

An aerial photograph of a rural landscape. A road intersection is visible, with a road running horizontally across the middle and another road running vertically through it. The landscape is divided into various agricultural fields: a large dark brown field on the top left, a green field on the top right, a yellowish-brown field on the bottom left, and a green field on the bottom right. A cluster of trees is situated at the intersection. The sky is not visible.

Biodiversity and Local Ecological Knowledge in France

Editorial Committee
Laurence Bérard
Marie Cegarra
Marcel Djama
Sélim Louafi
Philippe Marchenay
Bernard Roussel
François Verdeaux

CIRAD - IDDRI
IFB - INRA

Biodiversity and Local Ecological Knowledge in France

Editorial Committee

Laurence Bérard, Marie Cegarra,
Marcel Djama, Sélim Louafi, Philippe Marchenay,
Bernard Roussel, François Verdeaux

Editorial Committee

Laurence Bérard (CNRS), Marie Cegarra (CERSATES),
Marcel Djama (CIRAD), Sélim Louafi (IDDRI),
Philippe Marchenay (CNRS), Bernard Roussel (MNHN),
François Verdeaux (IRD)

Scientific coordinators

Sélim Louafi (IDDRI), Bernard Roussel (MNHN)

Scientific secretary

Elisabeth Chouvin (INRA)

Editor

Corinne Cohen (IDDRI)

Translation

Anna Kiff

Iconographical research

Isabelle Biagiotti (AIDA)

Layout

Laurence Rodriguez (CIRAD), Alain Chevallier

Foreign distribution

ADPF

This book can be downloaded at the following websites:
www.iddri.org; www.gis-ifb.org; www.quae.com

**With the support of the MAE (French Ministry of Foreign Affairs)
and the MEDD (French Ministry of Ecology and Sustainable Development)**

© INRA, CIRAD, IDDRI, IFB, 2005

ISBN ~~INRA 2-7380-1222-1~~
~~ISBN CIRAD 2-87614-624-X~~
~~ISBN IDDRI 2-915819-06-8~~

Contents

Local Ecological Knowledge: A Global Issue	7
<i>Laurence Tubiana (IDDRI)</i>	
Access to the Benefits of Sharing	9
<i>Jacques Weber (IFB)</i>	
Feeding International Debates	11
<i>Editorial Committee</i>	
General Introduction	13
<i>Sélim Louafi (IDDRI), Bernard Roussel (MNHN)</i>	
From the Local Level to Indigenusness: Recognizing Cultural Diversity	
Introduction	19
<i>Marie Cegarra (CERSATES), François Verdeaux (IRD)</i>	
Heritage, Culture and Identity	27
Building the Local Level in France	27
<i>Marie Cegarra (CERSATES)</i>	
Can all Heritage be Institutionalized? The Example of Cock-Fighting ...	33
<i>Marie Cegarra (CERSATES)</i>	
Intangible Heritage: The Transmission Filters	35
<i>Thierry Charnay (CERSATES)</i>	
The <i>Terroir</i> , a Concept with Multiple Meanings	38
<i>Jean-Pierre Deffontaines (ex-INRA)</i>	
The <i>Terroir</i> , a Tool for the Recognition of Farming Knowledge in Africa .	43
Interview with <i>Paul Pélissier (ex-Paris X University)</i>	

Acknowledging Indigenousness	47
Indigenous Communities and Peoples	47
<i>Marcel Djama (CIRAD)</i>	
Article 8(j) of the CBD: A Pragmatic Application	54
<i>Xavier Dupont (ex-Ministry of Overseas Departments and Territories)</i>	
Respecting Indigenous Customs or Creating a Republican Form of Exclusion	56
<i>Isabelle Merle (CREDO)</i>	
Protection of the Intellectual Property Rights of Indigenous Communities	62
<i>Philippe Karpe (CIRAD)</i>	
The National Park in French Guiana: Heritage, Territory and Identity at Stake	66
<i>Marie Fleury (MNHN)</i>	
“We are seeking the restitution of the components of our identity and the rights related to it”	71
Interview with <i>Paul Néaoutyine (Province Nord de Nouvelle-Calédonie)</i>	
Local Communities and Indigenousness: The Danger of Unsuitable Concepts in Cameroon	74
<i>Peter Geschiere (Amsterdam University)</i>	

