



ICRAF Policy Guidelines Series

Local Knowledge (including indigenous and traditional knowledge)

Reviewed September 2014

## World Agroforestry Centre

### Policy Guidelines on Local Knowledge

#### ICRAF's mission and local knowledge

ICRAF's mission is to generate science-based knowledge about the diverse roles that trees play in agricultural landscapes, and to use its research to advance policies and practices, and their implementation that benefit the poor and the environment. The pursuit of this mission requires carrying out research and development with rural communities, which interacts with the local knowledge held by those communities. The interaction may be incidental or planned. An example of the latter is a project that seeks to integrate local and scientific knowledge in solving problems. External use of local knowledge, especially when used to develop commercial products without benefit retribution to the source has become contentious and contested internationally, with various international conventions (see below) protecting the intellectual property rights (IPR) of local people, whether they self-identify as indigenous people or not. ICRAF fully supports these conventions. However we do see indigenous knowledge of plants as an important source of information in the domestication of agroforestry tree species and in natural resource management.

#### Scope and purpose

The aim of this guideline is to describe ICRAF's policy on working with local knowledge, including but not restricted to what is considered indigenous and traditional knowledge, and the steps taken to ensure best practices are followed.

For these purposes our major concern relates to locally derived knowledge, that is knowledge that people in a given community have developed over time, based on their experience. Often this is knowledge about plants and animals. However, it also covers other areas, such as knowledge about management of soil and water. Local knowledge is dynamic and often based on observation and experimentation, it is not necessarily 'old' or 'non-scientific' but may be culturally embedded. The definitions that we have adopted for frequently used terms relating to local knowledge are set out below.

This guideline applies to all work on local knowledge that ICRAF staff are involved with, whether on their own or in partnership with other institutions, and whether leading the activities or not.

Intellectual property rights and aspects of local knowledge can be complex. Like most other organisations doing field work in this area, ICRAF cannot expect to have technical IPR and legal experts on the ground in each location. We therefore rely on Authoritative guides of which many are available, but we will use Hansen and VanFleet (2003)<sup>1</sup> as the starting point <http://community-wealth.org/content/traditional-knowledge-and-intellectual-property-handbook-issues-and-options-traditional>.

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<sup>1</sup> Hansen, S.A. and VanFleet, J.W. (2003) *Traditional Knowledge and Intellectual Property: A Handbook on Issues and Options for Traditional Knowledge Holders in Protecting their Intellectual Property and Maintaining Biological Diversity*. Washington: American Association for the Advancement of Science. 85pp

Guidance is available to ICRAF staff from (i) the Consortium Office Communications & Knowledge Management section of the CGIAR (<http://www.cgiar.org/cgiar-consortium/consortium-office/legal-counsel-and-intellectual-property/>) and (ii) experts within collaborating institutions most notably Bangor University, Wales, UK (<http://akt.bangor.ac.uk/>).

### **Principles**

ICRAF will abide by relevant international conventions and treaties with regard to local knowledge (Hansen and VanFleet, 2003 p vii). Where there is relevant national legislation, we will also abide by that. ICRAF will endeavour to follow current best practice in all aspects of local knowledge in its work. Our work involving local knowledge will, like all other work, be consistent with ICRAF's Intellectual Property (IP) Policy as outlined in the Board approved guideline on IP. This states that 'ICRAF will endeavour to safeguard the intellectual property rights of others, whether these are determined by legal means or by commonly accepted standards'.

ICRAF's work involving local knowledge will be consistent with our germplasm policy as outlined in the Board approved guidelines on Genetic Resources. ICRAF endeavours to apply the same principles and standards to all ITK as that embodied in treaties and legislation relating to germplasm.

ICRAF's work involving knowledge will be consistent with prevailing ICRAF policy on research ethics.

### **Definitions**

ICRAF adopts definitions associated with local knowledge following Sinclair and Walker (1998<sup>2</sup> and 1999<sup>3</sup>). These are based on the use of knowledge-based systems methods, appropriate for a research organisation. Broader conceptions of knowledge that combine knowledge and culture are common in the anthropological literature but are difficult to operationalize in a research organisation that seeks to incorporate knowledge within international public goods (IPGs).

