

# Editorial

Welcome to issue 65 of *Participatory Learning and Action*.

## About this issue

Indigenous people and local communities (ILCs) are struggling to defend their rights over land and other resources they have traditionally used and over traditional knowledge they have developed over generations. For example, mining rights have typically been granted by governments to commercial organisations without reference to those living on and managing the land. Similarly, ILCs have received few benefits from the commercial use of their traditional crops or medicinal knowledge.

This issue focuses on participatory processes around two rights-based tools – community protocols (CPs) and free, prior informed consent (FPIC). These tools have the potential to:

- help indigenous peoples and local communities (ILCs) claim or protect their rights over their resources and traditional knowledge, using national and international law;

- build on and strengthen communities' own rules and regulations for conserving biodiversity and promoting sustainable community-led natural resource management;

- help ILCs to negotiate agreements with commercial organisations for access to their resources and equitable sharing of the benefits from the use of those resources, e.g. use of traditional crop varieties, medicinal plants; and

- strengthen community cohesion, organisation and confidence to take action to improve livelihoods and defend rights.

FPIC and community protocol-type processes are being used to help claim rights and negotiate agreements in various biodiversity contexts, e.g. agrobiodiversity, forests and mining, in Africa, Latin America and Asia – though not necessarily using these labels. However, recent developments in international law in relation to access to genetic resources and benefit-sharing (ABS) have brought these participatory tools and processes centre stage.



Photo: © Bulatlat

Women in the Philippines protesting against mining on World Indigenous Peoples Day.

This issue draws on a range of experiences of using these tools in different biodiversity and natural resources contexts to help understand how to support community protocols and FPIC. A key lesson is that, to be effective and to generate maximum benefits, CPs and FPIC must be bottom-up processes, designed and controlled by communities, not top-down ones designed and controlled by government or commercial organisations. The articles also suggest institutional changes are needed if these bottom-up processes are to be supported.

### Developing the special issue

We were very pleased to be able to work with IIED's Agroecology and Food Sovereignty team and its networks in developing this issue, in particular the Kalpavriksh Environmental Action Group, India; Natural Justice: Lawyers for Communities

and the Environment; COMPAS (COMPARing and Supporting Endogenous Development) Network; and the Union for Ethical BioTrade (UEBT).

The issue benefited greatly from bringing together the experiences of biodiversity practitioners through our guest editors and contributors and those of participation practitioners through our editorial board. This is an important role that *Participatory Learning and Action* plays – bridging the gap between different communities of practice, enabling mutual learning, and ensuring that newer participatory approaches draw on past experiences and lessons.

We hope that the issue will provide ideas and inspiration for biodiversity practitioners and other natural resources and development workers, as well as those tasked with implementing the provisions of the Nagoya Protocol.

### Guest editors

Our guest editors for this issue are **Krystyna Swiderska** (IIED), **Kanchi Kohli** (Kalpavriksh, India and Campaign for Conservation and Community Control over Biodiversity), **Harry Jonas** and **Holly Shrumm** (Natural Justice), **Wim Hiemstra** (ETC COMPAS, The Netherlands) and **María Julia Oliva** (Union for Ethical Biotrading).

**Krystyna Swiderska** has been a researcher at IIED for 17 years. During this time, she has worked mainly on biodiversity and livelihoods issues, in particular on the protection of traditional knowledge and access to genetic resources and benefit-sharing. Between 2005 and 2009, she coordinated participatory action-research with indigenous and local communities on Protecting Community Rights over Traditional Knowledge: Implications of Customary Laws and Practices. This project was conducted with partners in Peru, Panama, India, China and Kenya and developed a range of tools, including community protocols. It developed the concept of 'collective biocultural heritage', building on research with Quechua communities, as the conceptual framework for action-research. Krystyna set up the biocultural heritage website [www.bioculturalheritage.org](http://www.bioculturalheritage.org) to share the results of the project. She has just started coordinating a major new project on the role of biocultural systems in adaptation to climate change and food security. Krystyna is also co-Director of the International Society for Ethnobiology's Global Coalition for Biocultural Diversity.

