



3rd Asian Regional Session of the Global Biodiversity Forum: South Asia

16-18 June 2003

Venue

Islamic Development Bank, Bhaban (4th floor)
E/8-A Rokeya Sharani, Sher-e- Bangla Negar
Dhaka, Bangladesh

Hosts

Ministry of Environment and Forests, Government of Bangladesh

Convenors and sponsors

IUCN - The World Conservation Union
United Nations Environment Programme (UNEP)
World Resources Institute (WRI)
Kalpavriksh, India
IUCN World Commission on Protected Areas (WCPA)
UNDP-Equator Initiative
BioNET International, UK
Theme on Indigenous and Local Communities, Equity and Protected Areas (TILCEPA)
Centre for Sustainable Development (CFSD), Bangladesh
Biodiversity Research Group of Bangladesh (BRGB)
Zoo Outreach Organization (ZOO), India
International Institute for Environment and Development (IIED)
Secretariat to the Convention on Biological Diversity (SCBD)
The Ramsar Convention Bureau
Global Environment Facility (GEF)
Consumer Unity and Trust Society (CUTS)
Commonwealth Science Council, UK
GLOBE, South and Central Asia
Bangladesh Academy for Sustainable Development
Bangladesh Environmental Lawyers Association (BELA), Bangladesh
South Asia Watch on Trade, Economics and Environment (SAWTEE), India
International Development Research Center (IDRC)
UBINIG, Bangladesh

Invited

South Asia Cooperative Environment Programme (SACEP)
Bangladesh Centre for Advanced studies (BCAS), Bangladesh
South Asian Association for Regional Co-operation (SAARC) Secretariat, Nepal
World Intellectual Property Organisation (WIPO), Geneva

WORKSHOP 1:

PEOPLE AND PROTECTED AREAS

ORGANISERS :Theme on Indigenous and Local Communities, Equity and Protected Areas (TILCEPA), Kalpavriksh, WCPA South Asia, Bangladesh Academy for Sustainable Development, IUCN Regional Biodiversity Programme.

SUPPORTED BY :World Conservation Union (IUCN), International Development Research Centre (IDRC), and Winrock International - India.

OBJECTIVES :

- ◆ To discuss the latest situation regarding the move towards co-management of protected areas (CMPA), and recognition of community conserved areas (CCAs);
- ◆ To share and learn from the experiences of community members, forest officials and NGOs with CMPAs and CCAs within South Asia
- ◆ To discuss and share innovative legal spaces available for CMPAs and CCAs in South Asia.
- ◆ To share the learning from CCAs and CMPAs with the respective South Asian Governments, WPC, Convention on Biological Diversity (CBD) and the South Asian Regional Meeting of World Commission on Protected Areas (WCPA).
- ◆ Identify areas of priority attention for discussion at CBD-SBSTTA, COP and WPC
- ◆ Suggest national action on PA systems planning

16th June, 2003

09:00 - 10:00 Introduction to GBF
10:00 - 10:30 Coffee/Tea

Workshop session 1: *Expanding the Boundaries of Conservation: People and Protected Areas* (10:30 - 13:00)

10:30 - 11:00 Introduction
Anwarul Islam
11:00 - 11:30 Introduction to the Workshop (main objectives of the workshop, who and how is the workshop addressing?
Focus on Community Conserved Areas (CCAs) and Co-

Managed Protected Areas (CMPAs), reasons for this focus, possible working definitions and concepts being used).
Structure of the workshop and expected outputs
Ashish Kothari.

- 11:30 – 13:00 Quick country snapshots (country overviews) on the most important recent initiatives in community participation in protected areas, including CMPAs and CCAs
Sri Lanka Country Overview - *Sarath Ekanayake*
Nepal Country Overview - *Prabhu Budhathoki*
India Country Overview - *Neema Pathak*
Bangladesh Country Overview - *Anwarul Islam*
Maldives Country Overview - *Mohamed Ali*
- 13:00 - 14:00 Lunch

Workshop session 2: Case Studies of CMPAs (case study presentation for 20 min. followed by 10 min. discussion) (14:00 - 17:30) (Chair – H.S. Pabla)

- 14:00 - 14:30 Chitawan and buffer zone management in Nepal: benefit-sharing with communities -*Prabhu Budhathoki*
- 14:30 - 15:00 The role of communities in Satpuranchal ecoregion, India – *B.M.S. Rathore*
- 15:00 - 15:30 ACAP: community based ecotourism, and role of NGOs in PAs - *Gehendra Gurung*
- 15:30 - 16:00 Continuation of presentations and discussions
- 16:00 - 16:30 Coffee/Tea
- 16:30 - 17:00 Knuckles Man and Biosphere Reserve, Sri Lanka: Conservation of biodiversity and water resources with participatory economic planning -*Sarath Ekanayake*
- 17:00 - 17:30 Marine Biodiversity Conservation Programme: An urgent national need for Bangladesh - *Anisuzzaman Khan*
- 17:30 – 18:00 Emerging issues from the days presentations – *H.S. Pabla*

18:00 19:10 Issues of conservation and development : Focus on Bangladesh

- 18:00 – 18:10 Introduction *Ainun Nishat*
- 18:10 – 18:25 Legal and policy issues dealing with biodiversity *Mahfuzul Huq*
- 18:25 – 18:40 NBSAP – Issues of conservation and planning
Monowarul Islam
- 18:40 – 18:55 Problems and prospects in conservation *Anisuzzaman Khan*
- 18:55 – 19:10 Discussion

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**Workshop session 3: Case studies of CCAs ¹(20 minutes with 10 minutes discussion).
(08:30 – 13:00) (Chair- Chandra Gurung)**

