



**General Overview:  
Objectives, Principles and  
Achievements to date  
of the current Programme of Work on  
Traditional Knowledge**

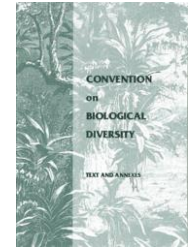
**Mr. John Scott and Mr. Oliver Hillel  
Secretariat of the CBD**

**CBD**

# Content

- **What are the obligations relating to Traditional Knowledge (TK) and IPLCs according to the CBD, the Nagoya Protocol and the Cartagena Protocol?**
- **What is the current Programme of Work on Traditional Knowledge?**
- **What are the achievements of the Programme of Work on Traditional Knowledge to date?**
- **What are the current institutional arrangements on TK under the CBD?**
- **Why is it important to mainstream TK and issues related to IPLCs into economic sectors?**

# What are the obligations relating to TK according to the CBD?



## A few key provisions of the CBD: 8 (j), 10(c)

Parties undertake to:

- **respect, preserve and maintain** traditional knowledge of IPLCs relevant to the conservation and sustainable use of biological diversity
- **promote** its wider application with the approval and involvement of the holders of such knowledge and
- encourage the equitable sharing of benefits

**(Article 8, paragraph (j))**

Other relevant provisions: **Article 10 (c)** states that Parties shall, as far as possible and as appropriate:

- Protect and encourage **customary use of biological resources** in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements.

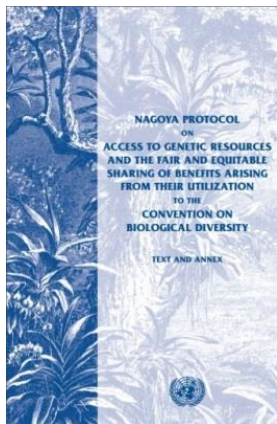
**Article 17 and 18**

\*CSU is the classroom for TK transmittal

# What are the obligations relating to TK according to the Nagoya Protocol?



The Nagoya Protocol builds on the ABS provisions of the CBD and aims to ensure fair and equitable benefit-sharing arising from the use of **genetic resources** and **traditional knowledge associated with genetic resources**.



- Adopted in October 2010 in Nagoya, Japan
- Entered into force on 12 October 2014
- Now ratified by 116 Parties to the CBD
- Three core pillars: **Access, Benefit-sharing, Compliance**
- **Legally binding for parties to the Nagoya Protocol**

# What are the obligations relating to IPLCs according to the Cartagena Protocol?



The Cartagena Protocol is an international treaty that seeks to protect biological diversity from the risks posed by living modified organisms (LMOs), also often referred to as genetically modified organisms (GMOs), which are a product of modern biotechnology.

- Adopted in 2000 in Cartagena, Colombia
- Entered into force in 2003
- Now ratified by 171 Parties to the CBD

Refer to socio economic impacts of living modified organisms, especially on indigenous and local communities (article 26)



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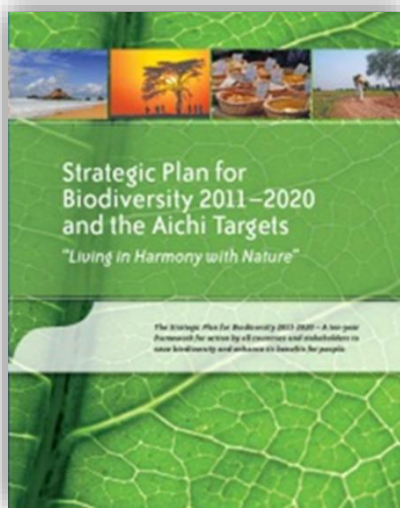
# What are the obligations relating to IPLCs according to the SP



## Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets

Mission: Take effective and **urgent action to halt the loss of biodiversity** in order to ensure that by 2020 ecosystems are resilient and continue to provide essential services, thereby securing the planet's variety of life, and contributing to human well-being, and poverty eradication

- Adopted in 2010
- 20 Aichi Biodiversity Targets organized under 5 Strategic Goals
- **Target 18:** By 2020, the traditional knowledge, innovations and practices of indigenous and local communities and their customary use, are respected

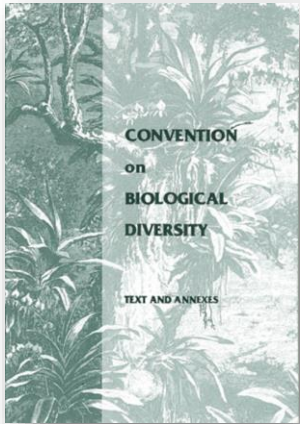


# What is the Programme of Work on Traditional Knowledge?



The aim is to **promote** within the framework of the Convention a just implementation of **Article 8(j) and related provisions**, at local, national, regional and international levels and to **ensure the full and effective participation of indigenous peoples and local communities** at all stages and levels of its implementation.