**Kanchi Kohli** has been involved in environment and forest governance-related issues for close to 15 years. She has worked with, amongst others, Kalpavriksh Environmental Action Group and the Campaign for Conservation and Community Control over Biodiversity, India, carrying out action-research campaigns and advocacy outputs related to environment, biodiversity and agriculture and its interface with industry,

infrastructure and energy in India. Her recent work explores the commodification of nature and its implications for conservation and environmental governance. Communication is a key component of Kanchi's work. She writes regularly in several national-level newspapers and magazines, as well as for websites. Since 2004, she has co-coordinated an information dissemination service for forest and wildlife cases in the Supreme Court of India. Kanchi has also been campaign and research adviser to national-level networks and organisations related to coal and climate, genetic engineering and conservation of agrobiodiversity, especially millets. She has also been involved in putting together publications on regulatory regimes and decision-making processes around environment, forests and biodiversity-related policy frameworks.

**Harry Jonas** is a lawyer and co-founder of Natural Justice: Lawyers for Communities and the Environment and an Ashoka Fellow.<sup>1</sup> **Holly Shrumm** also works for Natural Justice and has a background in anthropology, zoology and community-based natural resource management. Natural Justice works to uphold the principle that people should be involved in decisions that affect them. Natural Justice uses its understanding of international and domestic legal frameworks to help indigenous peoples and local communities to assert their rights to govern their lands, natural resources and traditional knowledge. Natural Justice and its partners are actively contributing to the development of biocultural community protocols as a widely accessible means by which communities can articulate their stewardship ethics, assert their rights and affirm their responsibilities. Based in Sabah, Malaysia, Harry and Holly are co-coordinating the Asia Regional Initiative on Biocultural Community Protocols together with COMPAS, the LIFE Network, UNU-IAS and community partners in Pakistan, India

<sup>1</sup> See: [www.ashoka.org/fellows](http://www.ashoka.org/fellows)

and Sri Lanka. They set up the community protocols website.<sup>2</sup> Most recently, they co-edited *Biocultural community protocols: a toolkit for community facilitators* (see In Touch, this issue).

**Wim Hiemstra** is an agronomist trained in organic farming. He is coordinator of the COMPAS Network (COMPARing and Supporting Endogenous Development), which has CBO-NGO-university partnerships in 15 countries. The international coordination office of the COMPAS Network, ETC COMPAS, is part of the ETC Foundation in The Netherlands. It has been developing methodologies for endogenous development since 1998, building capacities in local communities based on their own strengths and cultures, as seen through their own worldviews. Thematic areas include food sovereignty, traditional medicine, sacred sites and well-being assessments. Together with CIKOD (the Centre for Indigenous Knowledge and Organisational Development) in Ghana, the League for Pastoral People (Germany) and Natural Justice (South Africa and Malaysia), ETC COMPAS is coordinating the African and Asian Biocultural Community Protocol programmes. Wim is inspired by the diversity of cultures linked to biodiversity and the emergence of biocultural jurisprudence.

**María Julia Oliva** has been Senior Adviser on Access and Benefit-Sharing at the Union for Ethical BioTrade (UEBT) since 2009. She manages legal and policy issues in the work of UEBT and provides training and technical support on access and benefit-sharing issues to its members. Previously, she held positions at the International Centre on Trade and Sustainable Development, the UN Conference on Trade and Development and the Centre for International Environmental Law. She has worked and published extensively on a range of issues at the interface of trade, intellectual property and sustainability. Julia is a member of the International

Union for Conservation of Nature (IUCN) Commission on Environmental Law, and is also on the Board of Directors of Intellectual Property Watch. She holds a law degree and a Masters degree in environmental law.

### Acknowledgements

We would like to thank all the guest editors and contributors to this issue for their enormous dedication and patience as we worked to shape the issue and develop the articles. It has been a learning curve for us all – and an extremely stimulating and rewarding one. Special thanks go to **Krystyna Swiderska** for first suggesting an issue on this theme, and for her energy, persistence and commitment in making it happen.

We would also like to say a huge thanks to the UK Department for International Development (DfID), the Swedish International Development Cooperation Agency (Sida) and the Ministry of Foreign Affairs of Denmark (Danida) for their continued support for the *PLA* series.

### Spanish translation

We hope to produce a Spanish translation of *PLA 65* in the future to widen the reach of the issue. This is dependent on finding additional funding for the translation and production of a CD-ROM.