- 09:00 - 09:30 Bahonta-Kolyala and Arvari Sansad: Customary laws, and land/tenure issues, in a CCA - *Kanhaiya Gujjar and Manisha ShethGutman*
- 09:30 - 10:00 Baghmara village: Community run tourism in a CCA - *Bishnu Prasad Aryal and Prabhu Budhathoki*
- 10:00 - 10:30 Mendha: Tribal self-rule/governance related to a CCA - *Mohan Hirabai Hiralal*
- 10:30 - 11:00 Annapurna Conservation Area, Nepal: Community Role in Conservation – *Nar Bahadur Gurung*
- 11:00 - 11:30 Fish conservation in Bangladesh with local people - *Md. Rakibul Huq*
- 11:30 - 12:00 Traditional Pastoralism and Protected Areas – *Mrs Vasamalli*
- 12:00 - 12:30 Jardhargaon: Forest Protection Committee, institutional management, and role of women in a CCA - *Vijay Jardhari and Seema Bhatt*
- 12:30 – 13:00 Emerging issues from the mornings presentations – *Chandra Gurung*
- 13:00 - 14:00 Lunch

Workshop session 4: Group discussion (14:00 - 15:00)

- 14:00 – 15:00 Group discussion on innovative policies and laws facilitating CMPAs and CCAs in South Asian countries – *Facilitated by Ashish Kothari*

The South Asian Experience in an International Context (15:00 – 18:00)

- 15:00 – 16:00 Brief introduction to the international context: the move towards community participation, Definition of Community Conserved Areas, IUCN categories on PAs and role of CCAs – *Seema Bhatt and Ashish Kothari*
- 16:00 – 16:30 Tea/Coffee

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Workshop session 5: Summing up (09:00 - 10:30)

- 8:30 - 9:00 Relevance of GBF to CBD and expected inputs at CBD -
Balakrishna Pisupati
- 9:00 – 9:30 TILCEPA and its role in WPC - *Ashish Kothari*
- 9:30 – 11:00 Discussions on the recommendations, suggestions for WPC
(Durban accord, Durban Plan of Action, recommendations,
etc.), for CBD COP7 (2004), for World Conservation
Congress (2004), and to the countries in the region,
regarding communities and PAs/CCAs.

11:00 - 11:30 Coffee/Tea

Workshop session 6: *Closing session* (11:30 - 13:30)

- 11:30 - 12:45 Presentations and discussions by thematic groups
- 12:45 - 13:30 Closing remarks
- 13:30 Lunch and close of GBF

**3rd Regional Session of the Global Biodiversity Forum - South Asia
Dhaka, Bangladesh
16-18 June 2003**

Theme 1: PEOPLE AND PROTECTED AREAS

Recommendations

The GBF workshop on Expanding the Boundaries of Conservation: People and Protected Areas focused on the how conservation policy and practice in the countries of the region could be made more participatory, especially with regard to local communities.

The main focal areas of discussion were:

- The need to move officially designated protected areas towards collaborative management, as already taking place at a number of sites;
- The need to recognise and support community initiated conservation, including sites and species that are protected and/or sustainably managed by communities;
- The need to move towards larger scales of conservation, through landscape, seascape, or ecoregional approaches;

The above were centred around and illustrated by a series of case studies of co-managed protected areas and community conserved areas, and cases of the upscaling of such initiatives towards a larger land/seascape level, in five countries of the region. Discussions were also held on the trend towards progressive laws and policies in the region.

Participants agreed that the term ‘conservation’ should explicitly include protection of ecosystems and species, as also their sustainable use. They also agreed that the term ‘communities’ be defined as groups that have an ethnic identity (or multiple, related ethnic identities), a commonality of interest in a set of natural resources, and a geographically defined territory. Such communities should constitute the basic socio-political decision-making unit, for which they should be of a size that facilitates convenient and effective decision-making involving all members and respecting each member.

A number of critical issues emerged from these case studies and analytical discussions. These issues point to the need for defining a set of “good governance” principles, including those contained in the following recommendations.

These recommendations are being made to both national and international forums, including the World Parks Congress, and the Convention on Biological Diversity (in particular its 7th Conference of Parties).

Broad national and international framework:

Countries of the region need to move towards more *participatory policies and practices of conservation and natural resource management*, that support a shared vision of all main stakeholders. Policies and practices that alienate, disempower, and endanger communities having a traditional relationship with the ecosystems/species being conserved, need to be urgently replaced. This should in particular be through the following measures:

1. Collaborative management of officially designated protected areas, through equitable sharing of decision-making powers with local communities;
2. Recognition of the broad range of community conserved areas and species that exist or could potentially be created;

These measures also need to be supported by *relevant international regimes* and systems, including through the following:

1. Broadening the scope of the IUCN Protected Area Categories system to include Community Conserved Areas, encouraging the recognition of communities as legitimate governing agents;
2. Including Community Conserved Areas in the United Nations List of Protected Areas, the Global Database on Protected Areas, and the State of the World's Parks Reports (as already initiated through the IUCN's World Commission on Protected Areas);
3. Centrally incorporating collaborative management of protected areas, and community conserved areas, along with the various issues given below, in the Programme of Work on Protected Areas, of the Convention on Biological Diversity.

The above measures also need to be placed within the context of *planning and management at larger landscape and seascape levels* in each country. This corresponds also to the focus on the Ecosystem Approach of the Convention on Biological Diversity. Such larger landscapes and seascapes could encompass protected and conserved areas managed by various stakeholders, and other land/water uses including wilderness and agriculture. Such an approach would include the need to:

- Define the land/seascape based on ecological, cultural, physical features
- Plan at various levels, mainstreaming biodiversity into the planning process at all these levels
- Mechanisms to ensure security of livelihood/survival resources for communities in entire land/seascape, e.g. access to water, biomass...like land/seascape level dialogues, consultations, landscape level institutional structures (e.g. river basins, ecoregions), awareness programmes, *yatras*/marches/rallies, and so on
- Creating regional economies based on diverse biological resources from natural habitats and agricultural systems, tourism, value-added enterprise, and others
- Ensuring ecological integrity of entire land/seascape
- Linking local to larger land/seascape institutions

Specific points:

i) Recognition of CCAs in national and international systems, including in laws and policies; such legal regimes should be oriented to facilitate participatory conservation, and to support secure communal resource and land tenure.