- Adopted in 2000
- Contains 5 elements and 17 tasks
- Timeframe: 2000 to 2020



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# What are the achievements of the Programme of Work on Traditional Knowledge to date?



## Outcomes, Guidelines and Tools

T.5

○ Composite report on the status and trends of traditional knowledge

T.16

○ Tkarihwaié:ri Code of Ethical Conduct to Ensure Respect for the Cultural and Intellectual Heritage of ILCs

T.9

○ Akwé:Kon Voluntary Guidelines on the conduct of cultural, environmental and social impact assessments

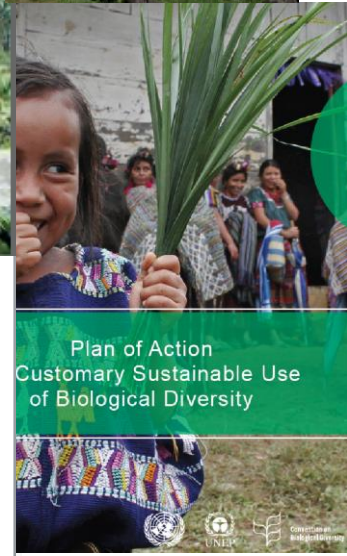
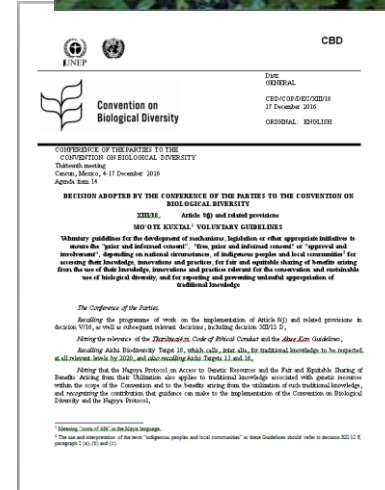
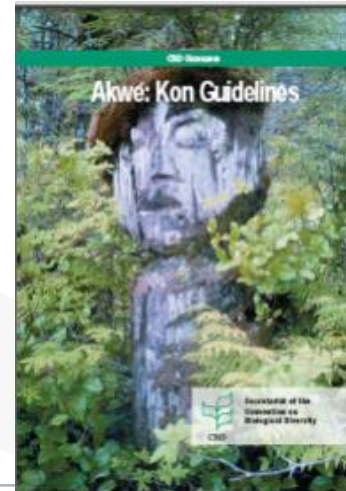
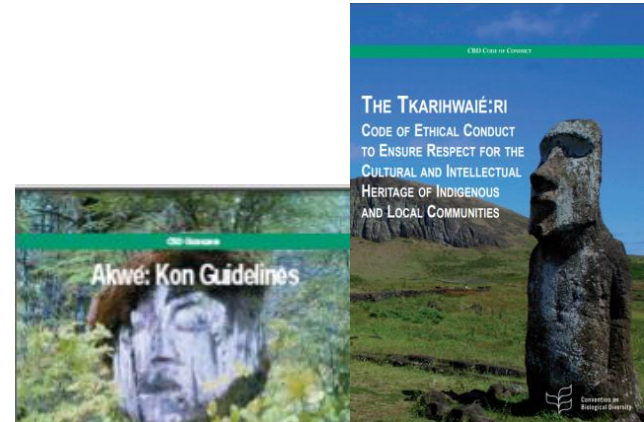
○ Plan of Action on the Customary Sustainable Use of Biological Diversity

T.7

○ **Mo'otz Kuxtal Voluntary Guidelines for Traditional Knowledge (access and benefit sharing for the utilization of TK)**

T.10

T.12





# What are the achievements of the Programme of Work on Traditional Knowledge to date?




## Outcomes, Guidelines and Tools

- The Rutzolijirisaxik voluntary guidelines for the repatriation of traditional knowledge
- Glossary of relevant key terms and concepts