**Data** are observations, which may be quantitative or qualitative.

**Knowledge** is the outcome, independently of the interpreter, of the interpretation of data.

**Understanding** is the outcome, specific to the interpreter, of the interpretation of data; that is the comprehension that the interpreter achieves.

So, the interpretation of observation may advance an individual's understanding. This advance may be articulated and communicated as knowledge. There may be residual understanding that an individual can not articulate.

**Local knowledge** is the knowledge of a defined group of people, usually for ICRAF this is a community living at a particular location. Local knowledge is usually a mixture of traditional knowledge, knowledge acquired from external sources (education, media,

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<sup>2</sup> Sinclair, F.L. and Walker D.H. (1998). Qualitative knowledge about complex agroecosystems. Part 1: a natural language approach to representation. *Agricultural Systems* 56: 341-363.

<sup>3</sup> Sinclair, F.L. and Walker, D.H. (1999). A utilitarian approach to the incorporation of local knowledge in agroforestry research and extension. In: L.E. Buck, J.P. Lassoie and E.C.M. Fernandes (eds). *Agroforestry in Sustainable Agricultural Systems*. Lewis Publishers, New York pp. 245-275

dialogue with other communities) and contemporary learning. Local knowledge is, therefore, dynamic.

**Locally derived knowledge** is that part of local knowledge that is based on local interpretation of locally made observations, often involving deliberate experimentation. This is a dynamic part of local knowledge based on contemporary learning.

**Indigenous knowledge** is knowledge that is culturally embedded; that is, it is intimately bound up with cultural values and can not be meaningfully separated from the cultural context within which it sits. Often this relates to supernatural explanations for phenomena. The term 'indigenous' in general discourse has political implications that may or may not be intended when referring to the knowledge aspects. It follows that there is a distinction between the knowledge of indigenous people and indigenous knowledge.

**Traditional knowledge** is that part of local knowledge that is passed down through generations over time in contrast to that part of local knowledge that is derived from contemporary learning.

### **Implications for our work**

The first requirement is for all staff working with local knowledge to be aware of and understand this policy and the implications of international treaties and agreements, the implication of national legislation, current issues and best practice related to local knowledge. ICRAF will put in place strategies to achieve this, based on procedures outlined in Hansen and VanFleet (2003). These include practical use of worksheets and templates for staff to evaluate circumstances for clarifying local knowledge issues and ensuring adherence to the ICRAF policy. ICRAF will emphasize specific provisions of the Convention on Biological Diversity (CBD) that require particular attention while conducting agroforestry research as follows.

There is a general requirement to respect, preserve and maintain traditional knowledge, demanding specific, planned actions. Specifically, there is a requirement to obtain and document free, prior and informed consent (FPIC) before collecting locally derived knowledge from communities and individuals, informing communities of, and helping them understand their rights, obligations and possibilities regarding their knowledge. See the Oxfam guide to free, prior and informed consent:

[https://www.culturalsurvival.org/sites/default/files/guidetofreepriorinformedconsent\\_0.pdf](https://www.culturalsurvival.org/sites/default/files/guidetofreepriorinformedconsent_0.pdf).

Obtaining and documenting FPIC follows the principles enshrined in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) which states specifically in article 31:

*1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.*

*2. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.*

[http://www.un.org/esa/socdev/unpfii/documents/DRIPS\\_en.pdf](http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf)

ICRAF applies these principles without restriction to 'indigenous' people. Most of ICRAF's field projects are undertaken with partner organisations. ICRAF will, therefore, ensure that the partner organisations follow the same guidelines on local knowledge as set out here. ICRAF will not undertake work with organisations or individuals that do not follow these same principles. Hence, agreement to these principles will be a condition of agreement to work on joint projects involving local knowledge.

*Other relevant ICRAF Policies*

1. Fraud
2. Intellectual property
3. Partners
4. Research Ethics