ii) Laws and policies to facilitate participatory conservation in existing PAs to move towards CMPAs/CMCAs, including:

- moving away from total exclusion and no-use regimes, including wildlife as a resource, where ecologically appropriate;
- sharing management powers, rights and responsibilities
- equitably sharing benefits, e.g. revenue, usufruct resources
- recognising customary laws/rules, and institutions/mechanisms relevant to natural resource conservation and management
- authorising fund-raising by local institutions for such purposes
- spelling out the responsibilities, roles, duties, mutual accountability, formal agreements (where appropriate), and other such details relevant to communities, government and other stakeholders

iii) Inclusion of CMPAs, CCAs, and other participatory approaches in Environmental Management Plans, National Biodiversity Strategy and Action Plans, wetland/coastal management plans, National Conservation Strategies, and other such national level documents.

iv) Encourage, generate, and enhance sustainable livelihoods, especially related to:

- Biological and other natural resources, including non-timber forest produce, aquatic resources, and others
- Tourism, which is ecologically sustainable and culturally sensitive, where its management and benefit-sharing is community-based, and where visitors are oriented towards the ecological and social attributes of the area

v) Equity (incl. gender) issues need to be addressed:

- Benefit-sharing: revenue and employment, access to livelihood and ecological resources/services (including biomass and water)
- Cost-sharing, to offset the indirect costs of conservation borne by communities...compensation, other means
- Authority, rights and responsibilities
- Participation of women and other disprivileged sections in community and co-management institutions, including at all levels of decision-making

vi) Empowerment, including:

- Resource and tenurial rights and security (custodianship, user/usufruct rights, right to exclude outsiders if threatening local security, and so on...but *not* the right to alienate)
- Right to credible, usable information as a pro-active
- Financial empowerment
- Decentralisation of decision-making and devolution of authority

- Political empowerment, while avoiding the pitfalls of politicisation that is destructive of local community functioning and unity
- Right and capacity to take decisions on development projects and processes that affect their lives and resources
- Autonomy to decide about local institutions, local rules, financial management, and so on (“self-rule”)
- Self-esteem, respect, and dignity

vii) Institutional mechanisms:

- Build on existing community institutions, assess their current and potential capacity, and create new institutions only where existing ones cannot perform desired functions
- Ensure equitable participation of all members of a community in the relevant institutions, with special focus on disprivileged sections
- Link community conservation institutions with other village institutions, and reduce multiplicity of institutions especially those introduced from outside
- Link community institutions with NGOs, donors, and other stakeholders
- Link different government agencies together (inter-sectoral coordination), and with local institutions

viii) Conflict resolution:

- Inter-community (incl. resident and nomadic communities, neighbouring communities, various resource users)
- Intra-community (including gender, class, caste, religion, and so on)
- Human-wildlife
- Community-other stakeholders (including state, corporate, and so on)

ix) Building on traditional knowledge, institutions, laws/rules etc. supplemented with appropriate modern knowledge, institutions, laws/rules.

x) Ensuring sustainability of:

- community and co-management institutions
- leadership
- financial and human resources
- ecosystems and species
- cultures/communities, traditional practices, indigenous/traditional knowledge, and survival of entire ethnic groups/communities

xi) Providing support and incentives to CMPAs and CCAs, including:

- Human, technical, and financial resource support
- Support against destructive developmental projects and processes, and for strengthening alternative developmental processes that are ecologically and culturally sensitive
- Support against outside vested interests
- Social rewards and recognition
- Rewards and incentives to report illegal activities
- Rewards/compensation/payment for providing environmental services off-site

- Macro-economic measures including appropriate taxation on tourism, industry, and other sectors; subsidies for ecologically sensitive land/water uses rather than ecologically destructive one; support to sustainable trade in natural resources
- Interim support to avoid pressures on adjacent areas while community initiatives are gaining ground
- Appropriate technological inputs

xii) Capacity building mechanisms, amongst communities, to:

- obtain and use information
- protect and sustainably manage biodiversity
- use/obtain appropriate technologies
- pro-actively participate in decision-making
- enhance livelihoods
- facilitate the environment to develop leadership amongst disprivileged sections
- raise and manage finances
- achieve consensus-based and participatory decision-making
- deal with threats arising from inappropriate development projects and processes

xiii) Capacity building amongst government functionaries and NGOs, to:

- work with communities
- obtain and use information and technologies
- mobilise resources
- conserve and sustainably manage biodiversity

xiv) Education and awareness of a range of other stakeholders, on participatory conservation issues

xv) Research, documentation, and dissemination

- Ecological, economic, and social impacts of CCAs and CMPAs
- Best and worst case studies: why did they succeed or fail?
- History, process, dynamics (including conflict-resolution) of community based initiatives

xvi) Participatory monitoring and evaluation of initiatives

xvii) Networking and exchange in S. Asia, including:

- Sharing of knowledge and experiences at horizontal and vertical levels
- Sharing of knowledge and experiences across regions and countries
- Exchange visits of communities, government functionaries, NGOs, and others
- E-groups on various issues
- A regional centre for exchanging knowledge and experiences amongst countries

xviii) Transboundary conservation within a country (e.g. inter-state), and between countries, to involve a range of stakeholders including relevant government agencies,

local communities (including nomadic communities or those that straddle both sides of a border), and others.

xix) In the case of existing PAs, relocation, where voluntarily accepted by communities as part of a full consultative process on collaborative management planning including ecological/cultural/economic issues, to be carried out without delays, and should include the right of relocated people to resources/benefits from PAs and other benefits on a priority basis.

WORKSHOP 2:

SUSTAINABLE DEVELOPMENT AND LIVELIHOODS

ORGANISERS : IUCN, UNDP-Equator Initiative, International Development Research Centre, GLOBE-South and Central Asia, International Institute Environment and Development

SUPPORTED BY : United Nations Development Programme -Equator Initiative, International Development Research Center and Global Environment Facility

OBJECTIVES

- :
 - ◆ To understand issues of sustainable development and livelihoods with an aim to reduce poverty and enhancing livelihood securities;
 - ◆ To learn from experiences on how to ensure successes and failures are used in policy and decision making besides addressing issues of sustainability of such successful and replicating these initiatives
 - ◆ To contribute towards achieving the CBD's target of reducing the rate of Biodiversity loss by 2010.

