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**Ad Hoc Open-ended Intersessional Working  
Group on Article 8(j) and Related Provisions  
of the Convention on Biological Diversity  
Twelfth meeting  
Geneva, 12–16 November 2023  
Agenda item 10  
Adoption of the report**

**Report of the Ad Hoc Open-ended Intersessional Working Group on  
Article 8(j) and Related Provisions of the Convention on Biological  
Diversity on its twelfth meeting**

*Summary*

The twelfth meeting of the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and related provisions of the Convention on Biological Diversity was held in Geneva from 12 to 16 November 2023. The Working Group adopted five recommendations, which concern the theme of the in-depth dialogue: “The role of languages in the intergenerational transmission of traditional knowledge, innovations and practices”; the development of a new programme of work and institutional arrangements on Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities; the updated draft knowledge management component of the Kunming-Montreal Global Biodiversity Framework; the joint programme of work on the links between biological and cultural diversity; and recommendations from the Permanent Forum on Indigenous Issues (see sect. I). The draft decisions contained in the recommendations will be submitted to the Conference of the Parties to the Convention on Biological Diversity for consideration at its sixteenth meeting.

The account of the proceedings of the meeting is contained in section II.

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## **I. Recommendations adopted by the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity**

### **12/1. In-depth dialogue: “The role of languages in the intergenerational transmission of traditional knowledge, innovations and practices”**

*The Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity*

*Recommends* that, at its sixteenth meeting, the Conference of the Parties adopt a decision along the following lines:

*The Conference of the Parties,*

*Recalling* the International Decade of Indigenous Languages 2022–2032,

*Noting* that, at its twelfth meeting, the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity<sup>1</sup> conducted an in-depth dialogue on the theme “The role of languages in the intergenerational transmission of traditional knowledge, innovations and practices”,

*Noting also* that, through languages, indigenous peoples and local communities preserve the history, customs and traditions, memory, unique modes of thinking, meaning and expression of their communities,

*Noting further* that, in the Kunming-Montreal Global Biodiversity Framework,<sup>2</sup> the Conference of the Parties acknowledged the important roles and contributions of indigenous peoples and local communities as custodians of biodiversity, their rights, knowledge, including traditional knowledge associated with biodiversity, innovations, world views, values and practices,

*Recognizing* that, in Target 21 of the Framework, the Conference of the Parties called for the best available data, information and knowledge to be made accessible to decision makers, practitioners and the public to guide effective and equitable governance and the integrated and participatory management of biodiversity, and to strengthen communication, awareness-raising, education, monitoring, research and knowledge management and, also in this context, for the traditional knowledge, innovations, practices and technologies of indigenous peoples and local communities to only be granted access to with their free, prior and informed consent,<sup>3</sup> and that, in Targets 22 and 23 of the Framework and in the Gender Plan of Action,<sup>4</sup> the Conference of the Parties called for gender equality to be ensured in the implementation of the Framework through a gender-responsive approach, whereby all women and girls have equal opportunity and capacity to contribute to the three objectives of the Convention,

*Recognizing also* that the contribution of languages of indigenous peoples and local communities and traditional knowledge to addressing global biodiversity loss, as well as the role of indigenous women and those from local communities in the processes of knowledge transmission in that respect, is necessary to achieve the 2050 Vision of living in harmony with nature,

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<sup>1</sup> United Nations, *Treaty Series*, vol. 1760, No. 30619.

<sup>2</sup> Decision [15/4](#), annex.

<sup>3</sup> Free, prior and informed consent refers to the tripartite terminology of “prior and informed consent” or “free, prior and informed consent” or “approval and involvement.

<sup>4</sup> Decision [15/11](#), annex.

*Recognizing further* that diverse languages and knowledge systems reflect the strong and collective relationships of indigenous peoples and local communities, including indigenous women and those from local communities, with nature and cultural values that uphold the conservation and sustainable use of biodiversity and, therefore, can provide human and ecological systems with greater adaptability to and capacity to cope with current crises and strengthen social, economic and ecological resilience,

*Recognizing* the relevance of the Joint Programme of Work on the Links between Biological and Cultural Diversity and Target 22 of the Framework, and emphasizing the need for making indigenous and local concepts, cosmovisions and epistemologies more understandable for Parties and all actors involved in processes under the Convention and its Protocols,

1. *Invites* Parties to fully acknowledge the role of languages of indigenous peoples and local communities, and in that regard the particular role of indigenous women and those from local communities, youth and relevant stakeholders, in the intergenerational transmission of traditional knowledge, innovations and practices among indigenous peoples and local communities as it relates to the objectives of the Convention and the implementation of the Kunming-Montreal Global Biodiversity Framework and, more broadly, the links between biological and cultural diversity;

2. *Encourages* Parties, other Governments, relevant organizations, indigenous peoples and local communities, women, youth and other relevant stakeholders to incorporate, as appropriate, the conservation and revitalization of the languages of indigenous peoples and local communities, including through concrete actions, such as support for community initiatives for cultural and resource centres and field schools, given their fundamental role in the intergenerational transmission of traditional knowledge, into the implementation of the Convention and its Protocols and the Framework, including through the updating and revision of national biodiversity strategies and action plans, and the preparation of the seventh and subsequent national reports;

3. *Decides* that the theme of the next in-depth dialogue shall be “Strategies for mobilizing resources to ensure the availability of and access to financial resources and funding, as well as other means of implementation, including capacity-building, development and technical support for indigenous peoples and local communities, including women and youth, to support the full implementation of the Kunming-Montreal Global Biodiversity Framework”.

