and local community cultures

The consultants must have direct knowledge of indigenous and local community cultures with respect to, *inter alia*:

(a) the cultural and linguistic diversity of indigenous and local communities;

(b) the diversity of the geographical, historical, economic, social, demographic and political/national circumstances under which indigenous and local communities exist.

(v) Understanding and involvement with indigenous and local communities

Evidence of professional involvement (and the nature of that involvement) with indigenous and local communities and/or their organizations.

5. Additional information required of applicants

In addition to a statement addressing the selection criteria, applicants should include:

- (i) a copy of a recent work (e.g. report, study, book) to demonstrate their competence/ability to carry out the task;
- (ii) a proposal for undertaking the consultancy which includes, the proposed:
 - (a) format/table of contents for the report;
 - (b) methodology; and
 - (c) a list of references likely to be consulted in carrying out the task.
- (iii) a timetable for the completion of the report within the twelve month period;
- (iv) the coordinates of three referees, including at least one referee from an indigenous or local community organization, who can attest to the competence of the applicant with regard to the task.

Accept, Madam/Sir, the assurance of my highest consideration.

Yours sincerely,

Hamdallah Zedan
Executive Secretary

Decision VI/10

Annex I

OUTLINE OF THE COMPOSITE REPORT ON THE STATUS AND TRENDS REGARDING THE KNOWLEDGE, INNOVATIONS AND PRACTICES OF INDIGENOUS AND LOCAL COMMUNITIES RELEVANT TO THE CONSERVATION AND SUSTAINABLE USE OF BIODIVERSITY, AND THE PLAN AND TIMETABLE FOR ITS PREPARATION

I. OUTLINE OF THE COMPOSITE REPORT

The following is an indicative list of possible topics and sub-topics that could be addressed in the composite report. Review of phase I will lay the necessary foundation for the subsequent review under phase II.

A. Phase I

1. The state of the retention of traditional biodiversity-related knowledge

1. The state of retention of traditional knowledge varies considerably from country to country and within countries; in relation to global food and medicinal security; and across and within major ecosystem categories. In many indigenous and local communities, some traditional practices relevant to the conservation and sustainable use of biological resources have ceased as a result of such factors as loss of land, disappearance of subsistence species from local ecosystems, and national programmes for modernization and resettlement. However, the knowledge of those practices still remains, making their reintroduction, in relevant circumstances, a practical option for the purposes of indigenous and local communities. In this section, it is proposed, under the following headings, to assess the state of retention of traditional knowledge in relation to three important biological diversity sectors (food, medicine, and conservation and sustainable use of flora and fauna) and in relation to the major ecosystem categories, and also assess the feasibility of taking measures to conserve and protect threatened traditional knowledge and practices associated with the conservation and sustainable use of biological diversity.

- 1.1 Status of traditional knowledge of plant genetic resources for food and agriculture (PGRFA)
- 1.2 Status of traditional knowledge of animals and microorganisms for food and other purposes
- 1.3 Status of traditional medicinal knowledge
- 1.4 Status of traditional knowledge systems concerning the following ecosystem categories:
 - 1.4.1 Forests
 - 1.4.2 Dryland and steppes ecosystems
 - 1.4.3 Marine and coastal ecosystems
 - 1.4.4 Island ecosystems

1.4.5. Mountain and valley ecosystems

1.4.6 Inland waters

1.4.7 Arctic ecosystems

1.5 Knowledge versus practice: state of retention of traditional knowledge concerning practices relevant to the customary management, conservation and sustainable use of biological diversity that are no longer maintained or are at risk of disappearing

1.6 Assessing the feasibility of using existing traditional knowledge to maintain customary practices relevant for the management, conservation and sustainable use of biological diversity

2. The research should be conducted in a fashion that is not intrusive, gives effect to the need to respect, preserve and maintain traditional knowledge, innovations and practices, and respects the capacity of indigenous and local communities to protect traditional knowledge.

