

Biodiversity Conservation, Biocultural Protocols and Access and Benefit- Sharing

Summer School on Mountain
Eco-systems
24 September, 2021

Ilse Köhler-Rollefson

League for Pastoral Peoples and Endogenous Livestock
Development (LPP)



LEAGUE FOR
PASTORAL PEOPLES
AND ENDOGENOUS
LIVESTOCK DEVELOPMENT

Convention on Biological Diversity (CBD) negotiated in 1992 at Rio Conference

has three main objectives:

- the conservation of biological diversity;
- the sustainable use of the components of biological diversity;
- the fair and equitable sharing of the benefits arising out of the utilization of genetic resources.



Convention on
Biological Diversity



The Convention on Biological Diversity (CBD) made the following provisions

1. State **sovereignty over genetic resources**.
Access is subject to national legislation (art. 15.1).

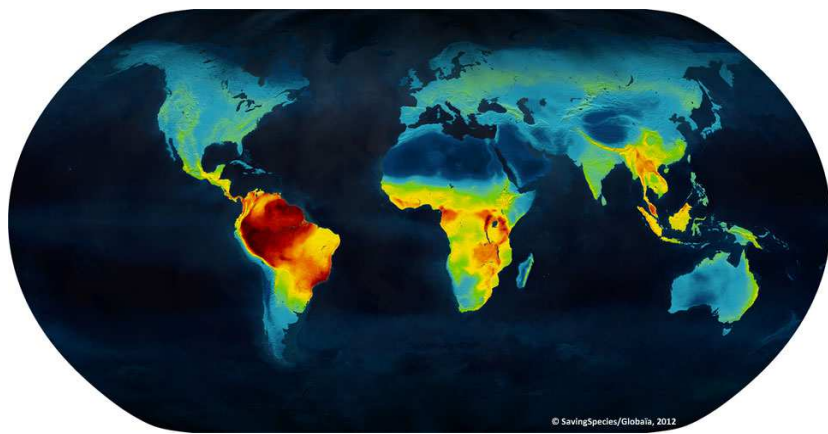
2. States have to **facilitate access to their genetic resources** for research and development (art. 15.2)



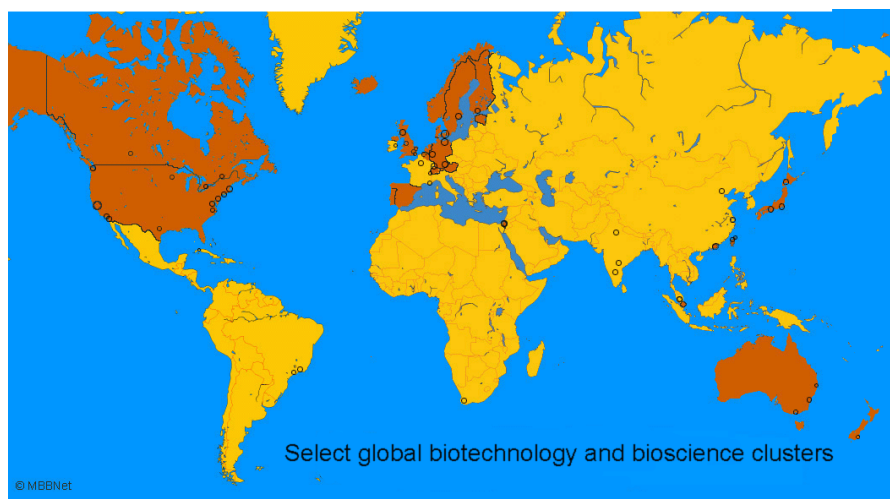
What is Access and Benefit-Sharing?

