



International Journal of Research Publication and Reviews

Journal homepage: www.ijrpr.com ISSN 2582-7421

Book Review- Biocultural Rights, Indigenous Peoples and Local Communities-Protecting Culture and Environment, Edited by Fabien Girard, Ingrid Hall and Christine Frison, First published in 2022, Routledge Explorations in Environmental Studies.

Shivam Singh

PhD in Law, University of Lucknow

Introduction and Structure of Book-

This book *-Biocultural Rights, Indigenous Peoples and Local Communities-Protecting Culture and Environment*, is an edited work written by Fabien Girard, Ingrid Hall and Christine Frison. This book focus on the right on the protection of the culture and the environment and the biocultural right of the indigenous and the local people. Authors in this book focus on the position of the protection given to indigenous community and local people in different parts of the world, it focus on those part of the world. Authors in chapter 11 examines the seven Biocultural Community Protocols developed in Africa (by focusing on countries of Benin, Kenya, Madagascar) and in Latin America (in countries of Mexico and Panama) to strive to open space.

The author began with chapter 1 of the book containing the basic description about the community protocols and Biocultural Rights, it is finding out the relation between biocultural and Access and benefit sharing(hereinafter ABS) . The book is divided into 3 parts-

Book begins to explore the biological diversity / cultural diversity against the backdrop of biocultural community protocols and biocultural rights. This part investigate the popularization of biocultural community protocols within the ABS linking it with biocultural jurisprudence.

Part1 deals with Conceptual Insights: Biocultural Diversity, Biocultural Rights and Space Making – traces the history of biocultural community protocols/ community protocols from the emergence of the cultural protocols and enshrinement in Nagoya protocols and successive assessment as legal and political tools.

Part 2 deals with Biocultural Community Protocols, ABS, and beyond- the book moves on community protocols with ABS context while taking the glimpse of nature and role of community protocols beyond the issue of genetic resources and traditional knowledge.

Part 3 deals with Biocultural Jurisprudence, Sovereignty and Legal Subjectivity- this focus on the biocultural community protocols/community protocols ‘ conservation and sustainable use of nature’ and ‘tradition’, how these arrangements are causing problem to the indigenous peoples without any hope with them for reconstructing their identities and the struggle for greater rights to land rights, territories and resources and for more political space. This part focus on the new issue and ideas that could emerge in the development of biocultural community protocols/ community protocols. It study how effective biocultural community protocols/ community protocols as political tools in the context of strengthening indigenous peoples and the local communities rights and make more space for self policy, self governance, bottom-up decision-making. The last section briefly outlines the content of the remaining chapter in book. The author is of the view that to make biocultural community protocols/ community protocols more effective and powerful we have to it divide it into-

1. Purely technical instruments
2. Call for recognition of local procedure in ABS
3. Political Claim
4. Political-ontological claims

The growing complexity and richness makes biocultural community protocols and community protocols important and decisive tools for the recognition of the communities in their uniqueness.

Your Analysis of Book-

This book provides a comprehensive overview of biocultural rights and examines and promotes the role of indigenous and local people in promoting and protecting biocultural rights and the environment. The book aims to fulfill two objectives at the same time, one is to provide and ensure protection to the rights of indigenous and local people and the other aims through it to protect the environment. The book tries to define the indigenous people and it also defines who the local people are and how they are different from indigenous people. This book presents theoretical insights to the readers along with foundational concepts like what is biocultural rights, biocultural community and the community rule making. This book presents a case-based study to the reader by providing a thorough review of specific cases like potato park, Khoi Khoi community's rights, study around biocultural community protocols in Madagascar etc. based on field research work all around the world. The book presumes that biocultural rights are a bundle of rights. Few of the chapters study about the negotiation process taking place between the international actors and the indigenous community to how they can use biocultural community protocols and community protocols in regional and national planning to serve as a powerful institution. This book will be of great interest to scholars, professionals, and policymakers of environmental law, indigenous peoples, biodiversity conservation who are involved in the environmental management and the protection of indigenous rights. The book deals with critical questions of sovereignty and biodiversity across a broad range of regional perspectives. The book has used data, tables, maps etc. to reflect on the existing scenario relating to the communities which makes it more interesting and understandable to the reader. This book with the question of biocultural rights of indigenous community and ends with a political question of rights belonging to these communities. As the book is an edited one and contains articles written by different authors, but still they are able to present their views in a very coherent manner regarding community protocols, they elaborate even the basic concept relating to community protocols affecting the rights of indigenous people and local people. Especially in the first part of the book *Gulia Sajeva* identifies the legal framework behind biocultural rights and the pros and cons related to it for the indigenous peoples and the local communities. According to the author, biocultural rights may only be claimed by the sustainable indigenous peoples and the local communities binding them to exercise their right in such a way that they do not cause harm to the environment rather they promote the protection of the environment. Indigenous peoples and the local communities and environment have equal standing and biocultural rights impose duties on them to protect the environment and use natural resources after conserving them and using it in a sustainable way and not to use their self-governance and cultural identities detrimental to environment conservation. In the second part *Miri (Margaret) Raven* and *Daniel Robinson* study biocultural rights and protocols in the Pacific in which they have studied the Vanuatu and Cook Islands and come to the conclusion that they have a strong legal and customary system for the recognition of customary systems and biocultural community protocols. They also discuss the challenges that come in developing and implementing the biocultural community protocols. They mention that many of the communities are not aware of the United Nations Declaration on the Rights of Indigenous Peoples and Nagoya Protocols. This book takes the reader on a very beautiful journey of the biocultural rights of indigenous peoples and local communities around the different parts of the world and to different indigenous communities. In this journey the author starts with the basic backgrounds and then does the study in detail and then comes to the last section by concisely concluding each section.