2. *Identification and assessment of measures and initiatives to protect, promote and facilitate the use of traditional knowledge*

3. National reports to date have revealed a range of measures that have been taken in various countries at national and local levels to stem the loss of traditional knowledge. Such measures include legislation governing access to genetic resources that also requires the free prior informed consent of affected indigenous and local communities; recognition of customary systems of land tenure; establishment of traditional knowledge registers; introduction of *sui generis* laws to protect traditional knowledge; language programmes to recover and/or maintain local languages; constitutional recognition of the rights of indigenous and local communities, with empowerment at the local level to enact various laws that can be used to protect the interests of the community; wider application of traditional knowledge, with the consent and involvement of its holders, in a range of biodiversity conservation and sustainable use measures; repatriation from museums and other holding institutions of important objects and associated information to communities of origin, researchers to return knowledge and information of indigenous peoples to the respective groups; and the establishment of codes of ethics, to be determined by indigenous peoples, to guide conduct of researchers. While measures differ from country to country and among communities, a mix of appropriate initiatives is emerging that can facilitate the revival and maintenance of traditional knowledge and cultural practices relevant to the conservation and sustainable use of biological diversity. It is proposed that these initiatives be assessed under the following headings:

2.1 Regional and national land use practices

2.2 Incentive measures

2.3 Capacity-building measures

2.4 Repatriation of objects and associated information to communities of origin

2.5 Strategic planning for conservation and sustainable use of biological diversity within the context of community development planning

2.6 Legislative (including policy and administrative) measures

B. Subsequent phases

3. *The relationship between biological, cultural and linguistic diversity*

4. A number of studies have highlighted the fact that many of the centres of highest biological diversity are also places of high cultural and linguistic diversity, and have demonstrated that the relationship between biological, cultural and linguistic diversity is mutually dependent in many of these regions. A decrease in the diversity of any of these components could lead to a loss of traditional knowledge and therefore diminish humanity's capacity to conserve and sustainably use many of the Earth's vital ecosystems. It is proposed that the issues raised with respect to the continued maintenance and application of traditional knowledge, innovations and practices by virtue of the nature of the relationship between biological, cultural and linguistic diversity be addressed under the following headings:

3.1 Diversity: the key to a sustainable future

3.2 Loss of local languages as a factor in the loss of traditional knowledge

3.3 Loss of biological diversity as a factor in the loss of traditional knowledge, and vice versa

3.4 Cessation of cultural practices relevant to the conservation and sustainable use of biological diversity as a factor in the loss of traditional knowledge

3.5 Impoverishment

3.6 Migration

3.7 Reduction in numbers of indigenous peoples

3.8 Loss of ancestral lands and territories

4. *Identification of national processes that may threaten the maintenance, preservation and application of traditional knowledge*

5. Many of the processes that may continue to threaten the maintenance and survival of traditional knowledge have their roots in the histories of many countries, for example, in the processes of colonization involving conflict, introduced diseases, dispossession of territories, resettlement, forced assimilation, and marginalization of indigenous and local communities. Some studies have indicated that national development programmes and policies, modernization of agricultural production and other natural resource-based industries, education and training programmes, and employment strategies often do not take into sufficient account the needs of indigenous and local communities. Similarly, there has been a lack of effective indigenous and local community involvement in the design of the necessary policies and programmes to enable such communities to protect their traditional knowledge or to capitalize on their innovative capacities for the conservation and sustainable use of biological diversity within the national and global economies. It is proposed that these issues could be addressed as follows:

4.1 Demographic factors

4.2 National development policies/programmes

- 4.3 Education, training and employment policies/programmes
- 4.4 National programmes for modernization through the development, transfer and adoption of new technologies
- 4.5 Identification of activities, actions, policies and legislative and administrative procedures that may discourage the respect for, preservation and maintenance of traditional biodiversity-related knowledge
- 5. *Identification of processes at the local community level that may threaten the maintenance, preservation and application of traditional knowledge*