- Access and benefit-sharing (ABS) refers to the way in which genetic resources may be accessed, and how the benefits that result from their use are shared between the people or countries using the resources (users) and the people or countries that provide them (providers)





WORLD'S BIODIVERSITY IS DISTRIBUTED
IN INVERSED PROPORTION TO BIOTECH
AND SCIENTIFIC CAPACITY



LIVESTOCK DEVELOPMENT

Credit: Claudio Chiarollo

ABS

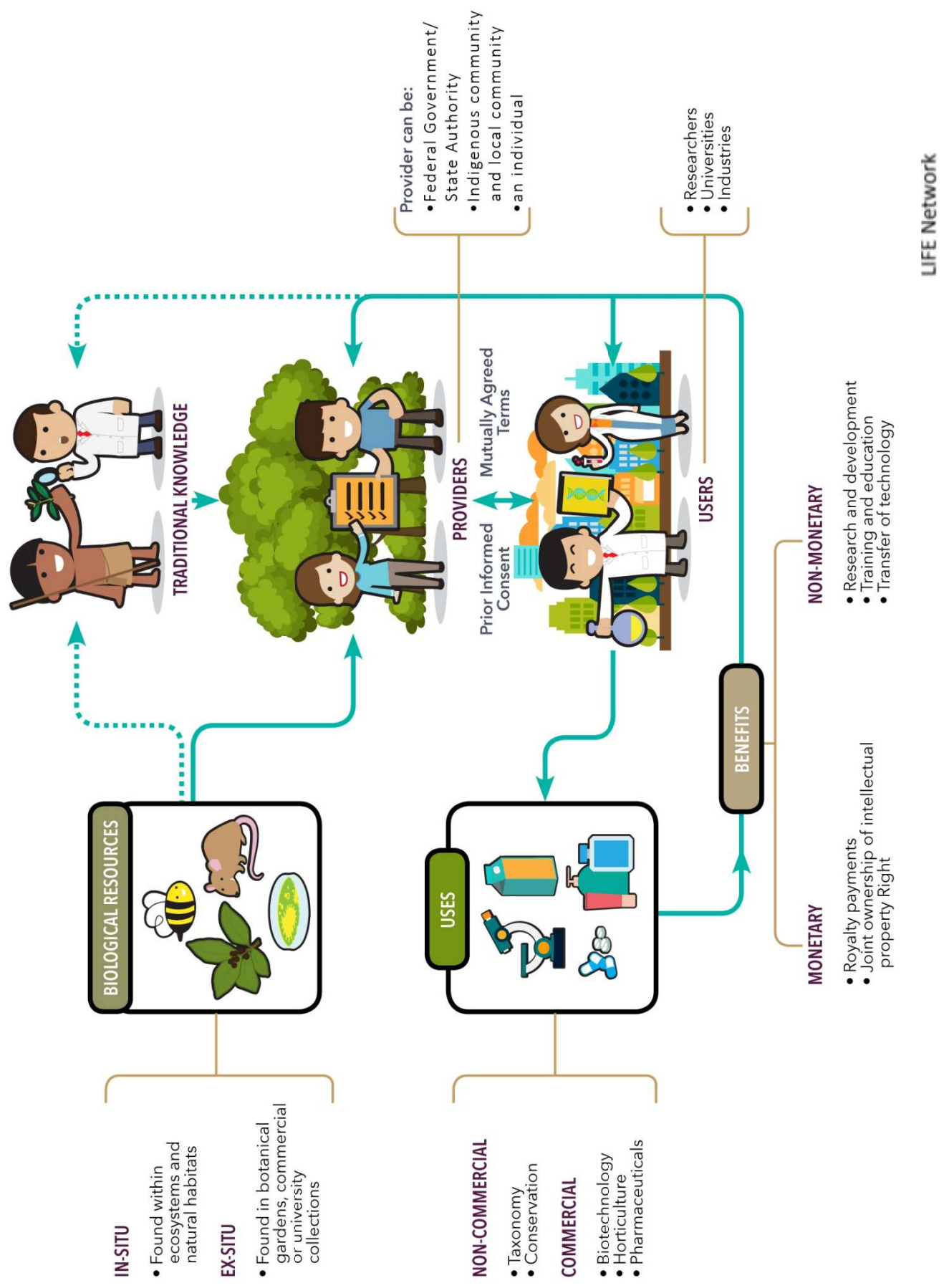
- Acknowledgement of the place of origin of the genetic resource
- Incentive for biodiversity conservation, in exchange of:
 - Biotechnology
 - Social and economic welfare