16th June 2003

09:00 - 10:00 Introduction to GBF

10:00 - 10:30 Coffee/Tea

Workshop session 1: *Sustainable Development and Livelihoods: National and Global Issues* (10:30 - 13:00)

10:30 - 11:00 MDGs - Options for Implementation *Seema Joshi/Balakrishna Pisupati*

11:00 - 11:30 Role of Parliamentarians in sustainable development *K M Khan*

11:30 - 12:00 Sustainable Development, Livelihoods and Climate Change *Bhujang Dharmaji*

12:00 – 12:30 Sustainable management of mangrove sanctuaries: Issues of sustainable development *RavishankarThuppali*

12:30 – 13:00 Discussion

13:00 - 14:00 Lunch

Workshop session 2: Sustainable development and Livelihoods: Experience from the region (14:00 - 17:30)

- 14:00 - 14:30 Kerala Kani Trust Samudaya Kshema Trust: Experiences
Sudarshan Kumar
- 14:30 - 15:00 Experiences of working with tribal communities of Jeypore Tract, Orissa, India *Bibhu Mohanty*
- 15:00 - 15:30 Medicinal Plants conservation : Experiences from India
- 15:30 - 16:00 Experiences of locally managed marine area network in Fiji
Sunia Waquainabete and Emali Vitilevu Caucau
- 16:00 - 16:30 Coffee/Tea
- 16:30 – 17:00 Agrobiodiversity conservation and Sustainable livelihoods
Farhad Mazhar
- 17:00 - 17:30 BAU, SIS, Biodiversity in Bangladesh *Mostafa Hossain*

18:00 19:10 Issues of conservation and development : Focus on Bangladesh

- 18:00 – 18:10 Introduction *Ainun Nishat*
- 18:10 – 18:25 Legal and policy issues dealing with biodiversity *Mahfuzul Huq*
- 18:25 – 18:40 NBSAP – Issues of conservation and planning
Monowarul Islam
- 18:40 – 18:55 Problems and prospects in conservation *Anisuzzaman Khan*
- 18:55 – 19:10 Discussion

17th June 2003

Workshop session 3: Sustainable Development and Livelihoods: Lessons learnt

- 09:00 - 09:30 Overview of Day 1
- 09:30 – 10:00 Medicinal Plans Conservation Project in Sri Lanka: Experiences *Ranjith Mahindapala*
- 10:00 - 10:30 Tea/Coffee
- 10:30 - 11:00 Valuing habitats in the floodplain areas of Yamuna River in Delhi corridors *Pushpam Kumar*
- 11:00 - 11:30 Suasive strategy for biodiversity conservation in Sri Lanka
Leel Randeni
- 11:30 - 12:00 Macroeconomic dimension in biodiversity management for sustainable development *H M V Herath*
- 12:00 - 12:30 Sustainable Development and Livelihoods; Impacts of Conservation and Management of Aquatic Resources and Ecosystems in Bangladesh *M. G. Hussain*
- 12:30 - 13:00 Fisheries Conservation in two Floodplains of Bangladesh: Issues of Sustainable Development *A. R. Mollah*

13:00 - 14:00 Lunch

Workshop session 4: *Sustainable Development and Livelihoods: Group discussion*
(14:00 - 17:00)

Group I - Synergies for Sustainable Development

Group II - National and local actions for Sustainable Development

Group I - TORs

- How different process like MDGs, PRSPs, NSSPs contribute to sustainable development and livelihood improvement
- In what ways can integration be brought about between these
- How to use 'experiences' for Policy making (3-4 specific examples)
- If there is a research activity to focus on 'lessons learnt', what should it look like.

Group II - TORs

- How to 'replicate' successes.
- How can local activities influence national policy making.
- How should countries respond to 'Jo'burg + 5'.
- What are the key issues (3-4 only) that countries should consider while developing a NSSD

18th June 2003

Workshop session 5: *Summing up* (09:00 - 10:30)

09:00 - 10:30 Summing up recommendations

10:30 - 11:00 Coffee/Tea

Workshop session 6: *Closing Plenary*

11:00 - 12:00 Presentation by thematic groups

12:00 - 12:45 Discussion

12:45 - 13:30 Closing remarks

13:30 Lunch

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Theme 2: SUSTAINABLE DEVELOPMENT AND LIVELIHOODS

Recommendations

Having considered the experiences of initiatives on achieving sustainable development and providing sustainable livelihoods, the participants suggest:

For Scaling up the experiences,

- Establish a network of Traditional Knowledge (TK) and associated knowledge systems, including information exchange, to enable marketability and replication of processes, products
- Ensure multi-lingual documentation of experiences, lessons learnt and best practices (in English & other national languages)
- Encourage the linkages between communities who have successful activities in order to facilitate knowledge exchange with those who wish to replicate the initiatives
- Support a bottoms-up decision-making and participatory planning approach, considering importance of gender representation
- Use community experience to inform/influence the government

For achieving equitable sharing of benefits from Traditional Knowledge at both national and international levels,

- Enable benefit sharing by collecting, assessing, and documenting traditional knowledge
- Promote use of traditional knowledge, primarily for health care besides others, amongst local communities
- Assess the usefulness of an electronic database on classical and oral traditional knowledge

To achieve national and international recognition of some of the experiences shared,

- Encourage ways to influence national governments and national / local level policy formulation and implementation
- Involve internationally recognized organizations to disseminate experiences in promoting access and benefit sharing of biodiversity

Based on the discussions, the participants

Encourage initiatives for:

- community-based conservation efforts

- field gene banks
- on-farm conservation
- cryogenic gene banks

Inform national level policy makers by

- organizing awareness and advocacy campaigns directed towards them
- Involving national level policy makers in community initiatives
- Involving mass media in communicating the issues and options