Conservation: Inventorying, Understanding and Acting

Introduction	81
<i>Philippe Marchenay (CNRS)</i>	
From Genetic Resources to Ecosystems, via Micro-organisms ..	89
The Challenge of Conserving Local Practices, Knowledge, and the Living World	89
<i>Philippe Marchenay (CNRS)</i>	
The BRG (Genetic Resources Board)	96
<i>Andrée Sontot (BRG)</i>	
Local Vegetable Varieties: Heritage in Evolution	98
<i>Claude Foury (ex-INRA)</i>	
The Conservation of Livestock Breeds	105
<i>Annick Audiot (INRA), Olivier Rosset (ex-Conservatoire des races d'Aquitaine)</i>	
The <i>Institut de l'Élevage</i> (Livestock Institute)	113
<i>Coralie Danchin-Burge (Institut de l'élevage)</i>	
RESOMIL: Conserving and Promoting Microbial Resources	114
<i>Jean-François Chamba (RESOMIL)</i>	
Agroforestry and Bocage Systems, Local Knowledge and Biodiversity ..	116
<i>Philippe Pointereau (SOLAGRO)</i>	
Multiple Stakeholders	125
The Midi-Pyrénées CPBR (Conservatory for Regional Biological Heritage)	125
<i>Annick Audiot (INRA)</i>	
The Nord-Pas-de-Calais CRRG (Regional Center for Genetic Resources)	127
<i>Marie-Pierre Fauquembergue, René Stiévenard, Bernard Delahaye (CRRG)</i>	

The CBN (National Botanical Conservatories)	129
<i>Daniel Malengreau (CBN)</i>	
The <i>Conservatoires d'Espaces Naturels</i> (Natural Areas Conservatories) ...	130
<i>Pascal Danneels (Conservatoire d'Espaces Naturels)</i>	
The Yam Conservatory	132
<i>Raoul Bouacou (Conservatoire de l'Igname)</i>	
The Salagon Ethnobotanical Gardens: Between Cultural Heritage and Botanical Conservation	134
<i>Pierre Lieutaghi (Jardins ethnobotaniques de Salagon), Danielle Musset (Musée départemental ethnologique de Haute-Provence)</i>	
Les Croqueurs de Pommes (Apple Munchers Association)	138
<i>Claude Scribe (Les Croqueurs de Pommes)</i>	
AFCEV (French Association for the Conservation of Plant Species)	140
<i>Pierre Guy, Romaric Pierrel (AFCEV)</i>	
Innovative Approaches	143
Conserving and Developing Crop Biodiversity	143
<i>Véronique Chable (INRA)</i>	
The <i>Réseau Semences Paysannes</i> (Farming Seed Network)	148
<i>Guy Kastler (Réseau Semences Paysannes)</i>	
The Results of Conservation: The Cévennes National Park	150
<i>Capucine Crosnier (INRA)</i>	
Local Knowledge in Nature Management Schemes	156
<i>Pierre Alphandéry, Agnès Fortier (INRA)</i>	
 Promotion: Exploiting Sites and Heritage	
Introduction	167
<i>Laurence Bérard (CNRS)</i>	
The Protection of Geographical Indications	175
The Birth of a Protection and Promotion Policy: The INAO Experience	175
<i>François Roncin (INAO)</i>	
Taking Local Knowledge into Account in the AOC System	181
<i>Christine de Sainte Marie (INRA), Laurence Bérard (CNRS)</i>	
AOC <i>Piment d'Espelette</i>	188
<i>Catherine Richer (INAO)</i>	
Obtaining PGI Status for Salt from the Ile de Ré Salt Marsh	190
<i>Benoit Poitevin (Ecomusé du Marais Salant)</i>	
AOC <i>Pré Salé</i> Lamb: A Driving Force for the Preservation of a Fragile Habitat	192
<i>Thierry Fabian (INAO)</i>	
Heritage Initiatives of a more Informal Nature	197
Heritage Production: Between Naturalization and Excessive Historicity	197
<i>Lucie Dupré (INRA)</i>	
<i>Parc Naturel Régional</i>: The Trademark	204
<i>Stéphane Adam (PNR)</i>	
<i>Sites Remarquables du Goût</i>: The Trademark	206
<i>Murielle Bousquet (Sites Remarquables du Goût)</i>	

