

Access and Benefit Sharing of Biodiversity for Empowering Local Communities; Case Studies in Selected Countries.

- **Author(s):** Nurul Barizah
- **Abstract:** The purpose of this study is to analyze the practices of access and benefit sharing from the utilization of biodiversity for empowering local people and communities in accordance with the Convention on Biodiversity (CBD). The focus of this study is to analyze whether access permit and equitable benefit sharing agreements in practices capable of empowering the economy of local communities. This study is based on normative legal research by using primary and secondary legal resources. While analysis conducted for this study is by using statute, conceptual and case approaches. The cases used for this study are Kani Case from India, Kava Case from Pacific Island Nations, and Hoodia Case in South Africa. This study found that it is not only access permit to utilize biodiversity, including biological resources which can be used as a legal basis for benefit sharing arrangement between the local communities and the user of biodiversity, but also recognition of local people knowledge over its biodiversity. This benefit sharing arrangement which have been developed from those case studies provide a significant contribution to support the economy of local communities, even before the existence of the CBD. Accordingly, these case studies can be used as best practices for Indonesia on recognizing the traditional knowledge of local communities, establishing access permit and benefit sharing agreements.
- **Keywords:** Kava Case, Convention on biodiversity, local communities,