Realising the need for more and concerted focus on issues of climate change and its impacts on livelihoods and sustainable development, the participants suggest,

- Development and implementation of insurance policies to cover losses due to disaster in crops, livestock, fisheries. This can be encouraged as one of the key risk management options for securing livelihoods at local level
- Development of adaptation capacities at household, local, regional and national levels

Having recognized the role of women in biodiversity conservation, the participants urge,

- Enhanced training on gender issues, especially on issues of time and resource management
- Initiation of exchanges between women's groups
- Fostering knowledge enhancement and other activities aimed at identifying alternate livelihood options

Considering the above, participants identify the following as options to achieving sustainable development and livelihood securities:

Influencing policy making

- Scaling up the practices and translating the experiences for policy making
- Collaborated efforts between NGOs, communities, government on policy making and its implementation
- Mobilizing community voices

Creating enabling environments for community activities to influence policy by

- Strengthening community organizations through
 - Community mobilization
 - Supporting synergy at community level
 - Using existing groups/ organizations /institutional mechanisms for identifying replicatory options
 - Participatory actions using community focal points, youth and women
- Suggesting process documentation for dissemination of experiences
- Involving multi-level policy makers in grass roots level discussions

Supporting research activities to focus on 'lessons learnt' through

- Multi-disciplinary, problem-oriented research

- Promotion of action research, including using participatory approach
- Supporting national and local actions for Sustainable Development by,**
- Mainstreaming local experiences into national decision making
 - Managing ecosystems in sustainable manner
 - Mainstream National Biodiversity Strategy Action Plans (NBSAP), National Environmental Protection and Planning Agencies (NEPAs) and others into the national sustainable development planning processes (e.g. development of National Strategies for Sustainable Development -NSSD)
 - Countries aiming to develop NSSD to consider scaling up local level experience to the national level processes
 - Highlighting the importance of the participatory process and including all stakeholders in the decision making process

Encourage the governments, agencies and organizations to begin developing indicators and monitoring mechanisms so as to report on achievements and obstacles on sustainable development for reporting at 'Johannesburg + 5' meeting to be held in 2007

WORKSHOP 3:

ACCESS AND BENEFIT SHARING, BIOSAFETY - RELEVANCE OF ISSUES TO TRADE AND IPRs

ORGANISERS IUCN; Centre for Sustainable Development; Consumer Unity and Trust Society; South Asia Watch on Trade, Economics and Environment; Bangladesh Environmental Lawyers Association (BELA)

SUPPORTED BY Global Environment Facility; International Development Research Center; Convention on Biological Diversity – Secretariat; World Intellectual Property Organisation

OBJECTIVES

- ◆ To identify issues and constraints related to Access and Benefit Sharing (ABS), Biosafety under Trade and IPR regimes
- ◆ To address issues of implementation of the Cartagena Protocol on Biosafety and its impacts on WTO
- ◆ To identify implementation options for Bonn Guidelines on Access and Benefit Sharing (ABS)
- ◆ To feed outputs to the discussions of forthcoming WIPO, WTO and CBD meetings

16th June, 2003

09:00 - 10:00 Introduction to GBF
10:00 - 10:30 Coffee/Tea

Workshop session 1: *Overview and Issues* (10:30 - 13:00)

10:30 - 11:00 Issues of biodiversity under WTO-*Patti Moore*
11:00 - 11:30 Access and Benefit Sharing : Relevance to WTO and IPRs
Balakrishna Pisupati
11:30 - 12:00 Medicinal plants conservation and issues of IPR regulations
Ranjith Mahindapala
12:00 – 12:30 MDG 8 and Issues of trade *Emilie Warner*
12:30 - 13:00 Sound access to genetic resources: A case study on regaining the IPRs of natural products, pharmaceutical products from *Salacia reticulata* *Dakshini Perera*

13:00 - 14:00 Lunch

Workshop session 2: *Overview and Issues* (14:00 - 17:30)

- 14:00 - 14:30 IPRs and Trade: Issues *Mahafazullah*
- 14:30 - 15:00 Trade, IPRs and Biosafety : Some issues of concern for South Asia *Sachin Chaturvedi*
- 15:00 - 15:30 Mutually supportive implementation of Cartagena Protocol on Biosafety and WTO rules *Wang Chang Yong*
- 15:30 - 16:00 Coffee/Tea
- 16:00 - 16:30 Biosafety and World Trade : A case study on food safety regulations in Sri Lanka *Iresha Rajapakse*
- 17:00 - 17:30 Medicinal Plant Conservation in Bangladesh *Ferdousi Begum*

18:00 19:10 Issues of conservation and development : Focus on Bangladesh

- 18:00 – 18:10 Introduction *Ainun Nishat*
- 18:10 – 18:25 Legal and policy issues dealing with biodiversity *Mahfuzul Huq*
- 18:25 – 18:40 NBSAP – Issues of conservation and planning *Monowarul Islam*
- 18:40 – 18:55 Problems and prospects in conservation *Anisuzzaman Khan*
- 18:55 – 19:10 Discussion

17th June 2003

Workshop session 3: (9:00 - 13:00)

- 09:00 - 09:30 Overview of Day 1
- 09:30 - 10:00 Traditional Knowledge, IPRs and Biodiversity registers *Sagendra Tiwari*
- 10:00 - 10:30 Discussion on national, regional and global priorities
- 10:30 - 11:00 Tea/Coffee

Biodiversity Documentation, Intellectual Property Management and WIPO Toolkit

- 11:00 – 13:00 WIPO Toolkit Introduction and Discussion
- 13:00 - 14:00 Lunch

Workshop session 4: *Group discussion* (14:00 - 17:00)

- I - How to address issues of ABS within Trade and IPR agenda

- Identification of issues and constraints
- Using Bonn Guidelines on ABS
- Linkages between ABS and Trade - Message to Cancun
- National action on ABS and Trade

II - How to address issues of Biosafety within Trade and IPR agenda

- Identification of issues and constraints
- Using Cartagena Protocol on BS
- Linkages between BS and Trade - Message to Cancun
- National Action on BS and Trade