## **12/2. Development of a new programme of work and institutional arrangements on Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities\***

*The Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity*

*Recommends* that, at its sixteenth meeting, the Conference of the Parties adopt two decisions along the following lines:

### **[A. Programme of work on Article 8(j) and other provisions of the Convention on Biological Diversity related to indigenous peoples and local communities to 2030**

*The Conference of the Parties,*

*Recalling* its decision V/16 of 26 May 2000, by which it endorsed the programme of work on the implementation of Article 8(j) and related provisions of the Convention on Biological Diversity<sup>1</sup> annexed to that decision, and decision X/43 of 29 October 2010, by which it revised said programme of work for the period 2010–2020,

*Recognizing* the need for a more holistic, forward-looking and integrated programme of work [that is aligned with and support the implementation of][taking into account such recent developments as] the adoption of the Kunming-Montreal Global Biodiversity Framework,<sup>2</sup>

[*Recognizing also* and respecting the scope and the mandate of the Convention on Biological Diversity,]

*Building on* the composite report on the status and trends regarding traditional knowledge, innovations and practices of indigenous peoples and local communities, as well as the [voluntary] guidelines, [standards] and other tools already developed by the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity and adopted by the Conference of the Parties,

*Emphasizing* the need for the effective implementation of the [voluntary] guidelines[, standards] [and other tools]related to Article 8(j) and other provisions of the Convention at the national level to support the implementation of the relevant goals and targets of the Framework,

*Noting* that a number of tasks of the current programme of work on Article 8(j) and related provisions are ongoing for Parties,

1. [*Decides* to adopt a programme of work on Article 8(j) and other provisions of the Convention on Biological Diversity related to indigenous peoples and local communities to 2030, as contained in the annex to the present decision;]

2. *Requests* Parties and invites other Governments to report on progress in the implementation of the programme of work on Article 8(j) and other provisions, including the application of existing and relevant [voluntary] guidelines and standards [in their national reports as part of their assessment of the implementation of the Kunming-Montreal Global Biodiversity Framework];

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\* The draft decision in section A and paragraphs 1 (b), 2 to 6 and 15 to 17 in the annex to section B were neither considered nor discussed during the contact group sessions.

<sup>1</sup> United Nations, *Treaty Series*, vol. 1760, No. 30619.

<sup>2</sup> Decision 15/4, annex.

3. *Reiterates* its invitation to Parties in paragraph 7 of decision X/40 B of 29 October 2010 to consider designating national focal points for Article 8(j) and related provisions to facilitate communications with indigenous peoples and local communities and to promote the effective implementation of the programme of work on Article 8(j) and other provisions;

4. *Encourages* Parties to engage with indigenous peoples and local communities[, including women, youth and environmental human rights defenders][, including women and girls, children and youth, persons with disabilities and environmental human rights defenders] as on-the-ground partners in the implementation of the Convention, including by recognizing, supporting and valuing their collective actions and respecting their indigenous and traditional territories and their efforts in applying, preserving and maintaining their traditional knowledge, innovation and practices in relation to promoting the conservation and sustainable use of biodiversity;

5. *Urges* Parties to [enable the full and effective participation of][fully involve] indigenous peoples and local communities[, including women, youth and environmental human rights defenders][, including women and girls, children and youth, persons with disabilities and environmental human rights defenders][, with their free, prior and informed consent,<sup>3</sup> in the preparation of national reports and in the revision, update and implementation of national biodiversity strategies and action plans aligned with the goals and targets of the Kunming-Montreal Global Biodiversity Framework;

6. *Invites* Parties to increase the funding provided to the voluntary funding mechanism to support the effective participation of indigenous peoples and local communities in processes of relevance to the Convention and its Protocols;

7. *Requests* the Executive Secretary to support efforts for the mobilization of financial resources for indigenous peoples and local communities;

8. *Also requests* the Executive Secretary, subject to the availability of resources:

(a) To undertake studies[, based on submissions from Parties, indigenous peoples and local communities,] on best practices regarding [concrete] access and benefit-sharing [cases] and experiences of indigenous peoples and local communities, including the [effectiveness and] governance role of databanks and databases that contain data on the utilization and protection of genetic resources, traditional knowledge associated with genetic resources[, digital sequence information on genetic resources] and their associated information on geographical origin and other relevant [provenance] metadata, including the disclosure of the origin of products and information on the process arising from such utilization, and share the results of those studies with indigenous peoples and local communities;

(b) To strengthen and support a global network of national focal points on Article 8(j) and related provisions to support the implementation of the Convention at the national and international levels;

(c) To identify [and promote, including through studies,] good practices [and gaps] regarding [[direct] funding] [innovative financial mechanisms] [[innovative financial mechanisms] [to enhance finance] for collective actions on biodiversity conservation and sustainable use by indigenous peoples and local communities, including actions to be led by women and youth.]

