



## Working Together

Foreword by Ahmed Djoghla, Executive Secretary, Convention on Biological Diversity

Welcome to the third edition of our 8(j) newsletter. In this issue of Pachamama we review what the Secretariat and the Parties accomplished during the ninth Conference of the Parties (COP 9) to the Convention on Biological Diversity (CBD), held in Bonn, Germany in May 2008, regarding major substantive and strategic issues of particular relevance for indigenous and local communities.



The Témiscamie River in Québec, Canada (Photo courtesy of MDDEP, Service des Parcs)

## Québec Cree Partner in Creating New National Park

An interview with Kathleen Wootton, Deputy Chief of the Mistissini Cree

This issue includes various issues of relevance to indigenous and local communities, including the development of the international regime on access and benefit-sharing, climate change, protected areas, and others. The work being carried out by the CBD in the next two years is of particular significance as it provides an opportunity for indigenous and local communities worldwide to help shape international commitments that will emerge, not just in the immediate future, but in the years ahead-after the 2010 target.

The Parties to the Convention and the Secretariat have taken extraordinary measures to ensure the full and effective participation

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The Albnel-Témiscamie-Otish National Park project is a partnership between the Cree Nation of Mistissini and the Government of Québec.

Thanks to the hard work of the Mistissini Cree, working in partnership with the Government of Québec, more than 11,000 square kilometers of their ancestral territory may soon become the first national park in the James Bay territory. The area, home to the Mistissini Cree from time immemorial, holds many unique geographical features, including lakes, rivers and mountains, and incorporates three different vegetation zones: boreal forest, taiga, and tundra. The park will include the largest natural lake in Québec, Lake Mistassini, as well

as its neighbor, Lake Albnel. The park also includes the entire length of the Témiscamie River (175 km), which flows from the Otish Mountains to Lake Albnel.

### Negotiations between the Mistissini Cree and the Government of Québec

Kathleen Wootton, Deputy Chief of the Mistissini Cree, has played a significant role in negotiating with the government of Québec to ensure that the Cree are consulted and incorporated into all aspects of

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of indigenous and local communities in our work, and will continue to do so, as they are crucial partners if we are to move towards our ambitious target to significantly reduce the loss of biodiversity by 2010 and to set new goals for the future. Indeed, Article 8(j) is the first point of contact with the Convention for indigenous and local communities, and the CBD remains the only Multilateral Environmental Agreement to have established a Voluntary Fund specifically for indigenous and local community participation in meetings held under the Convention.

I would like to thank all indigenous representatives who have contributed to this new edition and in doing so have helped to underline the important link between 8(j) issues and the three CBD objectives. I trust that this publication will contribute further to an open and full participation of indigenous and local communities in the work of the Convention as we work together in our struggle to save life on Earth. ☐

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the planning and management of the park. It is clear from speaking with Wootton how much the land means to her and to the Cree she represents. "I may be biased," she said with a laugh, "but to me, this is a beautiful area."

Cree share the land with many species of plants and animals. The Mistissini Cree continue to hunt and fish on the land under the direction of *tallymen*, the heads of families that are responsible for overseeing traplines. In addition to the very important role the land plays in the continuation of Cree cultural and spiritual heritage, the lakes Mistassini and Albanel have become popular with sport fishermen, who congregate every summer to see who can catch the largest trout.

The park has been a long time in coming. In 1948, the government created a wildlife reserve that incorporated lakes Albanel, Mistassini, and Waconichi. Under this designation, hunting and fishing have been allowed in the reserve. Interest in creating a park began in the 1970s, even before the James Bay and Northern Québec agreement



A member of the Mistissini Cree prepares a skin  
(Photo courtesy of Cree Nation of Mistissini)



Mistissini Cree snowshoes  
(Photo courtesy of Alain Hébert, Sépaq)

*"In other park areas indigenous people have been told they can't hunt there, or if they did hunt, their meat was confiscated. We don't want the same thing to happen to our people. We want people to continue to be able to enjoy traditional pursuits for hunting, fishing and trapping." —Kathleen Wootton, Deputy Chief of the Mistissini Cree*

was signed, which created a framework for Cree rights to their territorial lands and waters. But the question of a park was tabled until 1999, when informal talks began between the Cree and the Government of Quebec. In 2002, both parties exchanged letters stating their interest in the project, and each appointed three representatives to form a "Co-management Working Group." The Working Group was charged with setting up a co-management process for the wildlife reserve as well as negotiating for the development of the park.

#### Creating economic benefits

The agreement between the Cree Nation of Mistissini and the Government of Québec is now entering its final stages of negotiation. One of Deputy Chief Wootton's primary concerns was to ensure that the Cree would benefit economically from the park's creation. "I wanted to make sure our people would benefit either through employment or setting up their own businesses or developing tourism projects," she explained. The government has agreed in principle that Crees should be included in all levels of park management, and Wootton hopes that one day Crees will

drive the entire management of the park, up to the top level of leadership.

To this end, the Cree have signed an agreement with Sépaq, the government agency responsible for operating the parks and wildlife reserves within the Parks Québec network, to train Crees to participate as wildlife protection officers, park officials and management staff. Wootton also hopes that the Cree School Board will join onto the training initiatives as a partner to get youth involved. So far, no funding has been designated by the Government to initiate training programs before the park is opened, a necessary step to ensure that the Cree are ready to participate in management and stewardship activities from day one. Still, Wootton is hopeful that arrangements can be made to get training initiatives up and running as quickly as possible.

One of the challenges for Wootton and her team has been to educate fellow Cree about the park and to let them know that they would still have full access to their traditional traplines for hunting and fishing. Like other First Nation communities in Canada,



*“Indigenous and government leaders interested in collaborating on protected areas should keep in mind that these partnerships don’t happen overnight. It’s a long process, and you have to take the time to build people’s trust.” —Kathleen Wootton, Deputy Chief of the Mistissini Cree*

the Mistissini Cree have had challenging past experiences with government parks.

“In other park areas they may have been told they can’t hunt there, or if they did hunt, they had their meat confiscated,” Wootton explained. She noted the experience of the Dene in the Yukon, who in the process of a creation of a park in the 1960s were barred from accessing their traditional hunting territory and had their campsites burned down by park officials. “We didn’t want the same thing to happen to our people. We wanted people to continue to be able to enjoy traditional pursuits for hunting, fishing and trapping.” Because of the framework set in place by the James Bay and Northern Québec Agreement (JBNQA), the Cree can continue all of their traditional activities within the park’s boundaries. To this end, the Provisory Master Plan for the park acknowledges that the JBNQA takes legal precedence over the Parks Act.

#### Protecting sacred sites and teaching traditional knowledge

The park’s zoning plan designates special protection for Cree sacred sites, in accordance with recommendation No. 13 of the IUCN World Parks Congress—a first for Parcs Québec. Wootton’s staff is currently working with the tallymen to identify sites of special significance. One of the sacred sites located in the park is called “*Waabushukamikw*” which translates as “Rabbit’s House.” Burrowed into the shores of the Témiscamie River, the site is a quartz cave that was mined in prehistoric times.