The Inventory of French Culinary Heritage	208
<i>Philippe Marchenay, Laurence Bérard (CNRS)</i>	
Slow Food: Protecting and Promoting Taste	209
<i>Didier Chabrol (Slow Food)</i>	
Positive Consequences and Uncertainties	213
Economic Aspects of Geographical Indications	213
<i>Dominique Barjolle, Erik Thévenod-Mottet (SRVA)</i>	
AOC Comté	220
<i>Jean-Jacques Bret (Interprofession du comté)</i>	
Exploiting Traditional Medicinal Knowledge in France	222
<i>Muriel Durand (Nunkui_Biodiversité)</i>	
<i>Bois Jaune and Tisaneurs: The Application of Article 8(j)</i> <i>in an Overseas Department</i>	<i>224</i>
<i>Sigrid Aubert (CIRAD), Frédéric Picot (CBNM)</i>	
Growing Interest from Other Countries	229
International Protection of GIs: Challenges and Opportunities for Southern Countries	229
<i>Valérie Boisvert (IRD)</i>	
The INAO and Cooperation	236
<i>Audrey Aubard, François Roncin (INAO)</i>	
Building a Framework Suited to National Specificities and Respecting International Law	238
<i>Delphine Marie-Vivien (CIRAD)</i>	
General Conclusion	241
<i>Sélim Louafi (IDDR), Bernard Roussel (MNHN)</i>	
Postface	245
Local Ecological Knowledge and Practice: An Original Approach in France	245
<i>Graham Dutfield (CCLS)</i>	
The French Model for Protecting Traditional Knowledge: Innovation, Creativity and Challenge	248
<i>María Fernanda Espinosa (UICN)</i>	
Endnotes	253
Glossary	261
General Bibliography	264
Acronyms	267
Authors' Addresses	271

Local Ecological Knowledge: A Global Issue

It was during the development of the Convention on Biological Diversity (CBD) at the end of the 1980s that the issue of local ecological knowledge first emerged.

This was an original and spectacular development: original because the global nature of local ecological knowledge was not straightforward — its conservation and means of transmission had always been managed at the local level and, as no demands were made concerning it, this knowledge was not considered a matter of national public policy, let alone international policy; spectacular because in less than ten years it largely invalidated the division that emerged in the 1980s between the concepts of the common heritage of humankind and national sovereignty.

This change was nevertheless part of a broader approach that saw globalization call into question the monopoly of the State when dealing with common affairs, in favor of new stakeholders with interests and skills of a diverse and sometimes contrary nature. More than any other subject, biodiversity relates to a multitude of local situations, especially when taking into account the knowledge and practices associated with it. The classical approach of the division of responsibilities — local stakeholders managing local resources, national stakeholders developing public policies, and States negotiating international standards — is being replaced by a moving network of varied stakeholders who operate at the different levels.

Indigenous and local communities have therefore found, within international forums, a place for negotiating the protection of their lifestyles, knowledge and rights to land as a condi-

tion for their contribution to the common good and to sustainable development. They have restructured certain global collective interests. Consequently, the protection of biodiversity also depends on the protection of lifestyles that are inextricably linked with ecosystems and destabilized by the dominant form of development.

In discussions on traditional knowledge within the framework of the CBD, France plays a specific role. Until the agreement of 1998 establishing the new status of New Caledonia, the French diplomacy had dismissed the concept of traditional knowledge, which it saw as too closely linked with that of indigenism, fearing it would challenge the republican principles of citizenship and equal rights for individuals. Indigenism and tradition were seen as the recognition of a collective identity that was indissoluble in the Republic. Hence the importance of showing that another interpretation was possible.