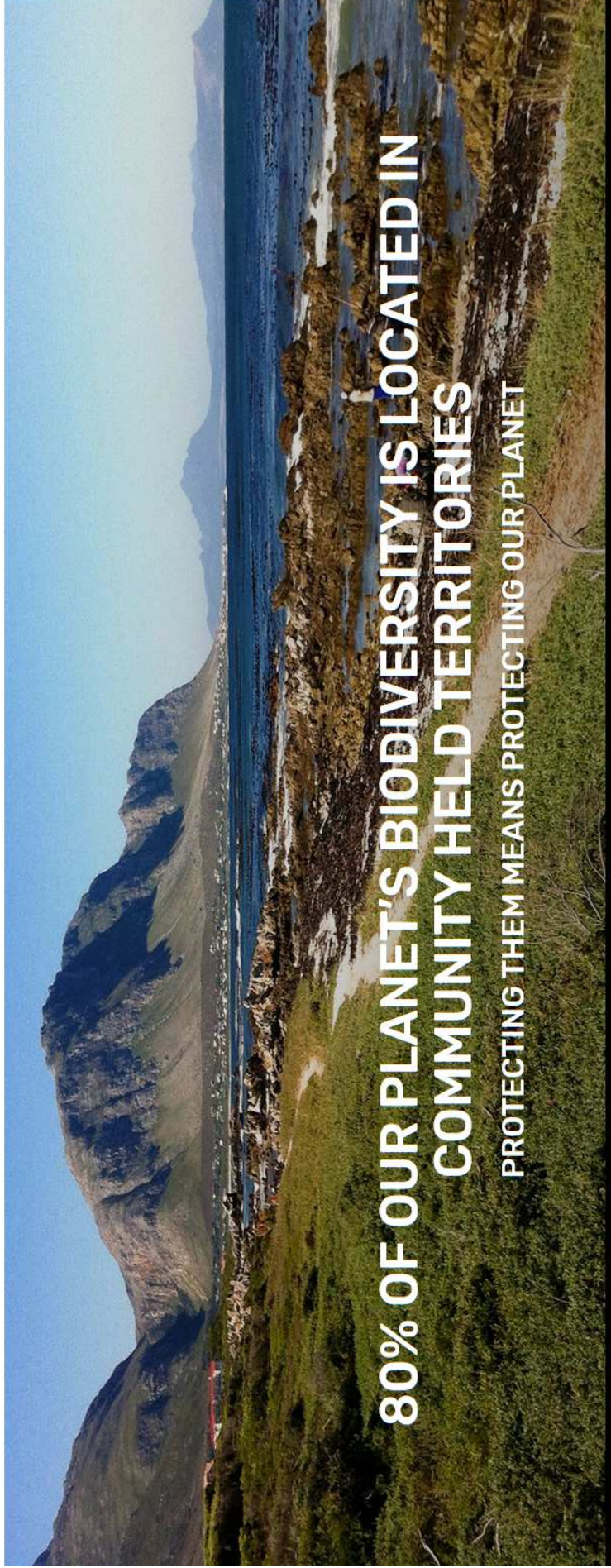
LIFE Network

How does it work?

- Access and benefit-sharing is based on prior informed consent (PIC) being granted by a provider to a user and negotiations between both parties to develop mutually agreed terms (MAT) to ensure the fair and equitable sharing of genetic resources and associated benefits.
- • **Prior informed consent (PIC)**: is the permission given by the competent national authority of a provider country to a user prior to accessing genetic resources, in line with an appropriate national legal and institutional framework.
- • **Mutually agreed terms (MAT)**: is an agreement reached between the providers of genetic resources and users on the conditions of access and use of the resources, and the benefits to be shared between both parties







80% OF OUR PLANET'S BIODIVERSITY IS LOCATED IN COMMUNITY HELD TERRITORIES

PROTECTING THEM MEANS PROTECTING OUR PLANET

CBD – Paragraph 8j

- Each contracting Party shall, as far as possible and as appropriate:

*Subject to national legislation, respect, preserve and maintain knowledge, innovations and practices of **indigenous and local communities** embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge innovations and practices.*