6. A number of factors that may threaten the maintenance of traditional knowledge also occur at the local community level, by disrupting the processes of intergenerational transmission of languages, cultural traditions and skills. The significance of these factors will vary from country to country, but they generally include changes to patterns of settlement; the movement of young people to cities for employment, education and lifestyle opportunities; introduction of new technologies, foods and medicines, making people less reliant on traditional ways; low levels of life expectancy brought about by changes in lifestyle and new epidemics such as HIV-AIDS; and a host of new cultural influences disseminated through modern media. Many indigenous and local communities, while having a solid natural resource base and the traditional knowledge to conserve and use it sustainably, nevertheless, may not have sufficient capacity to be able to develop these assets for the benefit of their communities in today's economy. In some instances, this situation has encouraged the development of these assets by outside interests to the detriment of the communities and has resulted in their further marginalization. These issues would be explored under the following headings:

- 5.1 Territorial factors and factors affecting communal lands
- 5.2 Cultural factors
- 5.3 Economic factors (including the relationship between poverty and ecosystem stress)
- 5.4 Social factors (including demographic, gender and familial factors)
- 5.5 Constraints on the exercise of customary laws relevant to the management, conservation and sustainable use of biological diversity
- 5.6 Lack of capacity to manage contemporary threats to biological diversity resulting from development, over-use and socio-economic pressures generated outside the community
- 5.7 The impact of HIV-AIDS on the maintenance of traditional knowledge systems
- 5.8. Impact of organized religions on traditional knowledge and practices
- 6. *Trends regarding the recognition and implementation of Article 8(j) and related provisions*

7. While measures taken in support of Article 8(j) and related provisions both internationally and nationally are relatively recent, it may be possible to discern trends in terms of which measures are proving more effective, how they are being monitored, and what

improvements can be made. Many indigenous and local communities, particularly women, have also taken their own initiatives to preserve, protect and promote the use of their traditional knowledge. It is proposed that these trends be analysed according to the following headings:

- 6.1 International trends
 - 6.1.1 Intergovernmental agencies and processes
 - 6.1.2 Non-governmental organizations
- 6.2 The role of the World Bank and the regional development banks
- 6.3 National trends
- 6.4 Trends at the local level
- 6.5 Private sector trends
- 6.6 Articulation and application of traditional knowledge (including indigenous knowledge) and contemporary scientific management practices for the conservation and sustainable use of biological diversity
- 6.7. Implications of globalization

7. *Conclusions: lessons learned and identification of best practices for the maintenance, preservation and application of traditional knowledge*

8. The report would include conclusions based on the findings emerging from the consideration of the previous topics and sub-topics.

C. Plan for the preparation of the report

9. The objective is to produce the first phase of a composite report on the status and trends regarding the knowledge, innovations and practices of indigenous and local communities relevant to the conservation and sustainable use of biological diversity for the consideration of the third meeting of the Ad Hoc Open-ended Inter-Sessional Working Group on Article 8(j) and Related Provisions so that the Working Group can make recommendations for the consideration of the Conference of the Parties at its seventh meeting.

10. Accordingly, the following stages are proposed for the preparation of the first phase of the report:

(a) *Stage 1*: Selection and appointment of a consultant to prepare the report; the consultant should be engaged as soon as possible after the sixth meeting of the Conference of the Parties;

(b) *Stage 2*: Based on the decision of the Conference of the Parties at its sixth meeting regarding the outline of the report, address the elements of the report. This stage will entail literature surveys, extraction and analysis of information, and preparation of a written report for each of the elements (chapters) identified in the outline. Research and the writing up of the chapters should be completed within 12 months of starting (i.e., September 2003);

(c) *Stage 3*: The separate chapters of the report are to be edited, and the introduction and concluding chapters, the executive summary and recommendations are to be prepared by the consultant. The executive summary and recommendations should be prepared in a format suitable for presentation to the Ad Hoc Working Group on Article 8(j) and Related Provisions for consideration at its third meeting. This stage should be completed by 31 December 2003, with the distribution of the executive summary and recommendations to Parties, indigenous and local communities, and relevant organizations;

(d) *Stage 4*: Review of the report by the Ad Hoc Working Group on Article 8(j) and Related Provisions at its third meeting. It is assumed that the third meeting would take place in February or March 2004 to enable sufficient time for the preparation and presentation of the report;

(e) *Stage 5*: Consideration of the report by the Conference of the Parties at its seventh meeting, taking into account recommendations from the third meeting of the Ad Hoc Working Group on Article 8(j) and Related Provisions.