It is with this in mind that *Biodiversity and Local Ecological Knowledge in France* puts into perspective the territorial dimension of practices and knowledge, especially using the concepts of heritage and the *terroir**. This new interpretation, which is not only rhetorical or scientific, although it is based on numerous research projects, has shown itself to be fully operational. The many examples given show the effectiveness of the link between traditional knowledge and territory in protecting and exploiting ecological know-how. Traditional knowledge is thus transformed into knowledge that forms part of the territorial continuity, and therefore a history and a local development movement.

This is why IDDRI (institute for sustainable development and international relations), along with the other partners involved, especially the IFB (French institute for biodiversity), has endeavored to gather these contributions in order to foster the international debate, whether within the Convention on Biological Diversity, the WIPO or the WTO.

Laurence Tubiana

Director of IDDRI

www.iddri.org

* Glossary: See p. 261.

Access to the Benefits of Sharing

On reading the Convention on Biological Diversity (CBD), anthropologists are surprised to discover the concept of “traditional lifestyles” in article 8(j), which deals with *in situ** conservation. Economists, on the other hand, wonder how to protect and, where necessary, remunerate knowledge that is not attributed to rightful owners with a legal, private or individual personality, and does not relate to defined and legally identifiable property rights.

During the IFB-IDDRI symposium, which was the starting point for the main part of this work, the director of the *Potager du Roi* historical vegetable garden in Versailles told of how the seeds of the Paris artichoke — an old-fashioned variety conserved in the Vavilov collection in Saint Petersburg — were turned into thistles. Knowing nothing of artichokes, the gardeners in Saint Petersburg were unable to maintain the characteristics of the original plant. “It is impossible to conserve a cultivated plant without the knowledge that goes with it”, he concluded. By extension, conserving a genetic resource with a given use implies also preserving the knowledge relating to this use.

If local knowledge is associated with a product, for example a cheese, geographical indications may provide an effective means of protection, as shown by the AOC, *appellations d'origine contrôlée** (registered designations of origin) in France.

However, if the local knowledge associated with genetic resources does not give rise to a marketable product upon harvesting, then how can it be protected? The exploration contract is one of the only options available: it anticipates the

* Glossary: See p. 261.

consequences of potential discoveries and makes provision for ways of sharing the benefits, while defining access to resources. In theory, a contract of this kind recognizes equality between parties, as well as their respective rights and duties, but it does not create it; when inequality pre-exists, a contract is only a tool of power. But despite everything, it remains the best solution.

It is impossible to manage the use of resources as long as access to them remains free. Only when access is controlled can the use of these resources be efficiently managed. In the case of highly localized resources and knowledge, access should be managed as closely as possible with local communities. When this condition is met, it becomes possible to share the benefits if the 'rightful owners' can be identified and legally acknowledged. However, as local communities have no legal personality, the application of article 8(j) is compromised. The approaches presented in *Biodiversity and Local Ecological Knowledge in France* open up promising possibilities for meeting the objective of protecting the "knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles".

From the point of view of the IFB, this book constitutes a continuation and development of the findings of the reflection group on local uses of biodiversity, which the institute launched in 2002. It highlights the value of associating research on the dynamics of the living world and local management (IFB) with work dealing with the international governance of biodiversity (IDDRI). The result is more than the sum of both, and could have an impact on negotiations within the framework of the CBD, by providing international negotiators with arguments.

I would like to end by highlighting the excellent work of the members of the editorial committee, whose determination overcame all the difficulties that arose, leaving us with nothing but the pleasure of reading this fine work. With many thanks to each and every one of them.

Jacques Weber

Director of the IFB

www.gis-ifb.fr

Feeding International Debates

Since the emergence in the 1990s of concerns relating to sustainable development and the conservation of biodiversity, local knowledge and know-how of nature — a vast collection of ecological knowledge, agricultural practices, animal breeds, plant varieties and landscapes — has taken on a new dimension. Not only does it contribute to the sustainable use of natural resources, but it has become a fundamental element of the natural and cultural heritage that must be conserved and exploited.