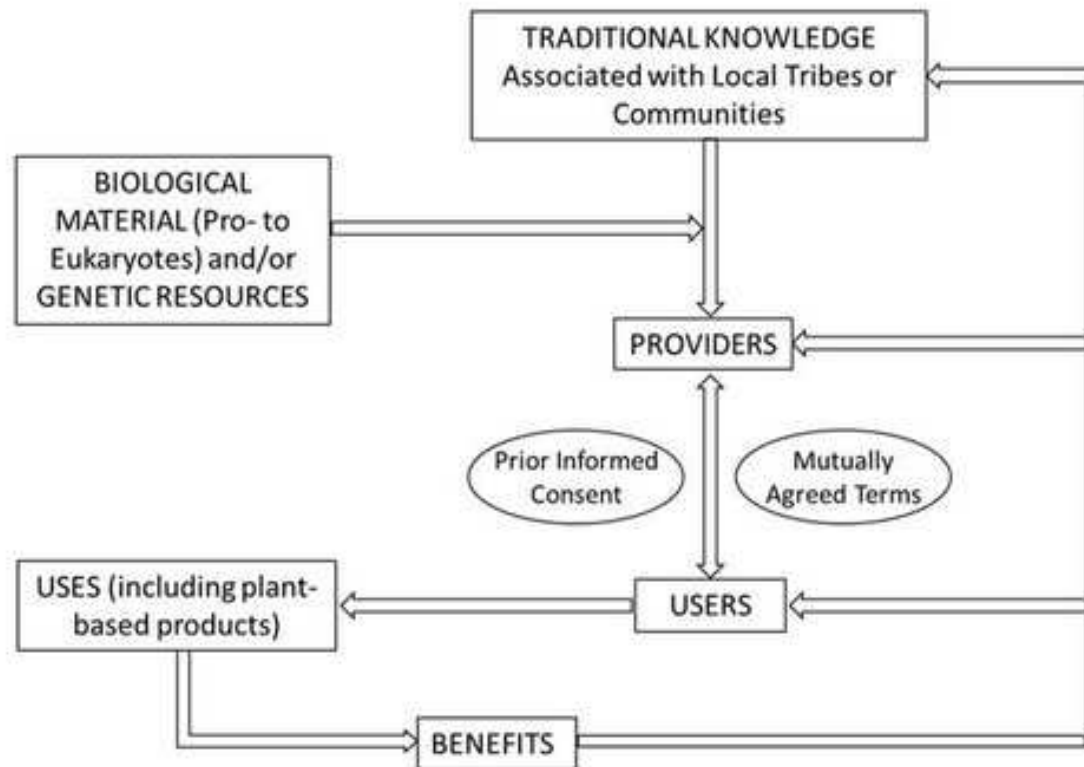
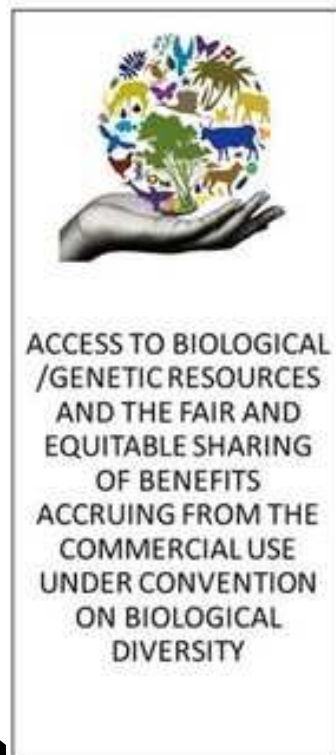
LEAGUE FOR
PASTORAL PEOPLES
AND ENDOGENOUS
LIVESTOCK DEVELOPMENT



LIFE Network

Nagoya Protocol (2010)

Nagoya Protocol on Access and Benefit Sharing



Nagoya Protocol

- Article 12: *Parties shall endeavour to support, as appropriate, the development by indigenous and local communities, including women within these communities, of:*
 - (a) **Community protocols** in relation to access to traditional knowledge associated with genetic resources and the fair and equitable sharing of benefits arising out of the utilization of such knowledge;
- Entered into force in October 2014



(Biocultural) Community Protocols are a tool to ensure that communities receive benefits for providing access to the genetic resources and Traditional Knowledge that they steward.

- Biocultural Community Protocols **document** the role of a **community** in conserving and managing biological diversity, ecosystems, and traditional knowledge.
- They are both a document and a **community process**. The community is to take the lead!