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<sup>3</sup> All references to “free, prior and informed consent” refer to the tripartite terminology of “prior and informed consent”, “free, prior and informed consent” or “approval and involvement”.

## **Annex**

# **Draft programme of work on Article 8(j) and other provisions of the Convention on Biological Diversity related to indigenous peoples and local communities to 2030**

## **I. Objective**

1. The objective of the present programme of work is to promote, in line with the mandate and within the framework of the Convention on Biological Diversity, the implementation of Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities, as well as the Kunming-Montreal Global Biodiversity Framework, at the local, national, subregional, regional and international levels and to ensure the full and effective participation of indigenous peoples and local communities at all stages and levels of its implementation, thereby ensuring an ongoing recognition of the close association that indigenous peoples and local communities have with biological diversity and the Convention and its Protocols.

## **II. General principles**

2. The full, equitable, inclusive, effective and gender-responsive participation of indigenous peoples and local communities, in particular women, girls and youth from indigenous peoples and local communities, should be ensured, from the local to the global level, at all stages of the identification, implementation and monitoring of the elements of the programme of work. Partnerships with indigenous peoples and local communities should be ethical, equitable and based on mutual respect and good faith.

3. The present programme of work is aimed at addressing the specific challenges faced by developing countries and the need to ensure the appropriate and regionally balanced representation of indigenous peoples and local communities, in particular those from developing countries, in the work of the Convention.

4. The traditional knowledge, innovations, practices and technologies of indigenous peoples and local communities should be valued, considered essential and given the same respect and consideration as other forms of knowledge. Genuine collaborations and the co-production of knowledge in ways that respect the knowledge-generation processes and the integrity of each knowledge system should be promoted. The inclusion of knowledge from diverse systems and practices should be mainstreamed into the development and implementation of policies on biodiversity conservation, sustainable use and benefit-sharing.

5. A holistic approach consistent with the spiritual and cultural values and customary practices of indigenous peoples and local communities should be adopted, recognizing all of their relations, including to their territories, lands and resources, as well as their rights, in accordance with relevant national legislation and international obligations, to have control over their traditional knowledge, innovations, practices and technologies.

6. The ecosystem approach is a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable manner.

7. The traditional knowledge, innovations, practices and technologies of indigenous peoples and local communities should only be accessed with their free, prior and informed consent<sup>4</sup> [, in accordance with national legislation]. Indigenous peoples and local communities should receive fair and equitable benefits based on mutually agreed terms from the use of the traditional knowledge that they hold.

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<sup>4</sup> All references to “free, prior and informed consent” refer to the tripartite terminology of “prior and informed consent”, “free, prior and informed consent” or “approval and involvement”.

8. The implementation of the programme of work should follow a gender-responsive approach, the Gender Plan of Action<sup>5</sup> and a human rights-based approach respecting, protecting, promoting and fulfilling human rights. The Framework contains an acknowledgment of the human right to a clean, healthy and sustainable environment and a commitment to ensuring access to justice and information and the full protection of environmental human rights defenders. Nothing in the present programme of work may be construed as diminishing or extinguishing the rights that indigenous peoples currently have or may acquire in future, as also stated in the United Nations Declaration on the Rights of Indigenous Peoples.<sup>6</sup>

### III. Elements

<i>Tasks</i>	<i>Actors</i>	<i>Level of priority</i>
<b>Element 1. Conservation and restoration</b>		
<i>To promote and support the conservation, protection and restoration of biological diversity led by indigenous peoples and local communities, thereby contributing to the implementation of relevant goals and targets of the Kunming-Montreal Global Biodiversity Framework.</i>		
1.1 Develop guidelines, <sup>7</sup> with the full and effective participation <sup>8</sup> of indigenous peoples and local communities, to strengthen the legal and policy framework for the implementation of Targets 2 and 3, including on indigenous and traditional territories, to support the protection and restoration practices led by indigenous peoples and local communities.	[SB8j]	High priority
1.2 Identify and promote best practices to secure land tenure and governance by indigenous peoples and local communities and develop guidelines for the inclusion and consideration of traditional lands and of resource use in spatial planning processes and environmental impact assessments, in accordance with national legislation and international obligations.	[SB8j]	To be determined
1.3 Promote the rights of indigenous peoples and local communities without formal access to land, including in urban areas, and partner with them in the conservation, protection and restoration of biodiversity and in creating and maintaining blue and green spaces.	Parties	To be determined
[1.4 Engage and collaborate with indigenous peoples and local communities to improve the outcomes of management actions addressing the impacts of the direct drivers of biodiversity loss.] [1.4 <i>Alt.</i> Engage and collaborate with indigenous peoples and local communities to improve the	All actors	To be determined

<sup>5</sup> Decision 15/11, annex.