The ancestors of contemporary Cree made implements such as axes, knives, and arrowheads from the rocks they harvested inside. The tools were then traded through extensive networks, making their way as far south as New England. The Cree hope to have the cave designated as a heritage site because of its historic importance.

The park will draw on and expand current infrastructure to host tourists, including fishing camps and lodges on Lake Mistissini, as well as cultural tourism programs developed by the community. Through the Elders Teaching Program, Cree elders demonstrate and teach important traditional skills such as fishing, cleaning and butchering meat, and drying, curing, and preparing meat according to traditional recipes. Wootton’s vision for the park reveals her long-term commitment to education and Cree youth, who will also benefit from learning about traditional skills inside the park’s boundaries. “There has to be a comprehensive type of program developed so that you show different aspects of the culture,” she says. “For example, students could go to the park to identify plants and trees, and to learn things like which tree was used to make snowshoes and which was best for sleds. They could learn about traditional medicines—there are so many different educational activities that could be part and parcel of the park.”

#### Networking and building trust

Wootton is part of a larger network of First Nations and indigenous leaders helping

negotiate parks and protected areas. Last year, she participated in a one-day workshop hosted by the Canadian Parks Society on First Nations communities and parks. Additionally, she participated in a workshop on indigenous tourism hosted by the Convention on Biological Diversity. “It was especially interesting to talk to the people from South America because the national governments there are still in that mode of coming in and telling people ‘this is now a park and you have to move out.’ And we could share with them our experience about the partnership with Québec, about being involved and having an active role in the development process of the park.”

Wootton advises both indigenous leaders and government leaders interested in collaborating on protected areas to keep in mind that these partnerships don’t happen overnight. “It’s a long process. People in the past have had bad experiences so some people are not very trusting. In our community, development like forestry or mining has never really involved people. So you have to take the time, you have to build people’s trust.”

But for the Cree who will see their lands and waters protected for the enjoyment of their children and grandchildren, as well as for the tourists who will learn about the land and its stewardship from the Cree, the long process and tremendous energy invested in creating the park in partnership with the Government of Québec will be well worthwhile. □



Lake Bellinger, Québec (Photo courtesy of MDDEP, Service des Parcs)



Rapids in the Rupert River (Photo courtesy of MDDEP, Service des Parcs)



Minorities from Yunnan Province in China (Photo courtesy of Mr. Yang Jingbiao)

## Traditional Knowledge and the Law in China

By Bryan Bachner

**T**raditional knowledge includes the knowledge, innovations and practices of indigenous and local communities throughout the world. China is fundamentally a traditional culture and much of its indigenous works, including medicines, music and handicraft are enjoying renewed interest today in China and around the world. As a consequence of the popularity of these historical products and their adaptation for modern consumption and use, a most important intellectual property rights issue arises concerning who owns what?

There is a general perception that the governance of traditional knowledge (TK) in China is sparse and minimal at best. While any scholar in the field would be hard-pressed to draw generalizations from the enforcement of intellectual property rights in the complex jurisprudence of China's domestic court system, it would be an understatement to say that the law governing TK was non-existent. In fact, a closer analysis of the legislation and the available court decisions suggests that China, in

contrast to the conventional treatment of TK as ownerless, is heading down a path that seeks to acknowledge rights arising from the use of TK in a modern economy and in some way assign them to the traditional communities that originally created the traditional knowledge.

The purpose of this article is to highlight and even bring together some recent important decisions to illustrate how the law is impacting the business of traditional knowledge and to reveal the culturally distinctive priority that Chinese society assigns to the modern adapter and the authentic inventor of the traditional knowledge. We will look in particular at how patent law deals with traditional medicines and how copyright law regulates traditional cultural expressions.

### Traditional medicine

Traditional knowledge includes, amongst other things, traditional medicines and traditional medicines in China are a source for pharmaceutical discovery that has remained relatively untapped. Many multinational

industries suspect that traditional medicines in China, with its long history, may hold the curative properties for modern medical blockbusters. For example, in northwestern Yunnan, ethnobotanists are studying TK to explore whether there is application for treatment of HIV-AIDS and malaria.

The first Patent Law of the People's Republic of China was enacted in March 1984. China has already amended its patent law in 1992 and 2000 to accord with the *Memorandum of Understanding between the Government of the People's Republic of China and the Government of the United States of America on the Protection of Intellectual Property* and China's obligations to enter the WTO, respectively. A third round of patent revisions, initiated in 2005, according to Chinese policy statements, is meant to respond to the lack of protection conventionally afforded to developing countries for subject matter including genetic resources and TK and to oblige users of those resources and knowledge to obtain informed consent from the states and related parties who are their custodians.



The proposed changes may be attributable to three factors: 1) China has invested considerable resources in developing its biotechnology industry and is concerned that the WTO has not done enough to protect TK, such as Traditional Chinese Medicine (TCM). 2) China has a plethora of genetic resources, included but not limited to traditional knowledge, like TCM, that has historically been misappropriated and China is seeking to provide some protection to the authentic inventors. 3) Traditional culture is an important part of Chinese society and its meaning and value is currently being rediscovered; modern domestic adapters of TK, however, have not recognized the contribution of the authentic inventors to the new uses.

The proposed Articles 25 and 26 of the Patent Law are the provisions that would be amended to accommodate these concerns. Article 25 would be amended to stipulate that no patent right shall be granted to an invention dependent on genetic resources where the acquisition of those genetic resources violates relevant laws and regulations. The new Article 26 would state that for any invention which depends upon genetic resources, the applicant must state clearly the source of those resources.

In light of overseas' claims that such new provisions would not comply with TRIPS and that it would deter, rather than encourage, innovation, China's apparent decision to move forward on these provisions has proven controversial amongst some developed countries. China, however, argues that international law is guiding its law-making process. China looks to the Convention of Biological Diversity and its principles of sovereignty, informed consent for using biological and genetic resources as well as sharing in consequent economic benefits as instructive for its determination on the treatment of TK. China further asserts that there is an emerging consensus amongst developing countries that developed countries seeking a patent right for an invention should have the burden to show that the resources that constitute the invention are genuine and, in effect, clear of any claim from any other source. Finally China claims that Articles 7 and 8 of TRIPS help to justify mandatory disclosure of origins of genetic resources prior to the issuance of a patent. On the one hand, according to China, this provision would

balance the rights and obligations of members while promoting innovation. On the other hand, it would ensure that there is protection of public interest in sectors of vital interest to the socio-economic development and technological innovation and no abuse by interested parties.

Final disposition on whether the National People's Congress will approve the new patent amendments are expected soon.