Purpose of BCPs – Community Protocols

- Ensure that benefits of ABS agreements get channelled back to communities
- Strengthen the role of ILCs (indigenous and local communities) versus the state
- To create clarity of community roles and responsibilities
- To articulate Prior Informed Consent (PIC)




Biocultural Protocols

Community protocols
for pastoralists and livestock keepers

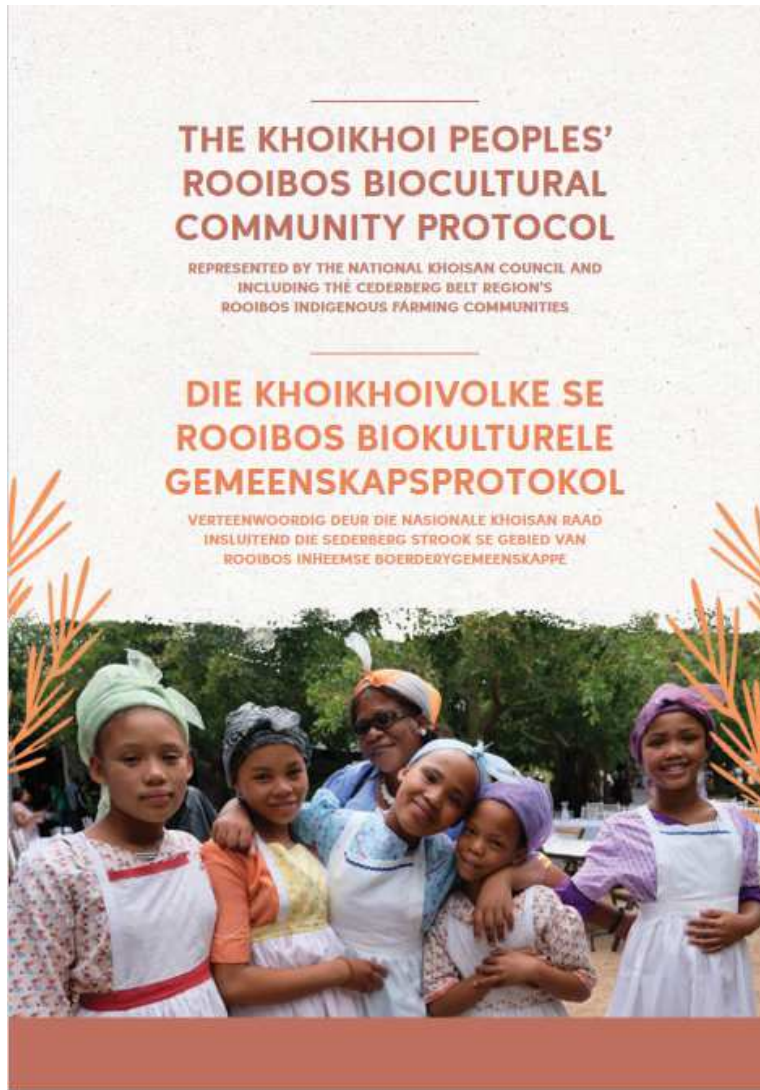
Claiming rights under the
Convention on Biological Diversity



League for Pastoral Peoples and Endogenous Livestock Development (LPP)
and the Local Livestock for Empowerment (LIFE) Network