<sup>6</sup> General Assembly resolution 61/295, annex.

<sup>7</sup> For the purpose of the present programme of work, “guidelines” refer to voluntary guidelines.

<sup>8</sup> For the purpose of the present programme of work, “participation” should be understood as being full, equitable, inclusive, effective and gender-responsive.



outcomes of management actions for invasive alien species, pollution and climate change mitigation and adaptation].		
<b>Element 2. Sustainable use of biological diversity</b>		
<i>To promote, encourage and ensure the sustainable use of biological diversity, inter alia, to respect and protect the customary sustainable use by indigenous peoples and local communities, thereby contributing to the implementation of Article 10(c) of the Convention, the Plan of Action on Customary Sustainable Use of Biological Diversity<sup>9</sup> and relevant goals and targets of the Kunming-Montreal Global Biodiversity Framework.</i>		
2.1 Incorporate respect for and protection of customary sustainable use practices or policies, in accordance with the Plan of Action on Customary Sustainable Use of Biological Diversity and with the full and effective participation of indigenous peoples and local communities, as appropriate, into national biodiversity strategies and action plans, poverty eradication strategies and legislation.	Parties	To be determined
2.2 Promote and strengthen community-based initiatives developed by indigenous peoples and local communities, including in collaboration with other actors, that support and contribute to the sustainable use of biological diversity and to the respect and protection of the customary sustainable use of biological diversity[, including sustainable wildlife management and traditional agriculture, food systems and traditional medicine, including through biodiversity-based activities and products [and services] that enhance biodiversity].	All actors	To be determined
[2.3 Support initiatives led by indigenous peoples and local communities [that address the interlinkages between biodiversity and climate change][in biodiversity actions, including those aimed at minimizing the impact of climate change on biodiversity], based on their traditional knowledge, innovation and practices of customary sustainable use of biodiversity.]  [2.3 <i>Alt.</i> Support initiatives led by indigenous peoples and local communities in biodiversity actions based on their traditional knowledge, innovation and practices of customary sustainable use of biodiversity, including those that foster a positive impact of climate action on biodiversity.]	Parties	To be determined
2.4 Support the livelihoods of indigenous peoples and local communities through activities that promote the customary sustainable use of biodiversity.	Parties	To be determined

<sup>9</sup> Decision XII/12 B, annex.

<p><b>Element 3. Sharing of benefits from the utilization of genetic resources and digital sequence information on genetic resources, as well as traditional knowledge associated with genetic resources</b></p>		
<p><i>To promote the fair and equitable sharing of benefits arising from the utilization of genetic resources, traditional knowledge associated with genetic resources and digital sequence information on genetic resources, thereby contributing, inter alia, to the implementation of relevant goals and targets of the Kunming-Montreal Global Biodiversity Framework.</i></p>		
<p>3.1 Develop a plan of action to support the implementation of the Convention and the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity in relation to genetic resources and traditional knowledge associated with the genetic resources held by indigenous peoples and local communities. Such a plan of action should include capacity-building activities and technical and legal assistance, taking into account the Mo'otz Kuxtal Voluntary Guidelines.<sup>10</sup></p>	<p>[SB8j]</p>	<p>To be determined</p>
<p>[3.2 Undertake studies[ based on submissions from Parties, indigenous peoples and local communities] on best practices on [concrete] access and benefit-sharing [cases] and experiences of indigenous peoples and local communities, including the [effectiveness and] governance role of databanks and databases that contain data on the utilization and protection of genetic resources, traditional knowledge associated with genetic resources[, digital sequence information on genetic resources] and their associated information on geographical origin and other relevant [provenance] metadata, including the disclosure of the origin of products and information on the process arising from such utilization. The results of the studies should be shared with indigenous peoples and local communities.]</p>	<p>[Secretariat]</p>	<p>To be determined</p>
<p>3.3 Promote programmes that encourage collaboration and partnerships between indigenous peoples and local communities and the users of traditional knowledge associated with genetic resources [and digital sequence information on genetic resources], and collaborate to prevent the unlawful appropriation of traditional knowledge.</p>	<p>All actors</p>	<p>To be determined</p>

<sup>10</sup> Voluntary guidelines for the development of mechanisms, legislation or other appropriate initiatives to ensure the “prior and informed consent”, “free, prior and informed consent” or “approval and involvement”, depending on national circumstances, of indigenous peoples and local communities for accessing their knowledge, innovations and practices, for fair and equitable sharing of benefits arising from the use of their knowledge, innovations and practices relevant for the conservation and sustainable use of biological diversity, and for reporting and preventing unlawful appropriation of traditional knowledge (decision XIII/18, annex).