*"The debate concerning the governance of traditional knowledge in China is much further along than many may be willing to give credit." —Bryan Bachner*

China also has an administrative regime that was designed to provide administrative protection to inventors of traditional medicine. The State Council in October of 1992 enacted administrative regulations in the form of Decree 106 entitled Regulations on Protection of Traditional Medicine. The objective of the law was to raise the quality of all varieties of TCM, protect the legal rights and interests of enterprises manufacturing TCM and to promote the development of the activities related to TCM. The

law excludes protection to inventors of TCM that seek patent protection. Departments of Health implement the law.

According to the provisions, there are two grades of varieties protected. Any traditional medicine may apply for Grade one protection if they: (1) have special therapeutic results to a given disease, (2) are prepared with natural medicinal herbs covered by Grade one protection; or (3) are applicable to the prevention and treatment of certain specific diseases. Grade two application will be issued if: (1) they are conforming with the stipulations mentioned above but are removed from Grade one protection, (2) they are with noticeable therapeutic results to a given disease; or (3) they are extracted and/or specially prepared with its effective ingredient from natural medicinal herbs. The vague terms of approval provide wide discretion to the health department officials to determine awards.

Additionally, in early 2007, the Beijing High People's Court heard the first case that dealt with how patent law protects traditional medicine in China. In this case, the Tianjin Tasly Group had patented a Nourishing Blood and Cleaning Brain Granule that helps to moderate headaches that are brought on by hypertension and liver problems. The



Terraced fields and local farmers in Yunnan, China (Photo courtesy of Dr. Dayuan Xue)



Farming in terraced fields has been practiced for many years by minorities living in mountain areas of Yunnan Province, China. (Photo courtesy of Dr. Dayuan Xue)

medicine received not only a patent but also administrative recognition as a special medicine. After discovering that the Dongguan Group had been manufacturing the same drug, Tianjin Tasly sued Dongguan for patent infringement. The court relied on expert testimony from the Beijing University of Chinese Medicine who determined that the essential recipe used by Dongguan was basically the same as Tianjin Tasly.

### Traditional cultural expressions

In addition to the acknowledgement of the relevance of traditional knowledge to patent law, copyright legislation and court decisions are also beginning to recognize the importance of TK. Traditional culture, including music, stories and other expressions, have become considerably attractive in the Chinese and global markets. China is struggling to come to terms with how to ensure that the traditional authors are respected while also allowing the commercialization of this valuable resource. The State Council has enacted measures that are intended to recognize and preserve cultural heritage. In March 2005, the State Council issued *Opinions of the General Office of the State Council on Strengthening the Protection of Intangible Cultural Heritage of our Country* which sets out working guidelines to ensure

the protection, restoration and rational utilization of intangible cultural heritage. In December 2005, the State Council published the *Notice of the State Council on Strengthening Protection of Cultural Heritage* which seeks to strengthen the establishment of laws and institutions to protect cultural heritage. The Ministry of Culture, whose responsibility it is implement these measures, would protect the cultural heritage, issued the *Interim Measures for the Protection and Administration of National Intangible Cultural Heritages* in November 2006. On 20 May 2006, the Ministry of Culture listed 518 items, classified under folk literature, folk music and dance, traditional opera, ballad singing, cross-talk, acrobatics, folk fine arts, traditional handicraft, traditional medicine and folk custom, as protectable. The list included: the Spring Festival, Peking Opera, acupuncture, The Legend of Madame White Snake and Shaolin Kungfu.

Article 6 of the national Copyright Law asserts that it will be the responsibility of the State Council to establish laws to protect folklore. Drafts created by the State Intellectual Property Office have yet to be enacted; however, the State Council has recently incorporated the protection of

folklore into its legislative plan. Most interesting to note is that there is consideration that a national law should provide the custodians of the traditional cultural heritage the decision making authority as to whether the work should be used and a mechanism to ensure fair compensation for its use. Provinces such as eHerih Yunnan and Jiangsu, as well as other cities, already have enacted laws that protect folklore.

The courts of China have also taken what some may describe as an active role in protecting traditional cultural expressions. In *The Government of Sipai Hezhe Minority Village in Raohe City, Helongjiang Province v. Guo Song*, the issue before the court was whether an ethnic community could enjoy the right to claim authorship in a folk song created by their community after it was adopted by another person. In 1962, the defendant created a popular song “Wusuli River Chantey”, which was based on the melody of two folk songs sung by the Hezhe minority, who live in a remote part of northeast China, for generations. Despite the defendant’s claim that the song was original, an expert group designated by the court, concluded that, while the beginning and end parts of the defendant’s song were novel, the melody of the middle part of the defendant’s song was similar to the two folk songs. The court agreed and determined that while the defendant could claim ownership of the song, any publication of the defendant’s song must acknowledge that it was adapted from the folk songs of the Hezhe ethnic minority.

The court’s decision inferred that the rights of the ethnic minority in their songs extended to the right of attribution in the authorship of the songs. The court’s decision was based on Articles 6 and 12 of the 1990 *Copyright Law* and Article 4 of the 1986 *General Principle of the Civil Law*. Article 6 does not provide an explicit legal basis for the protection of folk song, only an implied one, because it only states that regulations for the protection of copyright in expressions of folklore shall be established separately by the State Council and those rules are not yet finalized. Therefore, the substance of the decision is largely derived from Article 12. Article 12 provides that if a work is created by adaptation, the exercise of copyright in the adapted work shall not prejudice the copyright in the original work. The application of Article 12



in the decision suggests that the court recognized, at least implicitly, that the two folk songs were eligible for some form of intellectual property protection, most evidently a moral right, and that the traditional authors of the folksong enjoyed at least the right of attribution in their folk song. The defendant's adaptation was deemed to have infringed that suggested right of attribution. The court, however, did not comment on whether there were any economic rights in the folk songs and therefore did not award any monetary compensation to the plaintiff.

### Getting in Tune

Moreover, in *Suo Xing v. Some Education Research Press of Some Education Committee*, the question before the court was whether and to what extent could "adopted" folk music be claimed within the adopter's copyright. The melody of the folk song "Counting Duck Eggs" had been popular in Gaoyou, Jiangsu Province for many generations. The lyrics of the song, however, had always been modified. In 1957, the plaintiff recorded the folk song with his own lyrics. In 1957, a government publication published the plaintiff's song. In 1982, Chen, a musician, published a song named "Counting Duck Eggs" in a journal entitled "China's Folk Song". In 1989, Chen's song was published in another magazine entitled "Gaoyou Custom". In 1993, the defendant published a music textbook for primary school students that included the plaintiff's song of "Counting Duck Eggs". When the plaintiff sued for copyright infringement, the defendant counter-claimed that its song was not based on the plaintiff's version of "Counting Duck Eggs" but on Chen's version. Besides, the defendant's argued that the plaintiff's song was a folk song which was in the public domain and therefore could be used by anyone in the public. The court held that anyone might record, edit and renovate a folk song but they determined that they may only own a copyright in those parts of the song that were independently created. Therefore, according to the court, the lyrics of the plaintiff's song should be protected by copyright laws. The court awarded compensation of RMB 5,000 against the defendant's copyright infringement.