At the heart of the political and strategic issues of sustainable development and the protection of biological and cultural diversity, this knowledge forms the subject of negotiations within international authorities, the list of which is constantly growing: the World Intellectual Property Organization (WIPO), the World Trade Organization, the FAO, UNESCO, the United Nations Commission on Human Rights and, of course, the Convention on Biological Diversity (CBD), of which article 8(j) is devoted to this issue.

The growing interest of the international community in local ecological knowledge has given rise to a high demand for information, expert appraisals and case studies. In key meetings, the examples most often used, commented upon and analyzed come from English-speaking and Latin American works and research, which place great importance on issues linked to indigeneness. The French experience is struggling to take these issues into account, but by focusing on local communities, it has developed original and effective approaches and tools making it

possible to better understand, conserve and exploit local ecological knowledge and know-how.

IDDDRI (institute for sustainable development and international relations), and the IFB (French institute for biodiversity), therefore decided to gather the scattered elements of the French experience and to analyze them in the light of international debates.

In 2002, IDDDRI drew up an initial inventory that made it possible to identify the organizations involved in the conservation and exploitation of heritage, territorial development and supporting local products in France and its overseas departments and territories. At the same time, the IFB organized a reflection group called “Access and Local Uses of Biodiversity”, to consider research questions linked to this theme, leading in particular to the publication of a call for research proposals.

In 2003, IDDDRI and the IFB organized a symposium in Paris open to all French stakeholders in this field — researchers, public authorities and associations. This meeting was the opportunity to compare points of view, identify the unifying themes and create an editorial committee to develop the summary of a collective book.

The interest of the international community in the process under way and the usefulness of the work were confirmed during events organized at the same time as official meetings — the CBD in Kuala Lumpur (February 2004) and WIPO in Geneva (March 2004) — and during the international conference on “Biodiversity: Science and Governance” in Paris (January 2005). Aimed at all those who are interested in these issues or involved in international debates (negotiators, scientists, NGOs, State and private institutions, regional authorities, consular organizations, etc.), *Biodiversity and Local Ecological Knowledge in France* collates original contributions from varied sources and disciplinary backgrounds, with different forms and registers, including summaries, experiments, case studies and interviews. It is a rich collection that opens the way to collective, concise and critical thinking, highlighting the French specificities, their qualities and also their limits.

The Editorial Committee

General Introduction

Sélim Louafi, Bernard Roussel

An agro-economist, **Sélim Louafi** is in charge of IDDRI's (institute for sustainable development and international relations) biodiversity program. He focuses especially on local ecological knowledge and on access to biodiversity resources and the benefit sharing.

Bernard Roussel is a professor of ethnobiology at the MNHN (French natural history museum) in Paris. Member of a team from the IRD (French research institute for development), his research revolves around the local management of natural heritage in tropical Africa. He participates in negotiations on the Convention on Biological Diversity.

It is clear that negotiations carried out within the framework of the Convention on Biological Diversity (CBD) have greatly contributed to bringing to the forefront knowledge and practices that have long been neglected or ignored by scientists and developers: local ecological knowledge. This term seems the most apt to express what the rather heavily worded article 8(j) of the Convention describes as the “knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles”. These terms leave room for theoretical and political debate.

It was during the Jakarta Conference in 1995 that the parties to the CBD first decided to include the application of article 8(j) in the agenda for their next meeting, in Buenos Aires in 1996. Since the treaty was opened for signature in 1992, this subject had always been considered to be a marginal or even minor point compared with the principal objectives: conserving biodiversity, using its elements in a sustainable way and creating a system for the equitable sharing of benefits arising from its use. Few of the observers and negotiators imagined at the time the importance that the respect, recognition and preservation of local ecological knowledge would take on in the field of biodiversity.