3.4 Support capacity development for indigenous peoples and local communities, as well as dialogues with external stakeholders, regarding genetic resources and associated traditional knowledge, taking into account the cultural and organizational contexts and adjusting to sui generis governance systems of indigenous peoples and local communities.	All actors	To be determined
3.5 Support capacity development for indigenous peoples and local communities, and create platforms for information exchange between indigenous peoples and local communities and Parties, as well as for dialogue with other actors, including users of genetic resources and traditional knowledge.	All actors	To be determined
3.6 Support initiatives by indigenous peoples and local communities to develop biocultural community protocols or other measures to ensure their free, prior and informed consent and the effective and equitable sharing of benefits arising from the use of traditional knowledge associated with genetic resources [and digital sequence information on genetic resources].	All actors	To be determined
3.7 Generate data and statistics on the participation of indigenous peoples and local communities, including women, in decision-making on access to genetic resources and the sharing of benefits arising from their utilization and improve their participation from those baselines, where required.	Parties	To be determined
<b>Element 4. Knowledge and culture</b>		
<i>To support the transmission and protection of traditional knowledge, including to future generations, and ensure that traditional knowledge and other knowledge systems are valued equally, thereby contributing to the implementation of Article 8(j) of the Convention and relevant goals and targets of the Kunming-Montreal Global Biodiversity Framework.</i>		
4.1 Support efforts by indigenous peoples and local communities to strengthen the intergenerational transmission, use and revitalization, and enhancement of indigenous and local languages and traditional knowledge, including in formal and informal education settings and in cultural and education centres in particular with respect to the roles and needs of women, girls and youth.	All actors	To be determined
4.2 Promote the implementation, strengthening and dissemination of the Joint Programme of	All actors	To be determined

Work on the Links between Biological and Cultural Diversity. <sup>11</sup>		
4.3 Promote the inclusion of traditional knowledge, innovation and practices in all bodies of the Convention, in particular the Subsidiary Body on Scientific, Technical and Technological Advice, taking into account the work of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services.	[SB8j]	To be determined
4.4 Undertake capacity-building and development and awareness-raising activities, on the basis of the Long-term Strategic Framework for Capacity-building and Development and the knowledge management component <sup>12,13</sup> of the Framework to promote the role of traditional knowledge in guiding the management of biodiversity.	All actors	To be determined
[4.5 Strengthen and support a global network of national focal points on Article 8(j) and related provisions to support the implementation of the Convention at the national and international levels.]	[Secretariat]	To be determined
4.6 Organize the exchange of knowledge and learning platforms to promote the implementation of the tasks in the programme of work.	[Secretariat,] Parties, civil society organizations, in collaboration with indigenous peoples and local communities and relevant actors	To be determined
4.7 Promote the co-production of new knowledge by indigenous peoples and local communities, scientists and other stakeholders necessary for the resilience, adaptation and continuation of customary sustainable use and biodiversity conservation practices under rapid environmental change, [such as climate change, land- and sea-use change, invasive alien species and pollution,] by indigenous peoples and local communities, in particular with respect to the roles and needs of women, girls and youth.	All actors	To be determined
4.8 Develop communication, education and public awareness materials with indigenous	All actors	To be determined

<sup>11</sup> UNEP/CBD/COP/10/INF/3, annex I. In accordance with decision 15/22, the Joint Programme of Work is led by the Secretariat, the United Nations Educational, Scientific and Cultural Organization, the International Union for Conservation of Nature and other partners.

<sup>12</sup> Pending the outcomes of the sixteenth meeting of the Conference of the Parties.

<sup>13</sup> Decision 15/8, annex I.

peoples and local communities relevant to all elements and tasks of the present programme of work, including in indigenous and local languages.		
<b>Element 5. Strengthening implementation and monitoring progress</b>		
<i>To contribute to the implementation of the Kunming-Montreal Global Biodiversity Framework through the full and effective implementation of decisions, principles and guidelines of relevance for indigenous peoples and local communities, and to strengthen the integration of Article 8(j) and other provisions of the Convention in the work undertaken under the Convention and its Protocols.</i>		
<p>5.1 Promote the wider application, implementation and monitoring at the national level of adopted plans of action, guidelines and principles. Examples of such plans of action, guidelines and principles include:</p> <ul style="list-style-type: none"> <li>(a) The Voluntary Glossary of Key Terms and Concepts Within the Context of Article 8(j) and Related Provisions;</li> <li>(b) The Akwé: Kon Voluntary Guidelines for the Conduct of Cultural, Environmental and Social Impact Assessments Regarding Developments Proposed to Take Place on, or Which Are Likely to Impact on, Sacred Sites and Lands and Waters Traditionally Occupied or Used by Indigenous and Local Communities;</li> <li>(c) The Tkarihwaí:ri Code of Ethical Conduct to Ensure Respect for the Cultural and Intellectual Heritage of Indigenous and Local Communities;</li> <li>(d) The Plan of Action on Customary Sustainable Use of Biological Diversity;</li> <li>(e) The Mo'otz Kuxtal Voluntary Guidelines;</li> <li>(f) The Rutzolijirisaxik Voluntary Guidelines for the Repatriation of Traditional Knowledge Relevant for the Conservation and Sustainable Use of Biological Diversity;</li> <li>(g) Voluntary guidelines on safeguards in biodiversity financing mechanisms;</li> <li>(h) Gender Plan of Action;</li> <li>(i) Guiding principles on assessing the contribution of collective action by indigenous peoples and local communities.</li> </ul> <p><i>Note: Parties have identified two options: (a) to leave the text as reflected above; and (b) to move subparagraphs (a) to (i) to a footnote.</i></p>	[Parties, national focal points on Article 8(j) and related provisions]	To be determined
5.2 Develop guidelines for the establishment of [stimulating innovative][incentive] schemes for indigenous peoples and local communities to preserve and maintain their traditional knowledge, innovations and practices for the application thereof	[SB8j][Parties and other actors]	To be determined