Furthermore, in *Bai Xiu'er v. National Post Bureau and Another*, the court had to decide whether "works inspired by folklore" deserved copyright protection. The plaintiff was a professional traditional paper-cutter

in China, a trade that has been part of the traditional culture of China for many generations. In 1999, the second defendant asked the plaintiff to design paper-cuts that would be used on a postage stamp to commemorate the year of snake in 2001. They agreed to conclude written agreements setting out the rights in the work with the plaintiff if the paper-cut works were accepted for publication. In February of 2000, the plaintiff submitted 60 pieces of snake paper-cuts to the second defendant for consideration. The defendant selected four of the paper cuts for presentation and informed the plaintiff that any approval for adaptations would be decided later. In November 2000, the second defendant communicated

*"China is heading down a path that seeks to acknowledge rights arising from the knowledge of TK in a modern economy." —Bryan Bachner*

to the plaintiff that the four paper-cuts were not accepted for publication and paid the plaintiff RMB970 as fees for materials. In December 2000, the plaintiff found that one of the two stamps commemorating the year of the snake actually used one of her paper-cuts with a few small changes. In June 2001, the plaintiff sued for copyright infringement before the Beijing First Intermediate Court and claimed RMB 1 million for compensation. The defendant argued that paper-cuts were a part of China's folklore with thousands of years of history and therefore could not be owned by any modern author. They also claimed that because the Copyright Law clearly provided that the protection for folklore should be regulated separately by the State Council and no regulation on the protection of folklore had been issued by the State Council, the folklore could not be protected.

The court held that the Copyright Law of PRC required a work to be original, but originality did not mean that a work need be highly aesthetic or creatively unprecedented. A work was copyrightable if the author created it independently. According to the court, the plaintiff made use of the technology and tradition of paper-cutting to express her understanding of life, art and folk aesthetics. Her paper-cuts, therefore, met the requirement

for originality. The paper-cuts were not copies or examples of folklore passed on from generation to generation but a work created independently by the plaintiff. The court went further and recognized the plaintiff's paper-cuts as works of fine art under the copyright law. The court ordered a judgment in favor of the plaintiff's claim for copyright infringement and awarded compensation of RMB 4,685 as royalties for the defendant's use of the paper cut on stamp without giving instructions on lawyer's fees.

The plaintiff appealed the totality of the compensation judgment of the first instance court to the Beijing Higher Court. The first instance court held that the plaintiff should bear RMB 13,000 of the total litigation fee of RMB 15,010. The first instance court calculated the compensation based on the standard royalty for works of fine arts in China and the number of stamps issued by the defendant. The High Court disagreed with the lower courts method of calculation for the fees and royalties and awarded compensation of RMB 200,000 to the plaintiff.

### Conclusion

It is fair to say that the debate concerning the governance of traditional knowledge in China is much further along than many may be willing to give credit. In the fields of traditional Chinese medicine and traditional cultural expressions, both regulators and judges have recognized the importance of traditional culture to Chinese society by articulating law to try to protect and sustain it. Given the emerging global demand for Chinese traditional products, global pharmaceutical companies, recording industries and general manufacturers who will generally commercialize the traditional works will be making more and more proprietary claims over the traditional knowledge and will likely have no choice but to turn to international private law, as embodied in the WTO, for protection. It will be interesting to observe to what extent international intellectual property laws will influence the development of China's nascent domestic intellectual property law as it relates to traditional knowledge. □

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*(The views expressed in this article are personal and do not represent the view of any institution.)*

The following series of inter-connected articles by Eliane Potiguara address the biodiversity of the indigenous people of Brazil, touching upon gender relations, cultural impositions on indigenous peoples and their consequences, migration and racism, and the indigenous woman—mother, woman, teacher or warrior.

# Committing to the Indigenous Culture and Mindset

By Eliane Potiguara

The most beautiful thing we have inside ourselves is our dignity, even if it has been hurt. But there is no pain or sadness that the wind or the sea cannot erase. And the purest teaching from the old folks, from the Elders, is based on wisdom, truth and love. A future of dignity awaits indigenous peoples from all over the world.

Many lives, cultures, traditions, religions, spirituality, and languages have been violated throughout human history. The truth will always surface, no matter if they pull out our teeth! Moving on is what matters. Eating crab with flour, dry fish with *beiju* and manioc. Gazing at the sea and the sky. And paying tribute to the dead, our ancestors. Dreaming their dreams and watching them. Live with the “*manias de cabôco*”, even if suffocated by the harsh landscapes of urban chaos, because these are the most sacred relationships of our people, because these are relationships with the Earth and the Creator, our god Tupã. True beauty is to put on the Toré garments and dressed as kings, to feel them as the ultimate expression of the relationships between man, the Earth and God.

Come, my people, let us raise our thoughts to Tupã and open our hearts in the “Prayer for the Freedom of Indigenous Peoples”, let us pray for the 300 million natives who live on the Earth. And let us think about the wise words of the Xavante chief Aniceto: “The woman’s word is as sacred as the Earth.”

## The fight against violence and the development of indigenous biodiversity

Why do we have so much violence in our lives? We, both indigenous and Afro-descendant women still suffer from much violence because we do not strengthen our inner being, the wild woman inside us, the primitive—in the sense of primeval—woman. A woman should walk with the force surrounding her; the profound intuitive nature of “woman” should prevail in the mandatory duality of every feminine mind.

The flame of the ancestral knowledge—be it indigenous or from any other root—should be immediately lit in the animus of every woman, and of every man, in order to wake up his feminine side, and to ensure that partnership between man and woman be established according to the most transcendental principles of human equality.

The torch of our ancestral roots, including genetic ones, should be nurtured inside each one of us, because it is a treasure of knowledge, whether we are indigenous, black, yellow or white. Physically speaking, our brain will keep some spaces and traditions that we may never reach; we must remember, wake up from mental and spiritual darkness and let flow the collective unconscious so that it floats on the sea of consciousness that sets the tone of our life.

An extraordinary strength is necessary to rescue the ancestral principles and concepts resting inside us. These are our fundamental ethics and principles. This is a search for peace that contributes to the chain of love and ethics. But it is only as we become aware of who we are—indigenous peoples or peoples from other origins—that we realize, unveiling the rich heritage, the precious treasure that lies resting in the vast universe of minds, hearts and spirits.

Strengthened men and women who have mutually acknowledged the process of mind and spirit reconstruction may support their inner creature, the true animus, the deep longing of the strong soul for the ancestral nature living inside each of us, the true ancestral nature of the primeval being—the inner strength—and these, and only these, will build up the great mental and spiritual strength, the broad FRONT for victory of Human Rights, here on Earth. Therefore it is important to listen to our wise men and women. The pathways and answers to a new world lie in the acquisition and recognition of the traditional knowledge of the FIRST NATIONS who lived on this great and bright

blue planet, against all kinds of internal and external enemies. We must reassess the biographies of our old men and women prophets, from any ethnic group, nation, religion, or spiritual orientation, giving a NEW INTERPRETATION to their words. These interpretations should not follow biased beliefs, old habits, old standards, old prejudices, but rather fresh starts and a deep perception of their philosophies, so that we may reach the true pathway to peace and ethical behaviour.