D. Overview of timetable for preparation of the first phase of the composite report

<i>Stage</i>	<i>Task</i>	<i>Responsibility</i>	<i>Duration</i>	<i>Deadline</i>	<i>Meeting</i>
Stage 1	Appointment of consultant to prepare report	Executive Secretary		30 September 2002	
Stage 2	Compile the chapters of the first phase of the report	Consultant	12 months	30 September 2003	
Stage 3	Complete the first phase of the report and distribute to Parties, etc.	Consultant and Executive Secretary	3 months	31 December 2003	
Stage 4	Review of the first phase of the report	Ad Hoc Open-ended Inter-Sessional Working Group on Article 8(j) and Related Provisions			Third meeting of the Working Group
Stage 5	Consideration of the first phase of the report and recommendations	Conference of the Parties			Seventh meeting of the Conference of the Parties

II. CONSIDERATIONS REGARDING THE SIZE AND SCOPE OF THE REPORT

11. An accurate and comprehensive assessment of the status and trends with regard to the state of traditional knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological

diversity is essential to the formulation of policies, plans and strategies at international, regional, national and local levels.

12. The most important considerations concerning the composite report are its scope and size as these will have a direct bearing on the amount of time and resources needed to complete the task. Two factors that have significant bearing on the elements to be addressed in the report are:

(a) The size and diversity of the global population of the world's indigenous and local communities embodying traditional lifestyles, and, in particular, those communities comprised of small groups of indigenous peoples; and

(b) The fact that, because of a multitude of factors operating at international, national and local levels, traditional knowledge relevant to the conservation and sustainable use of biological diversity is being lost at an appalling rate—a trend that must be prevented and arrested.

13. To date, no definition of what or who constitutes an indigenous or local community embodying a traditional lifestyle has been advanced for the purposes of the Convention, although matters of definition will be addressed as part of task 12 of the programme of work. A possible working definition and use of terms for the purpose of this report must respect the diversity, in all aspects, of indigenous and local communities.

14. A number of recent studies have shown a direct correlation between biological, cultural and linguistic diversity. The implication being that a loss of cultural diversity will also have a direct impact on biological diversity. According to estimates by the United Nations Educational, Scientific and Cultural Organization (UNESCO), indigenous people comprise between 70 and 80 per cent of the world's estimated 6,000 cultures and speak most of the estimated 6,700 languages in the world today. Most of the world's linguistic diversity is carried by very small communities of indigenous and minority people. Nearly 2,500 languages are in danger of immediate extinction; and an even higher number are losing the ecological contexts that keep them as vibrant languages, resulting in mass extinction of cultural and linguistic diversity and incalculable consequences for the conservation and sustainable use of many of the world's ecosystems.

15. Given the large body of traditional knowledge, innovations and practices relevant for the conservation and sustainable use of biological diversity maintained by indigenous and local communities, and the diverse threats to its maintenance and preservation, it is suggested that the composite report present a thorough and comprehensive analysis as the necessary basis for informed decision-making, policy formulation and implementation, and strategic planning for the conservation and sustainable use of world biological diversity by the Conference of the Parties, Parties and Governments, intergovernmental agencies, regional economic integration organizations, indigenous and local communities, and relevant scientific and non-governmental organizations. However, in presenting such an analysis, it is noted that the possible impacts of intellectual property protection systems on the protection, preservation, maintenance and application of traditional knowledge, innovations and practices have been the subject of a number of analyses.^{1/} An ongoing assessment of the mechanisms for the protection of traditional knowledge has been carried out by the World Intellectual Property Organization (WIPO), in collaboration with the Convention on Biological Diversity, therefore the impact of intellectual property systems on the protection of traditional knowledge is not further considered in the present report.

^{1/} See, for example, the report of the Executive Secretary on progress in the integration of relevant tasks of the programme of work on Article 8(j) and related provisions into the thematic programmes of the Convention on Biological Diversity (UNEP/CBD/WG8J/1/2) and *Intellectual Property Needs and Expectations of Traditional Knowledge Holders: World Intellectual Property Organization Report on Fact-Finding Missions on Intellectual Property and Traditional Knowledge (1998-1999)* (WIPO, 2001, Geneva).