in programmes for the conservation and sustainable use of biological diversity.		
5.3 Further operationalize, with a view to promoting the continuous monitoring of the implementation of the programme of work on Article 8(j) and other provisions, the [four] traditional knowledge indicators, in line with the Joint Programme of Work on the Links between Biological and Cultural Diversity.	[SB8j] Parties	To be determined
[5.4 Review and update, as needed, the Voluntary Glossary of Key Terms and Concepts Within the Context of Article 8(j) and Related Provisions <sup>14</sup> to ensure continued alignment with [international standards and practices and] terminology used under the Convention, taking into account the language of the United Nations Declaration on the Rights of Indigenous Peoples.] <sup>15</sup>	[SB8j]	To be determined
<b>Element 6. Full and effective participation of indigenous peoples and local communities</b>		
<i>To enable the full and effective participation of indigenous peoples and local communities, including women, girls and youth from indigenous peoples and local communities, in decision-making related to biodiversity and the implementation of the Kunming-Montreal Global Biodiversity Framework.</i>		
6.1 Implement and further develop the enhanced participation mechanisms used by the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention	[SB8j]	To be determined
6.2 Ensure the full and effective participation of indigenous peoples and local communities in the development, revision and implementation of national biodiversity strategies and action plans and national reports, and strengthen partnerships and collaboration with indigenous peoples and local communities, recognizing their collective actions and contributions for the implementation of the Convention.	Parties	To be determined
[ 6.3 Carry out a legal and political analysis of issues related to the implementation of the recommendations from the three United Nations mechanisms on the rights of indigenous peoples, namely, the Permanent Forum on Indigenous	[ [Secretariat]][SB8j] ]	To be determined

<sup>14</sup> Decision 14/13, annex.

<sup>15</sup> For the record and greater clarity, Indonesia and the Russian Federation strongly considered that paragraph 5.4 was without mandate, should not be considered and, as such, should not only be bracketed but should have been deleted.

<p>Issues, the Special Rapporteur on the Rights of Indigenous Peoples and the Expert Mechanism on the Rights of Indigenous Peoples, related to the differentiated treatment between indigenous peoples and local communities.]</p> <p>[6.3 <i>Alt.1</i> Organize international dialogues with indigenous peoples and local communities on their similarities and distinctions to consider and reflect on the recommendations from the three United Nations mechanisms on the rights of indigenous peoples.]</p> <p>[6.3 <i>Alt.2</i> Facilitate a legal and technical analysis of the distinct rights of indigenous peoples, and the rights of local communities, in consultation with the Office of the United Nations High Commissioner for Human Rights and the United Nations mandate holders working on the rights of indigenous peoples, and report at the seventeenth meeting of the Conference of the Parties.] ]¹⁶</p>		
<p><b>Element 7. Human rights-based approach</b></p>		
<p><i>To contribute to the enhancement of the rights of indigenous peoples and local communities for the conservation and sustainable use of biodiversity, in line with a human rights-based approach, in accordance with the Kunming-Montreal Global Biodiversity Framework.</i></p>		
<p>7.1 In collaboration with the relevant United Nations bodies[, including the Inter-Agency Support Group on Indigenous Peoples' Issues and its members, and the Office of the United Nations High Commissioner for Human Rights, the Permanent Forum on Indigenous Issues, the Special Rapporteur on the Rights of Indigenous Peoples and the Expert Mechanism on the Rights of Indigenous Peoples, and other relevant organizations], as well as indigenous peoples and local communities, develop guidelines to contribute to the enhancement of the rights of indigenous peoples and local communities for the conservation and sustainable use of biodiversity, in line with a human rights-based approach, consistent with relevant international obligations and instruments.</p>	[SB8j]	To be determined
<p>7.1 <i>bis</i> Support and promote, as appropriate, traditional land tenure¹⁷ and securing land tenure for indigenous peoples and local communities for the conservation and sustainable use of biodiversity, in accordance with national legislation.</p>	Parties	To be determined

<sup>16</sup> For the record and greater clarity, Indonesia and the Russian Federation strongly considered that paragraph 6.3 was without mandate, should not be considered and, as such, should not only be bracketed but should have been deleted.

<sup>17</sup> References to “traditional tenure” include lands and waters.