## Pajelança (Shamanism): Defending indigenous intellectual property and rights

To be a spiritual leader, wherever it may be, in whatever cultural and traditional environment, means to be connected, in the first place with the inner self, with the wild woman/ man inside oneself, as said before; in brief, the intuition and all its developments leads us back to our traditional culture and spirituality, inside our spiritual and mental home. Actually, it allows you to make your brain and your spirit recall the ancestral teachings, such as in the case of indigenous peoples, where the spiritual heritage is transmitted from the parents to the children.

No shaman receives any kind of training. The shaman IS A SHAMAN and that is it, NOBODY CAN TAKE IT AWAY FROM HIM. The shaman has no space designation. He may be from the sea, the town, the countryside, or the mountains. Evidently, the quietest places, such as the forest, for instance, favour meditation and the expansion of the soul. A spiritual leader is a leader in any circumstance. In a family of many children, sometimes only one is chosen for spiritual tasks. All the children may receive the same education, but “the one” will be distinguished by his/her enlightened character, for clearly nurturing a culture of peace and ethics. This is something he carries inside; he already brings latent memories that favour the awakening of his inner self. Spiritual practices, shamanism, learned from their grandparents, parents, uncles, aunts and integrated into their daily





(Photo courtesy of Brazil)



(Photo courtesy of CBD)

education since the early infancy, work as a motivating element that lights up their spiritual pathway. And their strengthening will only be completed when they EXPAND their vital and spiritual energy—their consciousness and unconsciousness—with focus on their community, delivering cure in every sense of the word. Only then can their brothers and sisters or their community strengthen their spirituality.

The cellular axis of the spiritual meaning inside the physical dwelling of the shaman is to GIVE oneself to others. Without this “giving oneself” there is no energy, and certainly no healing, no Power to conduct the ceremonies and no Power to SENSE. And sensing takes us back to giving oneself. As you can see, this is a cycle ... as death and life are a cycle ... Life and death ... Death and life ... And the shaman’s spiritual journey is lonely, the same as birth or death, or the act of artistic creation. IT IS AN ACT BY ONESELF. Even without knowing the urban meaning of human rights, the shaman is one of the major innate guardians, in theory and practice, of such rights, besides being a healer. He is the true master of traditional knowledge and its biodiversity: HE IS HIS PEOPLE’S CULTURAL HERITAGE, HIS PEOPLE’S INTELLECTUAL PROPERTY

### Indigenous woman: Guardian of indigenous biodiversity

Amílcar Cabral, during the revolutionary fight at Guinea Bissau in Africa, some three decades ago, said that “culture should be used as an instrument of national freedom”. As a complement to this reasoning, we could say that the indigenous peoples liberation is unequivocally related to women’s culture, spirituality and cosmology. Women’s role in the fight for identity is natural, spontaneous and essential. The woman has the political

role of bearing child and raising her child according to her traditions, the same as in the surrounding society. In indigenous cultures, the woman is a source of energy, she is intuition, a wild woman, not in the original sense of the word, but wild in the sense of deprived from all vice imposed by society, a subtle woman, a primeval woman, a spirit in harmony, an intuitive woman who evolves for the sake of her society and of the planet. This woman is not psychologically or historically conditioned to pass on to her children the attitude of competition and dominance forged by contemporary society. Her power is of a different kind. Her power comes from the knowledge passed forward along centuries, and hidden by patriarchal histories. Intuitively, the woman protects her breasts and her womb from the aggressor and seeks strength in her ancestors and in the spirits of nature, to ensure the survival of the family. This is indigenous education. All these aspects have been more preserved and are stronger in women than in men.

The Brazilian indigenous movement, which has been growing over the past 20 years, now includes hundreds of local or national organisations that strive to establish a dialogue with the government; these organisations take part in national and international forums and have work together to produce the important United Nations Declaration on the Rights of Indigenous Peoples, as well as establishing a permanent high level forum at the United Nations referred to as the UN Permanent Forum on Indigenous Issues.

### Proposals

In summary, the government should acknowledge, through practical actions, the multicultural and differentiated nature of Indigenous Peoples, including gender-related rights,

sexual and reproductive rights of indigenous women, and the feminine traditional knowledge so very important for biodiversity.

Indigenous land tenure should be recognized, as a means to ensure physical, social, cultural, economical and psychological integrity for the indigenous individuals and communities, particularly women, old women, widows and single mothers.

Illegal entry should be forbidden from these territories to ensure the survival and the safety of women, children and old women.

The development programs from which all other Brazilian women benefit should be extended to indigenous women, but must be extended with our full and effective participation and be cultural appropriate. A new indigenous statute is urgently needed, and should be formally elaborated by the indigenous peoples themselves.

Also required is a detailed explanation of emergency measures, affirmative actions to protect, the rights of single mothers, widows, and aged mothers against domestic and social violence. Public policies should be created with this purpose, and with the purpose of ensuring that the indigenous peoples’ rights will be fully respected. This way, the biodiversity of Brazilian indigenous peoples will be respected as a right acquired over the centuries. If rights are respected, conservation will follow. ☐

*Eliane Potiguara is the founding member and Executive Director of the GRUMIN Network of Indigenous Women. She is also a teacher, educator, activist and indigenous writer, author of *Metade Cara, Metade Máscara (Half Face, Half Mask)*. She also acts as a Director of INBRAPI /Brazilian Indigenous Institute for Intellectual Property*

# Back from the Brink: Negotiating Article 8(j) at COP 9

*An interview with Yolanda Terán, an indigenous Ecuadorian woman of Kichwa heritage*

**A**t some point during the ninth Conference of the Parties (COP 9) to the Convention on Biological Diversity (CBD), the future of the programme of work for Article 8(j): Traditional Knowledge, Innovations and Practices seemed to be in jeopardy.

Some Parties proposed sweeping changes to the work programme, which could have adversely impacted some initiatives undertaken under this article. When indigenous delegates became aware of these developments they mobilized a group of representatives to follow the 8(j) negotiations.

The indigenous delegation felt a strong need to maintain the integrity of the work programme. Yolanda Terán, an indigenous Ecuadorian woman of Kichwa heritage, was a member of this group. She believes that the delegation managed to defend its interests effectively.

Throughout COP 9, a group of indigenous representatives following 8(j) had met with delegates from a number of Parties. Initially they felt that some of these meetings were not fruitful, resulting more in frustration than progress. However, a meeting called by Stuart Wuttke, a First Nations aboriginal and member of the Canadian delegation, turned into a breakthrough. In order to honor indigenous protocol, Mr. Wuttke opened the

meeting with a prayer and spoke to the indigenous delegates as brothers and sisters. This meeting set the stage for subsequent negotiations, and in the end the integrity of the work programme was maintained and indigenous interests incorporated.