Between Buenos Aires and Kuala Lumpur, where the last conference of the parties was held in 2004, between the workshops in Madrid in 1997, Seville in 2000 and Montreal in 2002 and 2004, the work carried out under the aegis of the CBD has brought about a significant change in thinking and shown the importance of the problems raised by the application of article

8(j). It is true that this article has been applied first and foremost to the Amerindians or the Australian Aborigines, whose struggle to survive and be recognized has been given a great deal of media coverage. But its field of application goes much further. Article 8(j) has unmistakably become a kind of test for measuring the success and progress of the CBD.

To understand the nature of this progress, it is necessary to bear in mind one of the most significant innovations of the CBD: it recognizes in the preamble that States have sovereign rights over the various components of their biodiversity. These components are no longer considered as being part of the common heritage of humanity. The initial determination to manage the biosphere at the international level using a scientific basis (the creation of a network of scientists) and regulations (the definition of taxons* and protected areas) is being abandoned in favor of a system for coordinating the use of biodiversity and especially access to the resources it provides, while striving to respect equity between countries. We have therefore moved from a collective interest in our common heritage, to a common interest in the management of a whole host of different forms of heritage, all under State responsibility. This State pre-eminence is nevertheless tempered in the aforementioned preamble by the obligation for parties to take into account a category of key stakeholders in the conservation of biodiversity: local communities and indigenous populations.

Under its harmless exterior, this turnaround has changed the very nature of debates and the content of decisions made. Local knowledge has been reinstated: it can no longer be reduced to mere mining predation; on the contrary, it is presented as sustainable, especially knowledge “embodying traditional lifestyles”. The reasoning behind this appears self-evident, although its veracity is far from universally accepted: belonging to a tradition seems to guarantee a certain antiquity, and if the components of biodiversity are still in existence today, then this is because their use is sustainable. Human activities are therefore no longer excluded from conservation initiatives recommended by the CBD, which advocates, for example, on-farm conservation of agricultural biological resources. Decisions give an important place to humankind, and use an ecosystem approach that includes anthropic factors that are no longer reduced to their negative consequences alone. This revival has an immediate corollary, with serious implications: the change of status granted to ecological knowledge and know-how. From tools for sustainable use and management, they are increasingly seen as

objects of conservation, and key components of the heritage to be conserved, in the same way as the other elements of biodiversity. They thus become potential tools for identity demands and are found, for example, at the heart of struggles relating to the recognition of the political and land rights of indigenous peoples. The link between the indigenous issue and ecological know-how is present in debates and has gained such importance that the CBD now plays a key role in international negotiations concerning the rights of indigenous communities.

Today, the aim is thus to conserve local practices, to control their use and to exploit them. This implies identifying them in order to draw up an inventory and to set up conservation and monitoring mechanisms. It is also vital to reinforce the rights of the custodian populations by promoting access legislation and usage contracts. In this context it is no surprise that intellectual property rights are thrust to the forefront. In fact, a large part of the negotiations concerns intangible resources (knowledge), especially those attached to the biological resources in question. The challenge is to ensure that the exchange complies with objectives for conservation and sustainable use, and that it is seen as equitable by those involved.

The work of the CBD on local ecological knowledge is far from complete. The process has in fact only just begun. Wishing to remain open and available, negotiators from most international authorities concerned with these issues have not yet adopted the definitions and limited the meaning and content of the often polysemic and controversial terms at the heart of debates: tradition, natural heritage, local communities, indigenism, etc. The first part of this book contains points of view and thoughts on these concepts and the institutional agreements that make it possible — or have done so throughout French history — to acknowledge, or on the contrary to marginalize, the local level and the indigenous issue.

The conservation and exploitation of ecological knowledge hold an important place in current international concerns: these issues are discussed in the second and third parts. The second part examines various inventory and conservation mechanisms, such as regional parks and conservatories. The third part reviews initiatives concerning the exploitation of heritage, territorial development and support for local products, among which the protection of geographical indications plays a key role today.

From the Local Level
to Indigenousness:
Recognizing
Cultural Diversity