### Other news

#### Launch of *PLA 64: Young citizens: youth and participatory governance in Africa*

We were delighted to be able to host a launch of *PLA 64* at IIED's new offices. Marie Staunton, the CEO of Plan UK – which helped fund the issue – opened the launch, outlining how this special issue was initially developed and some background of Plan's work on youth and governance. Caitlin Porter from Plan delivered an excellent presentation on the concepts of citizenship and governance on behalf of Rosemary McGee, one of the guest editors, who was unable to attend. Jessica Greenhalf

<sup>2</sup> See: [www.community-protocols.org](http://www.community-protocols.org)

**Box 1: Ideas on taking forward youth and governance advocacy work**

- Promote youth participation in Mexico; work to lobby the government to effectively listen to the voices of youth
- Run a workshop for my team and partners in Uganda on the 'book' [PLA 64]
- Work on a report to document successful challenges of youth participation in Restless Development UK and push forward the creation of a Restless Development UK Youth Board
- Improve my current project with rural youth, based on learning today – with a stronger emphasis on governance
- Use and disseminate credible and concrete examples of youth-led participatory successes
- Distribute this to our Regional Youth Representatives in the African Commonwealth countries
- Talk to others in my organisation about integrating youth participation in M&E (of our programmes but social audits of governance programmes also)
- Encourage Plan to do more writeshops

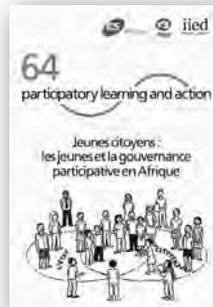
then gave a talk on the *PLA* editorial process and the involvement of young people in producing the special issue, as well some discussion on the key themes from the special issue itself, and looking at governance from a young person's perspective – i.e. seeing like a young citizen.

The participants at the launch found the editorial process and the writeshop extremely interesting and relevant, especially the ways in which the authors brought so many young voices, perspectives and knowledge to the special issue. A Skype link-up with two of the authors in Nairobi, Kenya, Edwine Ochieng, a government officer, and Cynthia Ochola Anyango, secretary of the Jipange Youth Organisation, enabled them to share their learning and reflections on their own youth and governance experiences. Towards the end, Jessica facilitated an exercise using a two-circles diagram showing the interlocking spheres of 'citizens' and the State and the interfaces in between. We had a really interesting

discussion with participants who positioned themselves and their own work within the spheres.

Lastly, we spent a few minutes reflecting on how we could take youth and governance advocacy forward in our own work (see Box 1).

This is a hugely important aspect – that participants are taking forward ideas of their own to improve how young people participate in decision-making and governance within their own spheres of influence. It's something we also learnt from producing the last issue *PLA 63: How wide are the ripples? From local participation to international organisational learning* – that individually, we can all make a difference and that change comes from within, one step at a time!



**New translations: *PLA 62* in Chinese, *PLA 64* in French**

The French translation of *PLA 64 – Jeunes citoyens : les jeunes et la gouvernance participative en Afrique* – is now available online.<sup>3</sup> Please let your colleagues in francophone Africa know! We are in the process of preparing a bilingual CD version. If you know of anyone who would like a copy, please ask them to get in touch with us: [pla.notes@iied.org](mailto:pla.notes@iied.org).

The Chinese version of *PLA 62 – Wagging the dragon's tail: emerging practices in participatory poverty reduction in China* – will soon be online. Again, please let your networks know that this is available.<sup>4</sup>

<sup>3</sup> For *PLA 64* (French) see: <http://pubs.iied.org/G03336.html>

<sup>4</sup> For *PLA 62* (Chinese) see: <http://pubs.iied.org/14605IIED.html> (forthcoming).

### **Next issue**

The next issue of *PLA* will be a general (non-themed) issue which will contain articles on participatory processes in a variety of contexts and countries. It is quite some time since we published a general issue, so apologies to those who have had a long wait before seeing your article in print. If you are waiting to hear from us whether your articles has been accepted, then rest assured that we will be in touch soon.

### **Final thoughts**

We hope this issue will inspire, challenge and help you in your work. Let us know how you have made use of it by emailing us at [pla.notes@iied.org](mailto:pla.notes@iied.org) – we are always keen to hear what you think. Happy reading!

**Angela Milligan, Holly Ashley and  
Nicole Kenton**

**Co-editors, *Participatory Learning and  
Action***