T.15

T.12

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**Convention on Biological Diversity**

CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY  
Fourteenth meeting  
Sharm El-Sheikh, Egypt, 17-29 November 2018  
Agenda item 19

**DECISION ADOPTED BY THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY**

14/12. The Rutzolijirisaxik<sup>1</sup> Voluntary Guidelines for the Repatriation of Traditional Knowledge of Indigenous Peoples and Local Communities Relevant for the Conservation and Sustainable Use of Biological Diversity

*The Conference of the Parties,*

Recalling Article 17 of the Convention, which requires Parties to facilitate the exchange of information, from all publicly available sources, relevant to the conservation and sustainable use of biological diversity, including exchange of results of technical, scientific and socio-economic research as well as information on training and surveying programmes, specialized knowledge, indigenous and traditional knowledge, and where feasible, the repatriation of information,

Also recalling Article 18 of the Convention, which requires Parties, among other things, to promote technical and scientific cooperation as well as, in accordance with national legislation and policies, to encourage and develop methods of cooperation for the development and use of technologies, including indigenous and traditional technologies,

Emphasizing that the objectives of the Rutzolijirisaxik<sup>1</sup> Voluntary Guidelines for the Repatriation of Traditional Knowledge of Indigenous Peoples and Local Communities Relevant for the Conservation and Sustainable Use of Biological Diversity is to facilitate the recovery of traditional knowledge relevant for the conservation and sustainable use of biological diversity, as stated in decision XIII/13


Bearing in mind the importance of international cooperation for the repatriation of traditional knowledge relevant to the conservation and sustainable use of biological diversity and related and/or complementary information for indigenous peoples and local communities to facilitate the recovery of traditional knowledge of biological diversity, and taking into account the importance of indigenous peoples and local communities' governance for restoration and management of their traditional knowledge,

Considering the importance of the effective implementation of the various international arrangements, instruments, programmes, strategies, standards, guidelines, reports and processes of relevance, and maintaining their mutual supportiveness, taking into account national legislation, and without prejudice to the rights of indigenous peoples and local communities,

Also considering the complexities involved in relation to some of the concepts addressed in the Rutzolijirisaxik<sup>1</sup> Voluntary Guidelines, such as "publicly available" traditional knowledge,

Stressing the importance of legality, transparency and mutual respect and understanding in relations between indigenous peoples and local communities, on the one hand, and academics, the scientific

<sup>1</sup> "Rutzolijirisaxik" means "Returning to one's place of origin" in the local traditional language, Maya K'iche'.

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**DECISION ADOPTED BY THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY**

14/13. Glossary of relevant key terms and concepts within the context of Article 8(j) and related provisions

*The Conference of the Parties,*

Noting that clarity in the use of terms and concepts within the context of Article 8(j) and related provisions can contribute to a common understanding and assist in their implementation in order to achieve Aichi Biodiversity Target 18 by 2020,

Also noting that a common understanding of key terms and concepts within the context of Article 8(j) and related provisions in meetings held under the Convention may assist the Parties in achieving consensus in future decisions and directions taken under the Convention, including in developing post-2020 arrangements,

Emphasizing that the use of the glossary is without prejudice to the terminology used in the Convention and does not constitute an interpretation of the Convention or the application of its provisions in accordance with the Vienna Convention on the Law of Treaties,<sup>1</sup> and is without prejudice to further discussions on terminology under other international forums,

1. Adopts the voluntary glossary of key terms and concepts within the context of Article 8(j) and related provisions as contained in the annex to the present decision, taking into account that the terms and the concepts are subject to national legislation and the diverse national circumstances of each Party or Government, and that many Parties have specific understandings of terms and concepts that may already apply within their jurisdiction;

2. Encourages Parties, other Governments and observers, with the full and effective participation of indigenous peoples and local communities, to disseminate and make use of the glossary to support the implementation of Article 8(j) and related provisions, in accordance with national legislation and circumstances, as appropriate, and to take it into account in future work under the Convention;

3. Requests the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions to keep the glossary in mind in its future work, as a living resource and reference, and to revisit and update the glossary, when necessary, as may be appropriate as part of the post-2020 arrangement.

<sup>1</sup> United Nations, Treaty Series, vol. 1155, No. 18222.

