

Biocultural Community Protocols Under
the Nagoya Protocol 4 June 2011
Key Talking Points

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Key Point 1

- Several challenges and questions lay ahead with regard to the legislative and regulatory approach for countries to ensure that benefits are fairly and equitably shared and that it benefits indigenous peoples and local communities.

Key Point 2

- What is clear is that specific tools are required for the benefits to reach indigenous peoples and local communities and for access and benefit sharing as a general concept to contribute to the realization of equity and sustainable development. The need for such tools is too clear.

About Workshop

- Seneca International, INBRAPI, Asociacion ANDES and CHINCHASUYU would like to present some examples of how Biocultural Protocols can help the implementation Process of the Nagoya Protocol.
 - These initiatives are already established working tools that creatively combine provision of the Nagoya Protocol related to Access and Benefit Sharing associated to Traditional Knowledge with systems of access and distribution of benefits found in indigenous peoples customary laws.
 - ○ Examples have been done fitting each country's specific circumstances and regulatory traditions.

Agenda

- 1. Firstly we will hear an example from Peru, the Potato Park, where a community biocultural protocol is in place for the last few years and gives us a concrete example of how the CBD ABS provisions related to Article 8j, 10c and provisions of the Nagoya Protocol can realize benefit sharing at the community level.
 - a. This is a tool that is bridging inter-State benefit sharing with communities' needs, aspirations and livelihoods in a practical level.
- 2. Following we will hear from Lucia Fernanda Kaingang from INBRAPI, Brasil, about indigenous peoples' views on how Parties obligation under the Nagoya Protocol could be implemented through the community protocols.

Agenda Cont'd

- 3. Thirdly, Yolanda Teran from CHINCHASUYU, Ecuador will speak about how to use inter-cultural methods and tools for raising awareness of the importance of genetic resources and traditional knowledge associated with genetic resources, and related access and benefit-sharing issues.
- 4. Following we will have short comments by John Scott from the CBD Secretariat; Kent Nnadozie; ITPGRFA Secretariat, and Preston Hardison; Tulalip Tribes, US
- 5. Conclude: This is a critical theme to advance the implementation of the Nagoya Protocol and a focus theme upon which we are initiating a collaborative process in the Americas.

Concluding Remarks

We should consider a broader approach to the implementation of the CBD ABS principles as they relate to traditional knowledge and associated genetic resources.

- Particularly, in the context of this convention we should keep in mind Article 8(j) as it gives us a clear articulation of benefit sharing as recognition of the contribution of indigenous and local communities traditional knowledge, innovation and practices to the conservation of biodiversity.
- In addition to Article 8(j) we should also keep in mind Article 10(c), which is linked to benefits arising from the sustainable use of biodiversity components, in consideration of the fact that traditional knowledge derives from the customary use of biodiversity components and contributes to ensuring the conservation of biodiversity.

Concluding Remarks Cont'd

We should work toward creating tools that ensure that benefits flow to indigenous peoples and local communities and ensure continued conservation and sustainable use, according to the first and second objectives of the Convention - rather than in relation to the access and use of genetic resources more specifically, under the third objective.

- In this way we can ensure that indigenous peoples issues are strongly linked to benefit sharing in the context of various programs of work and voluntary guidelines related to the conservation and sustainable use of biodiversity with specific regard to protected areas, forests, mountains, tourism, environmental and socio-cultural impact assessment, and the ecosystem approach.