18th June 2003

Workshop session 5: *Summing up* (09:00 - 10:30)

09:00 - 10:30 Finalising recommendations and outputs

10:30 - 11:00 Coffee/Tea

Workshop session 6: *Closing session* (11:00 - 13:30)

11:00 - 12:00 Presentation by thematic groups

12:00 - 12:45 Discussion

12:45 - 13:30 Closing remarks

13:30 Lunch and close of GBF

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**Theme 3: ACCESS AND BENEFIT SHARING, BIOSAFETY -
RELEVANCE OF ISSUES TO TRADE AND IPRS**
Recommendations

Considering the issues of access to genetic resources and benefit sharing, biosafety and the impacts of trade and intellectual property rights on such issues, the participants suggest the following actions:

AT NATIONAL LEVEL

Access To Genetic Resources And Benefit Sharing (ABS)

- Develop an inventory of biological resources, beginning with those actually used to sustain livelihoods or with potential for such use
- Promote community-based small and medium sized enterprises producing pharmaceutical products to assist local communities in adding value to their genetic resources
- Use the CBD's Bonn Guidelines on Access and Benefit Sharing (ABS) to establish a national framework for regulating access and benefit sharing
- Create awareness of market value of biological resource products, particularly genetic resources

Biosafety

- Develop capacity and establish infrastructure for identification, tracing, quarantine, and segregation of genetically modified products
- Develop national policy on labeling genetically modified products
- Promote the private and public sector partnerships needed for advancements in biotechnology and biosafety
- Identify and develop complementarities between the World Trade Organisation (WTO) sanitary and phytosanitary standards (SPS) and National Biosafety Frameworks
- Explore the possibility of extending special and differential treatment (S&DT) to biotechnology and its products
- Develop an understanding of the precautionary principle and how to operationalize it in implementing Cartagena Protocol on Biosafety provisions
- Establish inter-agency coordination mechanisms to manage biosafety issues
- Identify and explore the impacts of bilateral free-trade agreements in relation to biotechnology and biosafety and build capacity to take appropriate actions

Traditional Knowledge (TK) and Intellectual Property Rights (IPR)

- Compile and disseminate information for policy options for the legal protection of TK, including through patent law reform, particularly concerning utility patents and patents on research tools. An annotated menu of policy options should be produced as referenced in document WIPO/GRTKF/IC/5/8² of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (“the WIPO Committee”).
- Build the capacity of national institutions to keep up with new global trends in intellectual property rights, and build capacity for granting patents and for patent law enforcement
- Encourage enhanced public sector investment in biotechnology and bioprospecting
- Take existing *sui generis* systems, where available, and other forms of IPR protection, whichever are applicable to TK, into account when considering options and developing legislation related to TK. The development of options for such legislation could be based on comparative analysis of existing *sui generis* systems for TK protection undertaken by the WIPO Committee
- Consider CBD Article 8j when developing national *sui generis* systems for protecting traditional knowledge
- Consider the options under the International Treaty on Plant Genetic Resources while considering national protection for breeders and farmers
- Make explicit links with the existing intellectual property rights regime, and put in place a mechanism for reviewing the existing regime in light of developments at the global level
- Review and analyze the mechanisms contained in existing law and how they operate in practice, and make necessary reforms
- Use a combination of legislation and voluntary measures to regulate use of traditional knowledge and its relationship with the existing intellectual property rights regime. To this end, the WIPO Toolkit for Intellectual Property Management When Documenting Traditional Knowledge and Genetic Resources, should be consulted by TK holders, governments and other stakeholders. Voluntary measures should include:
 - Creating awareness among local communities about the necessity of having a national register on TK
 - Mechanisms to ensure that local communities understand that they have the option to prohibit or restrict access to their TK
 - A format for registering TK that takes existing biodiversity registration

² See, “Composite Study on the Protection of Traditional Knowledge,” document WIPO/GRTKF/IC/5/8, issued April 28, 2003.

- systems into account, where they exist
- A format for database(s) for storing and managing data on TK
- Guidelines for protecting information in TK registers
- Guidelines for managing, securing and using TK databases, particularly:
 - Defining the levels of security/access that are related to use, user, and the type of information requested
 - Defining the levels of security/access that are related to the wishes of the community/TK-holder
 - Establishing strong mechanisms for inter-agency coordination
 - Ensure that TK/IPR issues are appropriately taken into account in national decision making processes
 - To promote access and not to prejudice any patent search

These voluntary measures should build upon the Technical Proposals on Databases and Registries of Traditional Knowledge and Genetic/Biological Resources which were developed by the Asian Group and submitted to the WIPO Committee (WIPO/GRTKF/IC/4/14³). The GBF recommends the adoption of the Asian technical proposals by the WIPO Committee.

Cross-cutting themes

- Recognize and reinforce the role played by the media, along with governmental and non-governmental organizations, in creating awareness among the general public and grass-root organizations on issues related to biosafety, TK, and ABS
- Include multilateral environmental agreements (MEAs) and the World Trade Organization (WTO) and the linkages among them into national formal education curricula at university level
- Integrate MEAs and the WTO and the linkages among them into existing non-formal capacity building systems
- Identify the socio-economic issues involved in administering biosafety, ABS, TK and IPR and include them in decision-making processes
- Adopt a multidisciplinary approach to developing policy and administering the issues of access to genetic resources and benefit sharing, traditional knowledge and intellectual property rights, and biosafety, and create a mechanism to coordinate among the responsible institutions

AT REGIONAL LEVEL

Access to Genetic Resources and Benefit Sharing

- Identify basic common elements for ABS regulations

³ See, “Technical Proposals on Databases and Registries of Traditional Knowledge and Biological/Genetic Resources,” document WIPO/GRTKF/IC/4/14, issued December 6, 2002.