16. Indigenous and local communities, as holders of traditional knowledge, will be the primary beneficiaries of the report, as it will identify and assess measures and initiatives to protect, promote and facilitate the use of traditional knowledge.

III. OUTLINE OF COMPOSITE REPORT: RATIONALE

17. The traditional biodiversity-related knowledge of indigenous and local communities and the languages that sustain it are being lost at an accelerating rate. Many communities fear that much of this precious knowledge will be lost with the passing of the current generation of Elders. The erosion of this knowledge creates an irrevocable loss to our storehouse of knowledge of the Earth's biological diversity, its conservation, management and sustainable use, and represents a grave threat to world food and medicinal security and indigenous and local community livelihoods. It is imperative that positive measures to counteract them should be put in place and pursued.

18. The composite report will be compiled in the sequence of priorities determined by the Parties and set out in section I above, with a strong emphasis on item 2 of phase I. It would describe the current situation of the respect for, preservation and maintenance of traditional knowledge, innovations and practices relevant to the conservation and sustainable use of biological diversity at the global level, and identify what is required to ensure their continued maintenance and application, thereby laying the foundation for some form of global plan of action to reverse the loss of this vast body of knowledge essential to the maintenance of much of the planet's biological diversity.

19. It is also anticipated that, for the purposes of the Convention, the report will provide baseline data and information - both quantitative and qualitative - by which future trends in the maintenance, preservation and application of traditional biodiversity-related knowledge, innovations and practices might be monitored and assessed.

20. To the extent feasible, the composite report will be geographically balanced, and will take into consideration regional initiatives as a basis for a global analysis, which will also include information from international sources.

IV. SOURCES AND AVAILABILITY OF INFORMATION

21. The priority elements should be compiled from existing published reports and any supplementary information provided by Parties, Governments, organizations representing indigenous and local communities, and it would be based on information already available released in the public domain. The consultant shall observe the applicable national legislation when accessing and using these sources of information.

National reports

22. National reports and other relevant information submitted by Parties will ensure comprehensive coverage of the status and trends relating to traditional knowledge, innovations and practices in terms of its state of preservation; recognition and incorporation within national biological diversity programmes and strategies; and national measures being undertaken to enhance and secure respect, preservation and maintenance of traditional knowledge.

Agency reports

23. Consistent with the ways and means for undertaking the programme of work identified in section IV of the annex to decision V/16, the Executive Secretary is to consult with and invite relevant international organizations to contribute to the undertaking of task 5, also with a view to avoiding duplication and to encourage synergies. Accordingly, information relevant to task 5 is to be sought from international agencies such as the World Intellectual Property Organization

(WIPO), the World Trade Organization (WTO), the Food and Agriculture Organization of the United Nations (FAO), the World Health Organization (WHO), the Office of the United Nations High Commissioner for Human Rights (UNHCHR), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Labour Organization (ILO), the United Nations Conference on Trade and Development (UNCTAD), the World Bank, and the United Nations Development Programme (UNDP), and from the secretariats of environment-related conventions such as the Convention to Combat Desertification, the Convention on Wetlands (Ramsar, Iran, 1971), the Convention on Migratory Species, the United Nations Convention on the Law of the Sea, the Convention on International Trade in Endangered Species, the World Heritage Convention, and the United Nations Framework Convention on Climate Change.

24. In recent years, many United Nations agencies such as UNEP, FAO, UNHCHR, WIPO, ILO, UNCTAD, UNESCO and WHO, and intergovernmental agencies and processes have undertaken surveys and studies, and compiled reports concerning issues relevant to task 5. As examples of these reports, the following can be cited:

(a) Food and Agriculture Organization of the United Nations, *The State of the World's Plant Genetic Resources for Food and Agriculture*. (FAO, Rome, 1998);

(b) Oloka-Onyango J and Udagama D, *The realization of Economic, Social and Cultural Rights: Globalization and its Impact on the Full Enjoyment of Human Rights: Preliminary Report*. (Commission on Human Rights, Geneva, document E/CN.4/Sub.2/2000/13, 15 June 2000);

(c) Posey DA (ed), *Cultural and Spiritual Values of Biodiversity: A Complementary Contribution to the Global Biodiversity Assessment*. (Intermediate Technology Publications, London and United Nations Environment Programme, Nairobi, 1999);

(d) World Intellectual Property Organization, *Intellectual Property Needs and Expectations of Traditional Knowledge Holders: World Intellectual Property Organization Report on Fact-finding Missions on Intellectual Property and Traditional Knowledge (1998-1999)*. (WIPO, Geneva, 2001).