## Lessons learned

Ms. Terán believes there are several lessons to be learned from the COP 9 experience. The course of the negotiations highlighted the need for indigenous peoples to be involved in all aspects of the CBD process. Indigenous peoples should not isolate themselves by always negotiating as a block. Indigenous peoples who are members of government delegations can provide a valuable bridge between the interests of the International Indigenous Forum on Biodiversity (IIFB) and the interests of the Parties.

The IIFB comprises representatives from indigenous governments, indigenous non-governmental organizations and indigenous scholars and activists that organize around the CBD and other important international environmental meetings to help coordinate indigenous strategies at these meetings, provide advice to the government parties, and influence the interpretations of government obligations to recognize and respect indigenous rights to the knowledge and resources.

However, while increased indigenous

presence and participation can be helpful in building political goodwill, this alone is not enough to ensure that indigenous voices are heard. Indigenous delegates at CBD meetings need to be organized and prepared if their participation is to be effective. Ms. Terán was impressed by the way IIFB delegates divided up responsibilities in order to unify their efforts in response to the crisis facing the 8(j) programme of work. She believes that the IIFB should organize similar groups to follow the range of CBD issues in advance of COP 10.

## No time for complacency

Ms. Terán insists that this is not the time for indigenous peoples to be complacent. Even though there were some favorable developments in the text of the final decision on Article 8(j), Ms Terán believes that indigenous peoples must work hard to ensure that these changes are implemented on the ground. Hence efforts must be made to promote awareness of both the CBD and Article 8(j).

Indigenous representatives must also work hard to increase their own capacity. One aspect of being a capable high-level negotiator on the international stage is competency in English. Many South American delegates at COP 9 found that relying solely on Spanish translation and interpretation was not sufficient to get their message across and to accurately reflect their proposals and concerns.

She encourages indigenous representatives to work hard to prepare themselves for COP 10 in Nagoya, Japan, by reviewing carefully and ahead of time the texts of the documents for the meeting and by educating themselves about the issues surrounding 8(j).

By deciding on their roles and by developing their positions in advance of the conference, Ms. Terán believes indigenous delegates will have all the necessary tools to be strong and effective participants at COP 10. □



above: John Scott, CBD Programme Officer, Article 8(j) and Related Provisions, and Sofia Gutiérrez, CBD Programme Assistant, Indigenous Knowledge, at the COP 9 meeting in Bonn, Germany in May 2008 (Photo courtesy Sofia Gutierrez)

right: Yolanda Terán, fourth from left, participated in a Capacity-Building Workshop for Indigenous Women at COP 9 in Bonn, Germany. (Photo courtesy of CBD)







(Photo courtesy of UNEP)

## Marine and Coastal Biodiversity at COP 9: A Student's Perspective

*An interview with Margaret Raven, an indigenous PhD student in natural sciences and geography*

**A**n indigenous PhD student with a background in natural sciences and geography, Margaret Raven spent most of her time at the ninth meeting of the Conference of the Parties (COP 9) to the Convention on Biological Diversity (CBD) in Bonn, Germany, following the discussions on marine and coastal biodiversity.

At first blush, it seems like an odd fit. The traditional territories of Ms. Raven's community are found in the vast desert of Western Australia. However, her interest in marine issues is well motivated. Ms. Raven is a policy officer at the Yamatji Marlpa Baba Maaja Aboriginal Corporation, an organization that includes the Yamatji Land and Sea Council and the Pilbara Native Title Service, which covers both the vast coastline and interior deserts of Western Australia. Marine issues are of particular importance to the organization because the Australian government is working on setting up new marine protected areas. Ms. Raven sees her involvement in the CBD process as a way of bridging

the gulf between national and international policy at this critical juncture.

What's more, the operational divisions of the International Indigenous Forum on Biodiversity (IIFB) include Australia as a part of the Pacific region, despite Australia having little in common with small island developing States. As a result of this grouping, Ms. Raven found herself in a caucus at COP 9 that was principally interested in marine and coastal issues. Finally, because Access and Benefit-Sharing and Article 8(j) attracted so much attention at COP 9, few indigenous delegates were interested in the United Nations Convention on the Law of the Sea (UNCLOS) that follows marine and coastal issues. She realized, however, that there was no correlation between this lack of interest and the importance of marine and coastal issues.

Foremost on the minds of delegates following marine and coastal issues at COP 9 was the conservation and sustainable use of

marine biological diversity beyond areas of national jurisdiction. It is widely agreed by Parties that the governance of marine areas beyond national jurisdictions falls outside of the scope of the Convention, and is governed by the UNCLOS.

### Indigenous interests stretch far

However, it is unclear to what degree indigenous people retain jurisdiction over traditional territories found in international waters. Ms. Raven's view is that the interests of indigenous peoples stretch as far as their stories and dreams allow. Modern agreements limiting national jurisdiction to 200 nautical miles, she believes, have done little to limit these dreams and stories of indigenous peoples.

The issue of ocean fertilization was also an important area of discussion at COP. In decision IX/20, the decision that COP 9 adopted on Marine and Coastal biodiversity issues, a request has been made for compilation of all available scientific information on the

subject and for making such information available for consideration at a future meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) prior to COP 10 in Nagoya, Japan, in 2010. Most Parties at COP 9 favored adopting a moratorium on ocean fertilization.

A key development at COP 9 was the adoption of scientific criteria for identifying marine areas in need of protection in open-ocean waters and deep-sea habitat, and scientific guidance for selecting areas to establish a representative network of marine protected areas. Ms. Raven expressed concern that this new focus on scientific criteria and guidance suggests a move away from the ecosystems approach, which guided past COP decisions. She worried that too great an emphasis on a scientific approach may exclude the perspectives and interests of indigenous peoples.

Despite these concerns, COP 9 invites Parties to promote the full and effective participation of indigenous and local communities when establishing marine protected areas, and calls on Parties to integrate traditional knowledge, and socio-cultural criteria in the identification, establishment



(Photo courtesy of MDDEP, Service des Parcs)

and management of these areas. The decision also notes the UN Declaration on the Rights of Indigenous Peoples. Ms. Raven was pleased that Norway and the Latin American countries supported these elements of the decision.

While Ms. Raven says she intends to continue to follow marine and coastal biodiversity

issues, she will also concentrate on an issue closer to home—the protection of biodiversity in dry and sub-humid lands. She does not think that these two very different eco-regions present an entirely distinct set of problems, but rather, she feels that both would benefit from an increase in protected areas with effective management strategies. ☐

## Traditional Knowledge helps Abate Climate Change

By Sofia Gutiérrez

**C**limate change, the result of continuous processes of appropriation, misuse and destruction of our planet Earth, affects not only the climate itself but generates changes in social dynamics that entail other dilemmas as well. Currently, more than 350 million indigenous peoples in over 70 countries worldwide are experiencing first-hand the challenges that climate change and related global policies are bringing to their lives and livelihoods.

