

# Traditional Knowledge

## relating to the conservation and sustainable use of biodiversity



Foto: Schäfer

### What Is Traditional Knowledge?

The term 'traditional knowledge' is used to describe any knowledge, innovation, or custom of indigenous, tradition-based local communities that is of relevance in ensuring the conservation and sustainable use of biodiversity.

Knowledge developed over centuries is a collective good of the communities in question and is passed on from generation to generation in the form of stories, songs, cultural values, traditional laws, local languages, rituals, healing arts, and agricultural practices.

Indigenous peoples and traditional communities often have a deep understanding of their environment and its ecology. They know of numerous uses to which plants and animals can be put – as food, for example, or as medicines and dyestuffs. Differing cultivation-techniques have been developed for large numbers of plants. This knowledge forms an important basis for the conservation of global biodiversity and for its sustainable use.

Cultural and biological diversity are closely interlinked. When indigenous people have their environments destroyed, when they are uprooted and displaced and lose their identity, there is a danger that their vast fund of knowledge will be lost – both to the peoples themselves and to the whole of humanity. The UN Conference on Environment and Development in Rio de Janeiro in 1992 marked the first occasion on which the value of traditional knowledge was given broad recognition. Within the framework of the Convention on Biological Diversity (CBD), the contracting states have undertaken to respect and promote traditional knowledge and to make it generally accessible. Access to indigenous knowledge is to be based on the consent of the holders of the knowledge and their equitable participation in the benefits that result from the use of their knowledge. Biological resources and traditional knowledge are defined by indigenous peoples as a common good. This is in contrast to the practice of the WTO which through the TRIPS agreement (Trade Related Aspects of Intellectual Property Rights) is seeking to institute private and individual rights to knowledge and intellectual property. The contradiction between the CBD and TRIPS remains unresolved.

### Traditional Knowledge in the Convention on Biodiversity

Reference is made to indigenous and local communities in the preamble to the CBD and in four of its articles. The most important section in this regard is Article 8 (j). It urges respect for, and the preservation and maintenance of, traditional knowledge of indigenous and local communities that is of relevance to the conservation and sustainable use of biodiversity. It also encourages application of this knowledge, with the approval of those holding it and on the understanding that they will share in the benefits arising from it.

At the Fourth Conference of the Parties (COP) in May 1998, an Ad Hoc Open-ended Intersessional Working Group was established. This meets at regular intervals and is attended by all interested parties. The task of the working group is to develop and implement suitable instruments for protecting indigenous knowledge. At the Fifth Conference of the Parties in May 2000, it was decided that there should be a Programme of Work on the Implementation of Article 8 (j), with indigenous representatives participating. The topic is a cross-sectoral one and therefore extends into many other CBD-implementation activities.



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## Contribution of the project 'Implementing the Biodiversity Convention'

The BIODIV Project is helping to speed up implementation of the Biodiversity Convention in development co-operation and promoting the further development of the convention itself and of its various instruments and bodies. As part of the project, developing countries are given assistance in implementing the convention, through individual measures.

As part of a project in the Philippines, for example, help is being given to indigenous communities to identify and document the effects of bioprospecting and to negotiate conditions for access-agreements. This relates both to biological resources and to the knowledge associated with them. Another project in Peru is dealing with traditional knowledge from the specific perspective of gender. In Ecuador, help is being given to COICA, the umbrella-organization for indigenous communities in the Amazon region, in drawing up project proposals.

The BIODIV Project takes an active part in the international debate—as at the meeting of the Ad Hoc Open-ended Inter-Sessional Working Group in Seville in May 2000. In July 2000,

## Biodiversity and the Convention on Biodiversity

The term “biological diversity”, or short “biodiversity”, encompasses the diversity of life on earth, ranging from genetic diversity and diversity of species to the diversity of ecosystems. The Convention on Biodiversity adopted in Rio de Janeiro in 1992 comprises three elements: the conservation of biological diversity, its sustainable use and the equitable distribution of benefits arising from its use. In the meantime, 179 countries and the European Union have joined the Convention. By signing the Convention, Germany has agreed not only to conserve biodiversity on its own territory but also to support developing countries in implementing necessary measures.

assistance was provided for an international conference on 'Cultural and Biological Diversity' which took place in China. This resulted, amongst other things, in the publication of a strategy paper entitled 'The Yunnan Initiative' (see Further Sources of Information, below). An individual measure that will put the experiences into practice is also being planned in Yunnan.

## Priorities for action

### At the national level

- Local and indigenous groups must be enabled both to take part on an equal footing in decision-making processes about the use of biological resources and to defend their interests.

- Contracting states must inform indigenous communities of their rights and duties under Article 8 (j) and of other relevant provisions.

- Contracting states must work with indigenous representatives to develop national legislation assuring the protection of indigenous knowledge.

- Contracting states must recognize land rights and rights of access to resources, because they represent the basis for the continued existence and further development of indigenous systems of knowledge.

### At the international level

- The collective rights of indigenous and local communities over their biodiversity and over the knowledge based on this must be recognized.

- Indigenous communities must be involved in the political process: the convention does not grant the same status to indigenous communities as to contracting parties, but indigenous people can be granted information and unlimited right of expression – i.e. more than mere observer-status.

- In order to ensure the equitable distribution of benefits accruing from traditional knowledge, these benefits must be acknowledged in the relevant trade-agreements (such as TRIPS) and in regulations on intellectual property (activities of the World Intellectual Property Organization – WIPO).

## Further Information

Secretariat of the Convention on Biological Diversity/  
Traditional Knowledge:  
<http://www.biodiv.org/socio-eco/traditional>

Decision V/16: Article 8 (j) and Related Provisions,  
UNEP/CBD/COP/5/23, 139-42 – and Programme of Work on  
the Implementation of Article 8 (j) and Related Provisions on  
the CBD, UNEP/CBD/COP/5/23, 143-6:  
<http://www.biodiv.org/decisions/default.asp?lg=0&m=cop-05&d=16>

'The Yunnan Initiative':  
<http://cbik.org/congress/Initiative/Index.htm>

Relevant web-pages of the World Intellectual  
Property Organization:  
<http://www.wipo.int/traditionalknowledge/introduction/index.html>

## Imprint

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