

**BBOP Meeting with Representatives of Indigenous
and Local Communities and Associated Experts
11 June 2008
Washington, D.C.
Meeting Minutes**

SUMMARY

The Business and Biodiversity Offsets Program (BBOP) convened a technical consultation meeting on June 11, 2008 in Washington, DC, USA, which brought together 19 participants from Africa, Asia, North and South America, and Europe with a variety of expertise in biodiversity offsets and indigenous and local communities' participation issues. The purpose of this meeting was two-fold. First, to introduce BBOP to representatives of indigenous peoples and local communities and other individuals working with them, and secondly, to engage participants in a discussion on how to improve the draft BBOP documents and how to involve indigenous peoples and local communities in the current consultation period of BBOP and Phase 2 of the program, which will start in 2009.

INTRODUCTION OF BIODIVERSITY OFFSETS AND BBOP

The meeting opened with **Beto Borges**, Director of Forest Trends' Communities and Markets Program, welcoming participants to Forest Trends headquarters and explaining the purpose and structure of the meeting, (1) to introduce BBOP to representatives of indigenous peoples and local communities and other individuals working with them, and (2) to engage participants in a discussion on how to improve the draft BBOP documents and involve indigenous and local communities in the current consultation period on BBOP Phase 1 and in Phase 2 of the program, which will start in 2009. **Kerry ten Kate**, Director of BBOP, echoed Beto's sentiments and welcomed participants on behalf of Forest Trends, Conservation International and the Wildlife Conservation Society, the members of BBOP's Secretariat. Participants introduced themselves and summarized their experience with biodiversity offsets and indigenous peoples and local community participation issues.

Patrick Maguire, BBOP Program Manager, and Kerry ten Kate then presented a history of biodiversity offsets and the objectives, activities, principles and goals of BBOP. BBOP's present working definition of biodiversity offsets was offered:

"Biodiversity offsets are measureable conservation outcomes resulting from actions designed to compensate for significant residual adverse biodiversity impacts arising from project development and persisting after appropriate prevention and mitigation measures have been implemented. The goal of biodiversity offsets is to achieve no net loss, or preferably a net gain, of biodiversity on the ground with respect to species composition, habitat structure and ecosystem services, including livelihood aspects."

- Biodiversity Offsets and the Business and Biodiversity Offsets Programme (BBOP) draft consultation paper -

The participants discussed the structure of BBOP. A broad Advisory Committee comprising conservation scientists, businesses, donors, international financial institutions, and research institutions contributes to the development of a draft methodology toolkit and offers advice to the pilot projects. The seven BBOP pilot projects inform the BBOP toolkit and share lessons with each other. An open learning network of 800 individuals and institutions is updated regularly on developments within BBOP and news and events related to biodiversity offsets in general.

Some participants asked why there is no pilot project in the agricultural sector. Selection of pilots during Phase I was both opportunistic and based on the prospective pilots meeting certain required criteria such as a commitment to following the mitigation hierarchy and quantifying and offsetting residual impacts. No

appropriate agricultural project came to light during BBOP's Phase 1, but this could be a good priority for BBOP during Phase 2, beginning in 2009.

Participants suggested that there are three levels on which focus needs to be placed – communities, business and policy makers. The case for biodiversity offsets needs to be made to each group in a different way, using different media, such as videos, as appropriate. Several participants suggested that BBOP work with national and international indigenous organizations to spread the word about biodiversity offsets.

Preston Hardison, BBOP Advisory Committee member and Tulalip Tribes representative, presented the opportunities and risks for indigenous peoples and local communities in engaging in the biodiversity offset process. Opportunities include a contribution to development, capital to work at a landscape level to adapt/mitigate effects of climate change, and the internalization of externalities through payments and benefit sharing. Risks include lack of firm property rights, privatization, displacement of local values and discourse, and the location of the offset. Offsetting loss of a food source in a distant location, for example, would harm a community.

DISCUSSION OF ISSUES IN THE DRAFT ISSUES PAPER ON STAKEHOLDER PARTICIPATION

After lunch, Kerry ten Kate reviewed how the stakeholder participation paper is related to the BBOP consultation process and Preston Hardison discussed issues relating to free prior informed consent (FPIC). Several issues and questions were raised in regards to FPIC, including implementation and legislation issues. Preston explained that although this issue is being worked out nationally and internationally, it has received broad support by the majority of governments that have endorsed it in principle in the Declaration on the Rights of Indigenous Peoples adopted by the United Nations General Assembly on 13 September 2007. Several States have begun to incorporate PIC into their national laws, and this is likely to progress. While not universally adopted or legally binding, this should not prevent anyone from agreeing to its underlying principles.

DISCUSSION OF THE DRAFT BBOP OFFSET HANDBOOKS

Kerry ten Kate continued the day's discussion by presenting the draft Biodiversity Offset Design Handbook and the draft Biodiversity Offset Cost Benefit Handbook. These handbooks offer optional methodologies on how to design an offset and how to use economic tools of valuation and cost benefit analysis to compensate local communities and other local stakeholders for any residual impacts of the project, and offset, on their biodiversity-based livelihoods and amenity, respectively. The Biodiversity Offset Design Handbook offers a step-by-step process for offset planners to adapt and use in designing a biodiversity offset, from conception through to site selection and the definition of the offset activities. The Cost Benefit Handbook guides planners through the process of evaluating the impact of a project and associated offset on local values and uses of biodiversity, particularly by communities.

BBOP'S CONSULTATION PROCESS & PHASE 2

Patrick Maguire referred participants to the website where documents will be posted for public consultation over the coming months (www.BBOPConsultation.org). The consultation process has begun. Reviewers can submit their comments publicly or only to the authors of the papers. Several suggestions were made in regards to activities that BBOP should focus on in the future, including:

- BBOP could consider working not only with individual pilots, but with 'pilot countries', supporting government as it develops a strategy and policy for biodiversity offsets, and uses this to

encourage biodiversity offsets for a range of different projects in the country. In other words, there should be more emphasis on developing enabling policy frameworks.

- Pilot biodiversity offset projects in new industry sectors, such as forestry and agriculture.
- A greater number of more diversity pilot projects with a broader geographical spread.

CONCLUSION

This meeting was welcomed as the beginning of a process of engagement between BBOP and indigenous peoples and local communities. Participants arrived at the meeting with different levels of expertise on biodiversity offsets and indigenous participation issues and left with more mutual understanding and awareness of the issues. BBOP will continue to make best efforts to improve the presentation of its draft content, so that it is more accessible and understandable to a wider audience. The organizers thanked everyone for their participation in the meeting and for their helpful comments, and looked forward to future collaboration. Participants thanked the BBOP team for their openness and willingness to be transparent and accept input throughout this process.