Indigenous peoples have been the stewards of their lands and waters for millennia, leaving less of an ecological print than

others but suffering the consequences of climate change the most. As stated during the last meeting of the UN Permanent Forum on Indigenous Issues: “Indigenous peoples’ ancestors have adapted to climate change for thousands of years; however, the magnitude, accelerated pace and compound effects of climate change today are unprecedented, thus presenting major challenges to indigenous peoples’ capacity to adapt.”

The international community has recognized the close and traditional dependence of many indigenous and local communities on biological resources, notably in the

preamble to the Convention on Biological Diversity. There is also a broad recognition of the contribution that traditional knowledge can make to both the conservation and the sustainable use of biological diversity, two fundamental objectives of the Convention. Traditional knowledge is considered a “cross-cutting” issue that affects many aspects of biological diversity, so it will continue to be addressed by the Conference of the Parties (COP) and by other working groups as well.

In this regard, it is important to point out that the COP at its ninth meeting noted: “The unique value of biodiversity related





Top: Of the 54 ethnic groups in Vietnam, the Hmong, who came from China 500 years ago, are the seventh largest ethnic group and make up 52% of the population of Sapa, in the mountains of North Vietnam. (Photo courtesy of Walter Callens)  
Bottom: South Africa (Photo courtesy of Iman Keira)

Top: The Inuit have traditionally been hunters and fishers (Photo courtesy of Jerry Hollens)  
Bottom: The Inuit speak chiefly one of the traditional Inuit languages or dialects, sometimes grouped under the term Inuktitut (Photo courtesy of Jerry Hollens);

traditional knowledge, innovations and practices of indigenous and local communities, especially those of women, in contributing to the understanding and evaluation of impacts of climate change, including vulnerabilities and adaptation options and other forms of environmental degradation, and encourages Parties, Governments, and relevant international organizations, with the full and effective participation and prior informed consent of indigenous and local communities, to document, analyze and apply, as far as possible and where appropriate, and in accordance with Article 8(j) of the Convention, such knowledge in ways that complement science-based knowledge."

Furthermore, in the same decision, the COP "Encourages Parties to the Convention to consider, as far as possible and as appropriate, introducing necessary measures, administrative as well as legislative, for ensuring

the full and effective participation of indigenous and local communities in formulating, implementing and monitoring of activities aimed at mitigation and adaptation to the impacts of climate change where this could effect biological diversity and biodiversity-related traditional knowledge, innovations and practices of indigenous and local communities."

In this regard, it is important to acknowledge the significant contribution that indigenous peoples and their traditional knowledge are making to abate climate change, for instance to adaptation and mitigation measures, by providing their valuable information, by being fully involved in the designing and implementation of solutions to climate change, and in voicing their concerns in terms of risk reduction and suitable adaptation and mitigation strategies that take into account traditional knowledge and the potential impacts of climate change

on the live, livelihoods and cultures of their communities.

The Convention on Biological Diversity has acknowledged the unique role that indigenous and local communities play in the conservation and sustainable use of biological diversity. As a cross-cutting issue, the perspectives and traditional knowledge of indigenous and local communities are also being incorporated in all the programmes of work under the Convention. Traditional knowledge of the indigenous and local communities can play an important role in adaptation to climate change and its potential has yet to be fully explored. Hence supporting the full and effective participation of indigenous peoples in mitigation and adaptation processes, will not only enhance indigenous and local communities in addressing the impacts of climate change but will also largely contribute to meeting the three objectives of the Convention itself. ☐

# Preparing for the 2009 Indigenous People's Global Summit on Climate Change

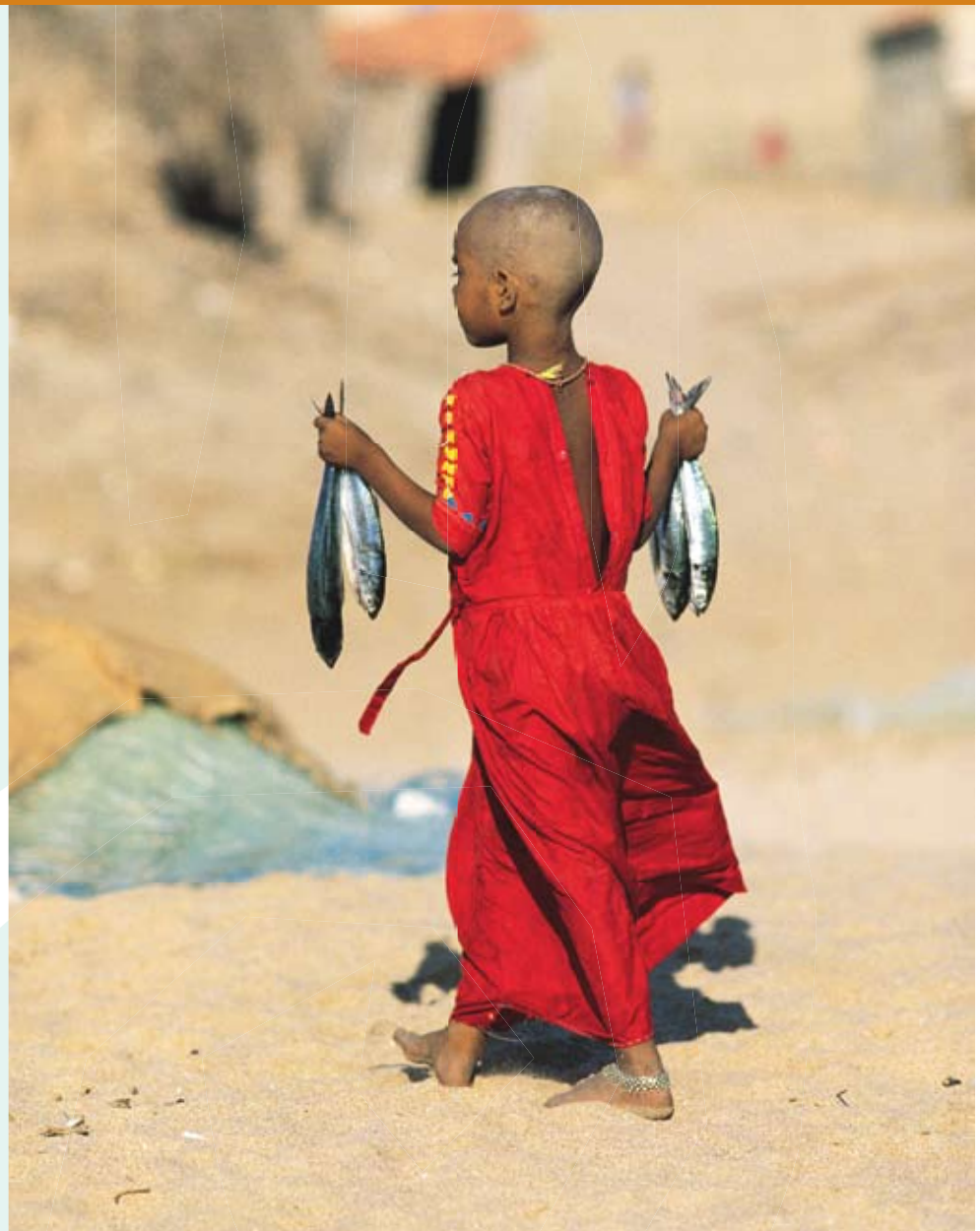
*An interview with Patricia Cochran, Chair of the Indigenous Peoples' Secretariat to the Arctic Council*

Indigenous leaders from around the world are preparing to gather for the Indigenous Peoples' Global Summit on Climate Change, which takes place 20 to 24 April 2009 at the Dena'ina Center in Anchorage, Alaska.