## What are the pending tasks of the Programme of Work on Traditional Knowledge to date?

**\*Parties are requested to consider to what extent they have been addressed by completion of other tasks**



### Task 6

The WG8J to develop **guidelines for respect, preservation and maintenance of traditional knowledge**, innovations and practices and their wider application in accordance with Article 8(j).

### Task 11

The WG8J to assess, existing subnational, as appropriate, national and **international instruments, particularly intellectual property instruments**, that have implications on the protection of knowledge, innovations and practices of indigenous and local communities with a view to identify synergies between these instruments and the objectives of Article 8(j).

### Task 13

The WG8J to develop a set of **guiding principles and standards to strengthen the use of traditional knowledge and other forms of knowledge for the conservation and sustainable use** of biological diversity, taking into account the role that traditional knowledge can play with respect to the ecosystem approach, in-situ conservation, taxonomy, biodiversity monitoring and environmental impact assessments in all biodiversity sectors.

What are the pending tasks of the Programme of Work on Traditional Knowledge to date? \*Parties are requested to consider to what extent they have been addressed by completion of other tasks



## Task 14

The WG8J to develop guidelines and proposals for the establishment of **national incentive schemes for indigenous and local communities to preserve and maintain their traditional** knowledge, innovations and practices and for the application of such knowledge, innovations and practices in national strategies and programmes for the conservation and sustainable use of biological diversity.

## Task 17

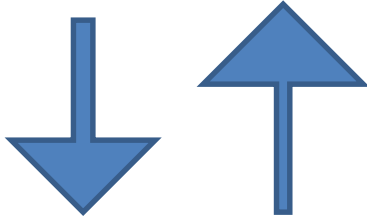
The Executive Secretary to develop, in cooperation with Governments and indigenous and local communities, methods and criteria to assist in **assessing the implementation of Article 8(j)** and related provisions at the international, regional, national and local levels, and reporting of such in national reports in conformity with Article 26.

Tasks of the global Plan of Action on Customary Sustainable Use

# Overview of participatory mechanisms for IPLCs under the CBD



**Secretariat of the  
CBD  
Focal Points on  
TK/CSU  
(2 staff)**



**International  
Indigenous Forum  
on Biodiversity  
(IIFB)**



**Traditional Knowledge Information Portal**  
<https://www.cbd.int/traditional/>



**The ad hoc open-ended Working Group on Article 8(j) (WG8J).**



**Registration  
at the CBD meetings, as IPLCs representatives,**



**A Voluntary Funding Mechanism**



**Capacity-building Development Programmes**

## Participation in the WG8J-10 (2017)



Credit: IISD Cuauhtémoc Ochoa, Mexico, and Yeshing Juliana Upún Yos, Guatemala, Co-Chairs of the Working Group on Article 8(j)

# Participatory Mechanisms for Indigenous Peoples and Local Communities



Body	Co-chair of official meeting	Co-chair of contact group	Intervention in agenda items	Financial support*	Accreditation as indigenous peoples and local communities
<b>WG8 (J)</b>	✓	✓	✓	✓	✓
<b>SBSTTA</b>	-	-	✓	✓	✓
<b>SBI</b>	-	-	✓	✓	✓
<b>COP</b>	-		✓	✓	✓

\* Subject to availability of funds

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## Mainstreaming TK and issues related to IPLCs in other sectors



- COPs 13 and 14 examined mainstreaming biodiversity in agriculture, fisheries and aquaculture, forestry, tourism, energy, mining, infrastructure, health, manufacture and processing;
- Informal Advisory Group formed at COP 14;
- Contributions of IPLCs can take many forms:
  - TK contributes to health and food production, as well as to other sectors;
  - IPLCs can champion mainstreaming in production (demonstration);
  - Integration of TK and IPLC concerns into development policies, programmes and projects, including safeguards in planning and financing.
- Multilateral development banks, private financing agents and local policymakers need to be made aware of safeguards and the need for prior informed consent and continued involvement of indigenous peoples and local communities.



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## Discussion and sharing - Indicative questions

- Do you have any questions regarding the work on traditional knowledge to date?
- Which key elements should be included in the future Programme of Work (PoW) post-2020?
- What kinds of institutional arrangements are needed for the implementation of the future Programme of Work (PoW) ?

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# Thank you for your attention!

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