Biosafety

- Develop a regional position on minimum standards for residual content of genetically-modified organisms (GMOs)

Cross-cutting

- Work toward a South Asia regional mechanism that would:
 - develop a common framework on ABS and biosafety
 - explore the complementarities in biotech research and the possibilities for harmonizing laws and regulations on biosafety
 - develop a common framework on TK and IPR
- Create a sub-regional clearinghouse for information related to MEAs and the WTO
- Develop a regional position on conflicts between the WTO, the CBD and other biodiversity-related MEAs
- Promote regional efforts for valuation of biological resources and biodiversity-related services
- Develop tools and methods for capacity building in the fields of ABS, biosafety and TK/IPR and the linkages between them that can be adapted for use at national level. Such tools could be based on, or take into account, the WIPO Toolkit for Intellectual Property Management When Documenting Traditional Knowledge and Genetic Resources

AT INTERNATIONAL LEVEL

Access To Genetic Resources And Benefit Sharing

- Provide linkages to discussions of the Like-Minded Group of Megabiodiverse Countries with respect to ABS

Traditional Knowledge/Intellectual Property Rights

- Discussions under the World Intellectual Property Organisation (WIPO) need to take into account elements of the Bonn Guidelines as well as existing experiences with implementation
- Patent applications should have a provision requiring disclosure of the source(s) of genetic material and/or associated TK, require evidence of prior informed consent, and require that there be evidence of means to share benefits, all of which are consistent with the Bonn Guidelines
- Promote resolution of the conflict between TRIPS 27.3(b), articles 8(j) and 15 of the CBD, and International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGR)

Cross-cutting Themes

- Promote special and differential treatment (S&DT) for biotech goods and services within the WTO
- Promote adding environmentally friendly goods to the list of environmental goods under debate within the WTO

WORKSHOP 4:

IMPLEMENTING A REGIONAL APPROACH TO TAXONOMIC CAPACITY BUILDING

ORGANISERS IUCN; BioNET-International; Biodiversity Research Group of Bangladesh

SUPPORTED BY Swiss Agency for Development Cooperation, Common Science Council and Global Environment Facility

OBJECTIVES

:

- ◆ To identify the regional priorities for the taxonomic capacity building needed to meet sustainable development, poverty reduction and conservation needs;
- ◆ To agree a regional approach to building and sharing taxonomic capacity within the region to address national priorities as identified under the CBD and other agreements;
- ◆ To contribute towards achieving the CBD's target of reducing the rate of Biodiversity loss by 2010.

16TH JUNE, 2003

09:00 - 10:00 Introduction to GBF

10:00 - 10:30 Coffee/Tea

Workshop session 1: *National perspectives* (10:30 - 13:00)

10:30 - 10:45 Introduction and Workshop Objectives – *Badrul Amin Bhuiya and Richard Smith*

10:45 - 11:00 Self-introductions / ice-breaker

11:00 – 11:30 National Statement on Taxonomy: Bangladesh *Badrul Amin Bhuiya, Matiur Rahman and Mahfuzal Haque*

11:30 – 12:00 National Statement on Taxonomy: Bhutan - *Karma Nyedrup*

12:00 – 12:30 National Statement on Taxonomy: India *M A Haque, J R B Alfred and M Sanjappa*

12:30 – 13:00 National Statement on Taxonomy: Maldives *Mohomed Ali*

13:00 - 14:00 Lunch

Workshop session 2: *National perspectives* (14:00 - 17:30)

- 14:30 - 15:00 National Statement on Taxonomy: Pakistan *Shahina Fayyaz, H Rahman and Rubina Akhter*
- 15:00 - 15:30 National Statement on Taxonomy: Sri Lanka *Jayanthi Edirisinghe, Anura Wijesekara and Dakshini Perera*
- 15:30-16:00 DISCUSSION: Addressing national priorities and inequalities in capacity through a regional collaborative approach
- 16:00 - 16:30 Coffee/Tea
- 16:30 - 17:30 DISCUSSION: Addressing national priorities and inequalities in capacity through a regional collaborative approach

17th June 2003

Workshop session 3: *Global and regional initiatives and priorities* (08:30 – 13:00)

- 09:00 – 09:15 Overview of Day 1 *Richard Smith*
- 09:15 - 10:00 Introduction to the Global Taxonomy Initiative of the Convention on Biological Diversity and its Programme of Work *Christopher H C Lyal*
- 10:00 - 10:30 BioNET-INTERNATIONAL: a sub-regional, partnership-based approach to Taxonomic Capacity Building *Richard Smith*
- 10:30 - 11:00 Tea/Coffee
- 11:00 – 11:20 Networking Specialists of Neglected and Highly Speciose Taxon Groups in South Asia for Conservation Action *Sally Walker*
- 11:20 – 11:40 A Regional Approach to Taxonomic Capacity Building: A South Asian experience with faunal groups *B A Daniel*
- 11:40 - 12:00 South Asian Primates: Case Study in Importance of Taxonomy in Conservation in South Asia *Sanjay Molur*
- 12:00 - 12:30 Marine Invasive Alien Species through ship ballast water: Implications for taxonomy - *Raghu Kumar*
- 12:30 – 13:00 The role of taxonomy in the conservation of biocontrol agents of crop pests *Khandker Ahmed*
- 13:00 - 14:00 Lunch

Workshop session 4: *Group discussion* (14:00 - 17:00)

14:00 – 14:30 Ethnotaxonomy to classical taxonomy need recognition and linkages for Biodiversity conservation – an overview from Indian context *Ravishankar Thupalli*

14:30 – 14:45 Biosystematics - the neglected but the unavoidable *Rashid Sheikh*

14:45 – 15:30 DISCUSSION: Agreeing Recommendations for GBF Plenary

15:30 – 16:00 Tea/Coffee

16:00 – 17:30 DISCUSSION: Agreeing Recommendations for GBF Plenary

TOR for DISCUSSION - Is there a need for a regional approach to meeting taxonomic capacity needs in South Asia?