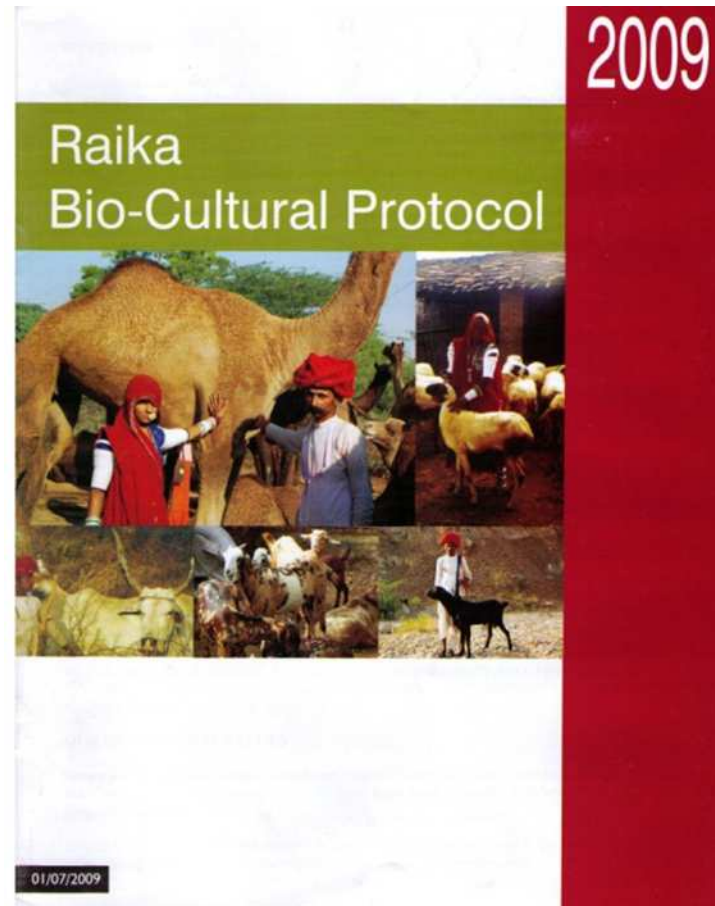


- Are a claim to be an „indigenous/local community“ under para 8j of the CBD
- Community protocol as in the Nagoya Protocol
- document the role of a community in conserving AnGr and eco-systems
- Are the product of a facilitated process in which communities reflect how they want to handle access to their knowledge and genetic resources.
- Are an extremely empowering experience
- Articulate community claims



- The Khoikhoi Peoples' Rooibos Biocultural Community Protocol was developed by the National Khoisan Council (NKC) of South Africa, with support from Natural Justice. It provides the story of the Khoikhoi peoples' journey as traditional knowledge holders to the uses of rooibos, as told by the Khoikhoi for their own community.

Livestock Keepers in India and other countries have embraced this opportunity



Community	Breeds	Country	Status
Raika	camel, Nari cattle, Boti sheep, Sirohi goat	India	finalized
Banni Maldhari	Banni buffalo	India	finalized
Rebari and Jatt	Kutchi and Kharai camels	India	finalized
Bargur Hill cattle	Bargur Hill Cattle	India	finalized
Attappady goat breeders	Attapatty goat	India	finalized
Pullikulum cattle breeders	Pullikulum cattle	India	finalized
Pashtoon	Various breeds	Pakistan	finalized
Samburu	Red Maasai sheep	Kenya	finalized
Golla	Ganjam goat	India	In prep
Kuruba	Kuruba shepherding system, incl. Deccani breed	India	In prep
Kangayam cattle breeders	Kangayam cattle	India	In prep
Malawadi	Dudh camel	Pakistan	In prep

Hoodia case

Cactus in South Africa, suppressing hunger; knowledge with indigenous San community. Patent was taken on molecule P57, not on plant, by research institute

Patent on molecule P57 sold to Phytopharm, which agreed to pay 6% royalties to San. But many other preparations are on the market, using the plant not the molecule.



Example: BCP of the Camel Breeders of Rajasthan

- Camels becoming extinct
- Government takes wrong measures for conservation
- Camel breeders identify problems and solutions
- Set up of value chain



Biocultural Community Protocol of the Camel Breeders of Rajasthan



Sadri, 2 November, 2017
Drafted by Lokhit Pashu-Palak Sansthan
www.lpps.org
eMail: lpps.sadri1996@gmail.com
Phone: +91-9660083437, 9829477535



Biocultural Community Protocols

- Are **NOT** a document that has to be compiled by outsiders and ticked off as done.
- BCPs require engagement, dialogue and participation of the community. They take time!
- But the rewards will be great for the coming generations!

Insights from more than 10 years of practical experience:

Community Protocols are a valuable tool :

- For understanding/documenting local biodiversity conserving systems and practices
- Identifying development options:
 - esp. value chain development that creates local income and conserves biodiversity and TK at the same time.
- Empowering communities



www.pastoralpeoples.org, ilse@pastoralpeoples.org