



Photo: Schäfer

## Traditional Knowledge

relating to the conservation and sustainable use of biodiversity

Indigenous people and traditional local communities often have a profound understanding of their environment and its ecology. They know numerous ways of using wild plants and animals, for example as food, medicine and dyes. Different cultivation techniques have been developed for a large number of useful plants. This knowledge is an important foundation for the conservation and sustainable use of global biodiversity.

There are close links between cultural and biological diversity. Indigenous peoples suffer from the destruction of the environments in which they live, from being uprooted or displaced and from losing their identity. As a result there is a threat that this great wealth of traditional knowledge will be lost to these peoples themselves and humanity as a whole. At the UN Conference for Environment and Development in Rio de Janeiro in 1992, traditional knowledge was acknowledged broadly for the first time. Under the Convention on Biological Diversity (CBD) contracting parties have pledged to recognise and promote traditional knowledge and to make it available for general use. Access to traditional knowledge must be based on the consent of the knowledge holders and their equitable participation in the benefits arising from the use of such knowledge. Traditional knowledge is often not confined within ethnic or geographical boundaries. In addition, biological resources and traditional knowledge are defined in the CBD as a collective asset. This con-

trasts with WTO usage, since the TRIPS Agreement (Trade Related Aspects of Intellectual Property Rights) defines private and individual rights to knowledge and intellectual property. The contradiction between the CBD and TRIPS is as yet unresolved.

In September 2007, concerns of indigenous peoples have been considerably strengthened by the adoption of the Declaration of Rights of Indigenous Peoples by the UN General Assembly.

### Traditional knowledge in the Biodiversity Convention

In the Preamble and four articles of the CBD there is reference to indigenous and local communities. Most important, Article 8(j) calls on signatory states to respect, preserve and maintain the traditional knowledge of indigenous and local communities that contributes to the conservation and sustainable use of biodiversity. In addition it encourages the use of such knowledge, provided that the knowledge holders have given their consent and participate in benefit-sharing.

An Ad Hoc Open-ended Inter-sessional Working Group, in which all interested parties are represented, was set up at the 4<sup>th</sup> Confer-



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### What is traditional knowledge?

This term »traditional knowledge« encompasses the knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles that are of importance for the preservation and sustainable use of biological diversity.

This knowledge, which has been developed over the centuries, is a collective asset of the local communities; it is passed on from generation to generation in such forms as stories, songs, cultural values, traditional laws, local languages, rituals, medical lore and agricultural practices.

On behalf of

**gtz**

Programme Implementing  
the Biodiversity Convention



Federal Ministry  
for Economic Cooperation  
and Development

ence of the Parties (COP) in May 1988 and meets at regular intervals to develop and implement suitable instruments for the protection of indigenous knowledge. The issue is a cross-sectoral one and thus forms part of many CBD-related activities. The 5<sup>th</sup> COP in Nairobi agreed on a programme to implement Article 8(j), drawn up with the assistance of indigenous representatives. The most important outcome was the formulation of the »Akwe: Kon Guidelines«, which were adopted at the 7<sup>th</sup> COP in Kuala Lumpur (Decision VII/16F). They provide a common framework for carrying out cultural, social and ecological impact assessments, enabling projects to be assessed for the impact that they might have on sacred places or on areas and waters that have traditional importance for indigenous and traditional local communities. This is done with the full involvement of these communities. In addition the guidelines indicate how greater consideration can be given to traditional knowledge and technologies and how promotion of their use can be improved. The guidelines are, however, not legally binding.

As an issue of cross-sectoral relevance in the CBD, traditional knowledge is taken into account in the majority of working groups and programmes. There are particularly close links between the working group dealing with access and benefit-sharing (ABS) and that concerned with traditional knowledge. An international regime is due to come into force by 2010; involving a number of players, this will provide a framework in international law for regulating access and benefit-sharing (ABS) and access to genetic resources, thereby implementing Articles 15 and 8(j).

## GTZ's contribution to the preservation of traditional knowledge relating to the conservation and sustainable use of biological diversity

GTZ, on behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ), helps to accelerate implementation of the Biodiversity Convention and promote further development of the Convention and its instruments and bodies at German and international level. In many bilateral cooperation projects GTZ combines the conservation and sustainable use of natural resources with the development and application of suitable instruments for the protection of indigenous knowledge. Many initiatives – from the level of regional capacity development in places such as Ecuador to further development of Article 8(j) within the international negotiation process – are based on experience gathered by the programme

## Biodiversity and the Biodiversity Convention

The term »biological diversity«, or »biodiversity« for short, encompasses the diversity of life on Earth, ranging from genetic diversity and diversity of species to the diversity of ecosystems. The Convention on Biological Diversity (CBD) adopted in Rio de Janeiro in 1992 comprises three elements: the conservation of biological diversity, its sustainable use and the equitable sharing of benefits arising from such use. In the meantime, 191 Parties 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.

»Implementing the Biodiversity Convention (BIODIV-programme)«.

Pilot measures of the BIODIV-programme also promote implementation of the CBD. For example, the Indonesia environment programme assists and advises indigenous communities in implementing the process of free prior informed consent (FPIC) in the forestry sector. Working with the Forest Peoples Programme and the Centre pour l'Environnement et le Développement (CED), BIODIV-programme supports in-

igenous communities in Cameroon in securing their rights in the conservation areas.

## Action required

- National and international legislation for the protection of indigenous knowledge must be developed by the Contracting Parties in collaboration with indigenous representatives;
- The collective rights of indigenous and local communities to their biodiversity and associated knowledge must be recognised;
- Contracting Parties must recognise land rights and rights of access to resource use, for they are the basis for the survival and development of traditional knowledge systems;
- Indigenous peoples and local communities must be empowered to participate on an equal basis in decision-making processes on the use of biological resources, and to protect their interests;
- Contracting Parties must inform indigenous peoples and local communities about their rights and obligations under Article 8(j) and other relevant provisions;
- The effective participation of indigenous and local communities in the political process within the framework of the CBD must be advanced.

## Further information

**Relevant page of the CBD website with additional links:**  
[www.cbd.int/programmes/socio-eco/traditional/](http://www.cbd.int/programmes/socio-eco/traditional/)

**BMZ technical paper (BMZ Spezial 33, 2001) on traditional knowledge as a field of tension in regulating access to genetic resources:**  
[www.bmz.de/en/service/infotehk/fach/spezial/spezial033/index.html](http://www.bmz.de/en/service/infotehk/fach/spezial/spezial033/index.html)

**Work of the WIPO (World Intellectual Property Organization) on traditional knowledge:**  
[www.wipo.int/tk/en/](http://www.wipo.int/tk/en/)

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