Issues up for discussion include the future of the environment and the important role indigenous people can, and will, play in the fight against climate change. Indigenous people are on the front lines of climate change and were among the first to call on governments and others to act in order to protect the environment against its detrimental effects.

The summit aims to:

- Consolidate, share and draw lessons from the views and experiences of indigenous peoples around the world on the impacts and effects of climate change on their ways of life and their natural environment, including responses
- Raise the visibility, participation and role of indigenous peoples in local, national, regional and international processes in formulating strategies and partnerships that engage local communities and other stakeholders to respond to the impacts of climate change
- Analyze, discuss and promote public awareness of the impacts and consequences of programs and proposals for climate change mitigation and adaptation, and assess proposed "solutions" to climate change from the perspective of indigenous peoples
- Advocate effective strategies and solutions in response to climate change from the perspective of the cultures, world views, and traditional knowledge of indigenous peoples, including local, national, regional and international rights based approaches.



(Photo courtesy of UNEP)

Conceived and developed by indigenous people, the summit provides a venue for indigenous people to come together on their own terms, and is, according to Ms. Patricia Cochran, chair of the Inuit Circumpolar Council (ICC) and one of the major forces behind the summit, an important first step in what will be a long journey. One of the aims of the summit is to

create space for reaching consensus on how indigenous groups should move forward to influence global policy on the environment.

## Speaking as One

Ms. Cochran, who is part of the seven member steering committee that has worked for a year and a half to organize the event, has



been involved with protecting the rights of indigenous people and the environment on many fronts. She believes that by bringing together indigenous leaders from all over the world to share ideas, indigenous people will be able to speak with a more unified voice—a voice more likely to be heard.

*“One of the aims of the Summit is to reach consensus on how indigenous groups should move forward in influencing global policy on the environment.” —Patricia Cochran*

The Indigenous People’s Global Summit on Climate Change will play host to 250 participants from all over the world. The first three days of the summit is reserved for indigenous leaders from the seven UN regions of the world. These leaders will bring regional reports drafted during pre-summit regional meetings to discussion groups around key issues relating to climate change. For the final two days, the summit has invited NGOs, government representatives, the private sector and civil society to engage in a dialogue about climate change and to pass on the ideas compiled during the first portion of the summit.

### Getting your voice heard

Part of the motivation for creating the summit stems from the frustration felt when indigenous voices are left out of discussions and decision-making on climate change. For Ms. Cochran, this frustration grew while sitting in on UN Framework Convention on Climate Change meetings where it was difficult for indigenous groups to get onto the floor, let alone have their voices heard. She suggests that this exclusion of indigenous voices is happening on all fronts—at the local, regional, national and international levels.

In May 2008, Denmark hosted a meeting to discuss Arctic issues, sovereignty and environmental emergencies to name but a few issues. Invited were the governments of the United States, Canada, Norway and Russia. The Arctic Council, however, was not invited. The absence of the Arctic Council, or any other indigenous voice at the Greenland meeting, is, according to Ms. Cochran,

(Photo courtesy of Amanda Graham)



(Photo courtesy of Bryn Jones)

evidence of the fact that these voices are not being heard in the discussions on the development of important policies affecting the Arctic. This is not an isolated case. Indigenous voices are not being sufficiently heard in the international arena when it comes to the environment and climate change. With the Indigenous Global Summit, Ms. Cochran is out to change this. ☐

*Born in Nome, Alaska, Ms. Cochran was raised in a traditional way of life and spent more than 12 years apprenticing with Elders and Healers to become a traditional facilitator in indigenous communities. Ms. Cochran, among other things, serves as Chair of the Indigenous Peoples’ Secretariat to the Arctic Council and has previously served as Executive Director of the Alaska Native Science Commission and worked extensively with the University of Alaska Anchorage.*

# 2009 Indigenous Tourism Web Site Award

**A**s a complementary project to the Workshop Series on Indigenous Communities, Tourism and Biodiversity: New Information and Web-based Technologies, the Secretariat of the CBD, in partnership with Planeta.com, and the generous support of the government of Spain, created the first Indigenous Tourism and Biodiversity Website (ITBW) Award. The award is presented to an indigenous tourism operation for having a website that promotes sustainable practices and educates visitors on cultural protocols and biodiversity conservation.

Among the criteria for selection, websites had to reflect indigenous ownership, authenticity and heritage, encourage sustainable livelihoods, respect of life on Earth, be user-friendly and provide clear contextual information. The Indigenous Tourism Website Award can be used as a catalyst to improve collaboration among operations around the world. Here's a message we received from one of the nominees: "It will be interesting for us to see who just sees us as competition for this award and who has the vision to recognize it as a great opportunity to further grow a business community and contacts. For us it certainly is more than just an award but when looking at other applicants websites, it makes us want to experience what other indigenous tourism have to offer."

The award was launched in November 2008. By January 2009, 15 indigenous-owned tourism businesses around the world were registered as nominees. By 20 February, the jurors (Lois Peeler, Deborah McLaren, Sylvie Blangy and John Scott), and more than 200 people had voted and made their selection for the Indigenous Tourism and Biodiversity Website Award. The award and the winners were announced during a press conference at the Reisepavillon - International Fair for Alternative Travel on 26 February in Munich, Germany.



**Winner of the judged 2009 ITBW Award**  
Guurri Tours (Australia)  
www.guurrbitours.com



**Winner of the popular count 2009 ITBW Award**  
Indigenous Trails (New Zealand)  
www.itrails.co.nz

**For complete results and list of nominees**  
www.planeta.com/planeta/09/0903itbw.html  
www.cbd.int/tourism/Award.shtml.

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**We would like to hear from you:**

We are encouraging indigenous and local communities, governments, and relevant stakeholders to send articles and digital photos on their implementation, awareness, outreach and relevant activities regarding Article 8(j) and Related Provisions. Please send your contributions to the attention of John Scott at the following email: [secretariat@cbd.int](mailto:secretariat@cbd.int)

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\* Pachamama means Mother Earth (Pacha: Earth, Mama: Mother) in the Quecha /Aymara languages. The Earth was a divinity venerated by the Incas and other inhabitants of the Andean plateau such as the Aymara and the Quecha peoples.

