



The Implications of the Nagoya COP10 of the Convention on Biodiversity: Emergence of a Right to Respect and to the Endogenous Development of Indigenous Peoples

Report by IMADR Vice-President Kinhide Mushakoji | FEATURE STORY

The 10th Conference of the Parties (COP10) to the Convention on Biological Diversity (CBD) took place in Nagoya in October 2010. The meeting was an occasion for the international community to develop a new world view on life and its diversity and strengthen the CBD insistence on the wisdom of indigenous peoples on life and its diversity, establishing a precious precedent for human rights insisting on the right to respect of the indigenous peoples.

The CBD specifies in its clause 8 (j) the need to: “Subject to its national legislation, respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge, innovations and practices...”

This clause is especially important as it specifically uses the term “respect,” which is an unusual concept in international legal documents. It forbids State Parties from imposing exogenous values and principles as has been done for centuries by the “civilized” nations wanting to “civilize” or “modernize” the indigenous peoples. The right to respect of the indigenous peoples can be interpreted to be an application of the universal principle of human dignity. But it differs from it by the fact that the indigenous peoples as a community are by the CBD attributed a specific right to be

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