- I CBD work programme of the Global Taxonomy Initiative: key actions
- II Regional approach: realising the benefits of regional cooperation in South Asia
- III Critical areas of focus (IAS, agriculture, species management, etc)
- IV Taxonomy and sustainable development: demonstrating the links

18th June 2003

Workshop session 5: *Summing up* (09:00 - 10:30)

09:00 - 10:30 Finalising recommendations and outputs

10:30 - 11:00 Coffee/Tea

Workshop session 6: *Closing session* (11:00 - 13:30)

11:00 - 12:00 Presentation by thematic groups

12:00 - 12:45 Discussion

12:45 - 13:30 Closing remarks

13:30 Lunch and close of GBF

3rd Regional Session of the Global Biodiversity Forum - South Asia
Dhaka, Bangladesh
16-18 June 2003

Theme 4: IMPLEMENTING A REGIONAL APPROACH TO TAXONOMIC CAPACITY BUILDING

Recommendations

Participants noted that:

1. Taxonomic information is of vital importance to the conservation and use of the biological heritage of South Asian Countries as it underpins key aspects of national and regional policy making and implementation, sustainable development and obligations to the CBD and other MEAs.
2. At present taxonomic capabilities within the region are unevenly distributed. Neither the countries individually nor the region as a whole are able to meet their taxonomic needs adequately.
3. Taxonomic impediments can most efficiently and cost-effectively be overcome by the formation of a regional cooperative network of institutions concerned with taxonomy, capitalizing on current expertise and building regionally-available resources via regional and international collaborative efforts.

Participants further noted that new or strengthened taxonomic capacity (in the form of expertise, infrastructure and information) is needed to meet current priority demands for taxonomy from the region, including (NB not in order of priority):

1. Compilation and construction of species lists (based on existing and new information), distributions and identifications:
 - for the protection of IPR in the context of Access and Benefit-sharing issues;
 - to enable countries to know their own biodiversity resources so that it can be protected, managed & utilized;
 - to establish baseline data at specific and infraspecific levels to enable management decisions to be taken at regional, national and local levels;
 - to enable decision makers to identify the most appropriate areas for protection;
 - for Environmental Impact Assessments;
 - and for the managers of those areas to take the most appropriate actions in their management work.
2. Enabling improved dialogue and understanding between peoples using traditional knowledge and nomenclature and scientists and managers using formal names, in the contexts of protected areas and of traditional usage of biodiversity (e.g. Ayurvedic and other indigenous medicines).
3. Identification of threatened, endangered and rare species.
4. Identification of invasive and potentially invasive species in time to take preventative action.

5. Identification pests of agriculture, horticulture, forestry and fisheries, and organisms threatening human health accurately and quickly;
6. Identification of biocontrol agents of invasive alien species and pest species.
7. Identification of pollinators of target plant (crop) species, and facilitate their conservation for increased yield and quality of fruits & seeds.
8. Identification from wild relatives of possible replacement staple crops and crop strains in order to supplement current cultivated strains in the context of climate change and population increase.
9. Developing awareness of biodiversity elements and thus facilitate conservation, sustainable use and equitable access to the benefits of genetic resources.
10. Addressing issues of marine biodiversity, including issues related to the health of corals, ballast water and invasive species in ports.
11. Enabling local control and monitoring of bioprospecting operations.
12. Identification of the fauna and flora of specific microhabitats such as dead wood in order to enable wise management.
13. Supporting the activities of quarantine and customs officials in their interception work and enforcing CITES.
14. Identify and verify biological hotspots (in addition to those already known) using assessments of a wide range of organisms.
15. Contribute to efforts aimed at reducing and eliminating biodiversity loss that threatens rare, threatened or endemic species.
16. Support for the assessment, conservation and wise use of island biodiversity.

Considering the existing capacities on taxonomy in the region, the current and likely future needs for taxonomy, the desirability of meeting these needs efficiently and cost-effectively through developing regional self-reliance in taxonomy and the need to provide taxonomic products in the languages of the region, participants recommended:

That the Governments of South Asia:

- Establish a South Asian regional technical cooperation network for taxonomy as a mechanism to help implement the CBD and other MEAs, including the International Plant Protection Convention (IPPC)
- Design the network to meet national needs as expressed in national development plans, NBSAPs, etc.
- Create placement opportunities for trained taxonomists
- Appoint one or more National GTI Focal Point, where this has not been done

That all relevant bodies nationally, regionally and internationally enhance the taxonomic expertise and information available to the region in order to meet the following capacity building priorities (NB not in order of priority):

- Carry out taxonomic needs assessments and fulfill the needs identified via coordinated activities and a collective approach
- Establish one or more National Reference Centres in each country, where necessary

- Establish a South Asian Reference Centre on taxonomy, aimed at supporting identification
- Provide training for taxonomists, giving special consideration to countries where little or no taxonomic expertise is available
- Strengthen existing taxonomic institutions and, where necessary, establish such institutions
- Establish a mechanisms to facilitate access to expertise through a regional pool of experts
- Prepare and disseminate field guides and accurate keys for identification, including in local languages. Request international organizations such as IUCN, UNDP, UNESCO, etc., to support such publications
- Establish mechanisms to facilitate access to taxonomic information and dissemination of information to the end users through electronic media and conventional media as appropriate
- Where necessary, create and disseminate a database on taxonomic experts (nationally, regionally and globally)
- Develop information products with a regional perspective
- Implement taxonomic bilateral exchange programmes for capacity building
- Repatriate data associated with specimens held outside the country of origin, including digitised images where necessary to strengthen the available national data
- Train parataxonomists involving, *inter alia*, farmers, extension workers, teachers, elderly and knowledgeable tribal people
- Establish linkages with taxonomists and parataxonomists
- Provide taxonomic information in appropriate forms to quarantine services to help prevent of invasive alien species introductions and enforce CITES
- Provide taxonomic literature written at a level which is comprehensible to non taxonomists, including foresters, agriculturalists etc.
- Develop incentives and mechanisms to attract younger people to the taxonomic field
- Develop educational activities and awareness programmes to promote taxonomy as an important component of wildlife studies
- Enhance the application and reach of existing journals dealing with taxonomy
- Develop a Listserver to facilitate the exchange views

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