Indigenous and local community analysis and information

25. Indigenous and local community organizations are well suited to provide relevant assessments of the host of issues that affect the respect, preservation, maintenance and application of their traditional knowledge, innovations and practices. The scope of the work should reflect reasons for traditional knowledge loss and the loss of traditional practices and innovations. On a regional basis, the efforts of indigenous and local communities should be resourced to address this problem. The global diversity of indigenous and local communities must be recognized and taken into account, respecting prevailing traditional practices, with the help of the International Indigenous Forum on Biodiversity.

26. In many countries, peak organizations representing indigenous and local communities have undertaken relevant studies, and proposed policy initiatives and strategies for incorporation into national biological diversity action plans. Many indigenous and local communities also have major responsibilities with government agencies for the management of protected areas under joint or cooperative arrangements. In addition, there is also a wealth of anthropological studies and assessments of the issues confronting indigenous and local communities as they seek to maintain their cultural identities in an increasingly globalized society.

Reports by non-governmental organizations

27. As with international agencies, a number of non-governmental organizations such as the World-Wide Fund for Nature (WWF), Terralingua, the African Centre for Technology Studies

(ACTS), the Rural Advancement Foundation International (RAFI), Cultural Survival, International Work Group for Indigenous Affairs and the Third World Network, have also published important studies, reports and other information relevant to task 5. One such example is the recent study published by the WWF and Terralingua:

Oviedo G, Maffi L and Larsen PB, *Indigenous and Traditional Peoples of the World and Ecoregion Conservation: An Integrated Approach to Conserving the World's Biological and Cultural Diversity*. (WWF International and Terralingua, Gland, Switzerland, 2000).

V. WAYS AND MEANS FOR THE PREPARATION OF THE COMPOSITE REPORT

28. With regard to the compilation of the composite report, and in light of the comments made in section II above regarding its possible size and scope and following the recommendation of the Working Group on Article 8(j), the Conference of the Parties endorsed following approach for the preparation of the report:

(a) A consultant team should be employed by the Secretariat, for a period of 12 to 15 months, to prepare a report of some 100-120 pages, including the executive summary (10-15 pages for the benefit of policy makers) and recommendations for distribution to Parties and Governments, relevant intergovernmental agencies, indigenous and local communities and relevant organizations for their consideration prior to the third meeting of the Working Group on Article 8(j);

(b) Terms of reference for consultant team selection should include background, qualifications, experience, including regional experience, direct knowledge of indigenous cultures, understanding and involvement with indigenous and local communities. An advisory group/steering committee, in which indigenous and local populations will be represented, should assist the work of the consultant and provide a liaison with regional groups and local communities;

(c) The review of the report should include the full and effective participation of indigenous and local communities, while being mindful to avoid intrusiveness. The report would make particular use of national reports, case-studies, other data submitted to the Executive Secretary in response to various decisions of the Conference of the Parties, and other relevant published information (see section IV above). Work would essentially entail desktop analysis of this information. The report should be focused, thoroughly researched and scientifically rigorous. It would also include up-to-date information provided by Parties and indigenous and local community organizations. In this context, a mechanism for full participation that respects the needs of indigenous communities should be established. The report must be approved by the Conference of the Parties prior to its formal dissemination in final form;

(d) In preparing the report, the communities' established codes of ethics guidelines, which entail permission and/or consent of indigenous and local communities to enter the communities and conduct the research, will be respected and followed.

VI. SOURCES OF FUNDING

Consistent with the ways and means for undertaking the programme of work identified in section IV of the annex to decision V/16, Parties, Governments, and international, regional and national organizations should provide appropriate financial support, including to indigenous and local communities, for the development of this report.