<p>[7.1 <i>ter</i> Support grievance and redress mechanisms to contribute to the application of a human rights-based approach in the implementation of the Framework.]</p>		<p>To be determined</p>
<p>[7.2 [Compile submissions from Parties, indigenous peoples and local communities and other relevant stakeholders on good practices related to][Develop guidelines on] the [implementation of Target 22, including on the] full protection of environmental human rights defenders with particular focus on protecting women from all forms of violence [relevant for [the purpose of the Convention and the Framework] [the conservation and sustainable use of biodiversity] and access to justice and [relevant supportive] information[ related to biodiversity conservation by indigenous peoples and local communities]. ]</p> <p>[7.2 <i>Alt.</i> Compile submissions from Parties, indigenous peoples and local communities and relevant stakeholders on good practices in the full protection of environmental human rights defenders and access to justice, as well as supportive information, and develop guidelines, in the context of the Convention, the Framework and the Gender Plan of Action.]</p>	<p>[SB8j]</p>	<p>To be determined</p>
<p><b>Element 8. [Direct access to] funding for indigenous peoples and local communities for the conservation, restoration and sustainable use of biodiversity</b></p>		
<p><i>To promote the implementation of the relevant targets of the Kunming-Montreal Global Biodiversity Framework, in particular by [supporting direct access to funding by][leveraging new and additional funding for] indigenous peoples and local communities.</i></p>		
<p>8.1 Support efforts for the mobilization of financial resources for indigenous peoples and local communities, in line with and within the scope of the Strategy for Resource Mobilization.</p>	<p>All actors</p>	<p>To be determined</p>
<p>8.2 Further explore options for the development or improvement of existing policies, mechanisms and other appropriate initiatives and measures to enhance [direct] access to funding [through existing national policies, programmes or systems] for collective actions on biodiversity conservation and sustainable use by indigenous peoples and local communities.</p>	<p>[SB8j]</p>	<p>To be determined</p>
<p>[8.2 <i>bis</i> Monitor and report on the level of resources that are directed or given access to for biodiversity conservation and sustainable use by indigenous peoples and local communities, in</p>	<p>Parties, Global Environment Facility and other relevant organizations</p>	<p>To be determined</p>



particular women and youth, and their terms and modalities]		
[8.3 Identify [and promote, including through studies,] good practices [and gaps] regarding [[direct] funding][innovative financial mechanisms]] [[innovative financial mechanisms][to enhance finance]] for collective actions on biodiversity conservation and sustainable use by indigenous peoples and local communities, including actions to be led by women and youth.]	[Secretariat]	To be determined

*Abbreviation:* SB8j, Subsidiary Body on Article 8(j) and Other Provisions of the Convention.

## **B. Institutional arrangements for the full and effective participation of indigenous peoples and local communities in the work undertaken under the Convention on Biological Diversity**

### *The Conference of the Parties*

[1. *Decides* to establish a [subsidiary body] on Article 8(j) and other provisions of the Convention on Biological Diversity, the modus operandi of which is contained in the annex to the present decision, with a mandate to provide advice to the Conference of the Parties, other subsidiary bodies and, subject to their request, the Conference of the Parties serving as the meetings of the Parties to the Cartagena Protocol on Biosafety<sup>18</sup> and the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity,<sup>19</sup> on all matters of relevance to indigenous peoples and local communities that are within the scope of the Convention and its Protocols;]

2. [Also] *decides* to further [ensure coherence between] [and] [integrate] the work on indigenous peoples and local communities [and][into] the work of the Subsidiary Body on Scientific, Technical and Technological Advice and the Subsidiary Body on Implementation by, inter alia, [designating a standing agenda item of the two subsidiary bodies and] ensuring that agenda items on matters of relevance to indigenous peoples and local communities are considered by the appropriate subsidiary body, [applying also][seeking to apply] [for the agenda items relevant to indigenous peoples and local communities] the mechanisms for the enhanced participation of indigenous peoples and local communities in a manner consistent with the practices established under the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention<sup>20</sup>][and ensuring balance between issues related to indigenous peoples and local communities;]

[3. [Further][Also] *decides* to address the need for sufficient time to be allocated to agenda items on matters of relevance to indigenous peoples and local communities by allocating additional meeting time at each meeting of the Subsidiary Body on Scientific, Technical and Technological Advice and the Subsidiary Body on Implementation;]

[4. *Encourages* Parties, other Governments and relevant organizations to provide additional support to representatives of indigenous peoples and local communities to participate effectively in the meetings of the Subsidiary Body on Scientific, Technical and Technological Advice and the Subsidiary Body on Implementation.]

### **[Annex**

## **Proposed modus operandi of the [permanent Subsidiary Body] on Article 8(j) and Other Provisions of the Convention on Biological Diversity**

### **I. Functions**

1. The [Subsidiary Body] on Article 8(j) and Other Provisions of the Convention on Biological Diversity will perform its functions under the guidance of the Conference of the Parties to the Convention and the Conference of the Parties serving as the meetings of the Parties to the Cartagena Protocol on Biodiversity and the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity for items referred to it by them[, in a manner consistent with the mandates of Subsidiary Body on Scientific, Technical and Technological Advice and the Subsidiary Body on Implementation][, in collaboration with the Subsidiary Body on Scientific, Technical and Technological Advice and the

<sup>18</sup> United Nations, *Treaty Series*, vol. 2226, No. 30619.

<sup>19</sup> United Nations, *Treaty Series*, vol. 3008, No. 30619.

<sup>20</sup> See decision 14/17, para. 9 (c).

Subsidiary Body on Implementation]. [The [Subsidiary Body] on Article 8(j) and Other Provisions shall carry out its functions taking into account the roles and functions of the Subsidiary Body on Scientific, Technical and Technological Advice and the Subsidiary Body on Implementation, with a view to ensuring complementarity with their work and avoiding overlaps.] The functions of the [Subsidiary Body] on Article 8(j) and Other Provisions are:

(a) To [promote and support the implementation of the work undertaken under the Convention pertaining to Article 8(j) and related provisions][promote the implementation and review][review and promote the implementation] of the programme of work on Article 8(j) and other provisions, including Article 10(c) of the Convention related to indigenous peoples and local communities, as contained in the annex to decision 16/--;

(b) To provide advice to the Conference of the Parties and, as appropriate, the Conference of the Parties serving as the meetings of the Parties to the Cartagena and Nagoya Protocols and other subsidiary bodies, on measures that enhance the implementation of Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities. This includes providing advice on the development and implementation of legal and other appropriate forms of measures to respect, preserve and maintain the knowledge, innovations and practices of indigenous peoples and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity.

## II. Operating principles

2. In carrying out its functions, the [Subsidiary Body] on Article 8(j) and Other Provisions of the Convention shall align the elements of its programme of work with the relevant parts of the Kunming-Montreal Global Biodiversity Framework, in particular its 2030 targets, and prioritize the tasks that need early action.

3. In promoting the implementation of the programme of work contained in the annex to decision 16/--, the [Subsidiary Body] on Article 8(j) and Other Provisions of the Convention shall cooperate with and benefit from the assistance of United Nations agencies and other processes that have complimentary functions and work on matters related to indigenous peoples and local communities.

## III. Procedural matters

4. In line with paragraph 5 of rule 26 of the rules of procedure for meetings of the Conference of the Parties, the rules of procedure for meetings of the Conference of the Parties apply, *mutatis mutandis*, to the meetings of the [Subsidiary Body] on Article 8(j) and Other Provisions, with the exception of rule 18.

5. When the [Subsidiary Body] on Article 8(j) and Other Provisions serves a Protocol of the Convention, decisions under the Protocol shall be taken only by the Parties to the Protocol.

6. The [Subsidiary Body] on Article 8(j) and Other Provisions should undertake any tasks that fall within the scope of its programme of work and those that are referred to it by the Conference of the Parties or the Conference of the Parties serving as the meeting of the Parties to the respective Protocol and should report on its work to those bodies.

## IV. Bureau and co-chairs

7. The Bureau of the Conference of the Parties will serve as the Bureau of the [Subsidiary Body] on Article 8(j).

8. The [Subsidiary Body] will have two co-chairs [elected by the Conference of the Parties], one nominated by Parties of the regional group that exercises its turn, in a rotation among United Nations

regional groups,<sup>21</sup> and the other nominated by representatives of indigenous peoples and local communities. At least one of the co-chairs will be selected from a developing country, taking into account gender balance. [The co-chairs shall take office from the end of the meeting of the Conference of the Parties at which they have been elected and remain in office until their successors take office at the end of the following ordinary meeting of the Conference of the Parties.] [The number and length of the meetings and activities of the Subsidiary Body and its organs should be reflected in the budget adopted by the Conference of the Parties or other sources of extrabudgetary funding.]

9. Candidates for the co-chairing of the [Subsidiary Body] should have experience in the processes of the Convention and competence in matters related to indigenous peoples and local communities in the context of the Convention. The regional groups, when identifying a candidate, should take into account the availability of time that the candidates have for the work of the [Subsidiary Body] on Article 8(j) and Other Provisions. In the event that the co-chair nominated by Parties and elected by the Conference of the Parties is from a country that is not a Party to one or both Protocols, a substitute would be assigned from among members of the Bureau representing a Party to the Protocol to chair items related to one or the other Protocol. The co-chairs of the [Subsidiary Body] will be ex officio members of the Bureau of the Conference of the Parties. The President of the Conference of the Parties will invite the co-chairs of the [Subsidiary Body] to the sessions of the Bureau on matters related to the [Subsidiary Body].

10. Further to the established and effective practice of the Ad Hoc Working Group on Article 8(j) and Related Provisions of the Convention, the Bureau of the Conference of the Parties serving as the Bureau of the [Subsidiary Body] will continue to invite representatives of indigenous peoples and local communities to designate at the beginning of each meeting of the [Subsidiary Body] one representative each from the seven sociocultural regions identified by the Permanent Forum on Indigenous Issues to participate in the work of the [Subsidiary Body], as friends of the Bureau.

## V. Budgetary matters

11. The [Subsidiary Body] should meet in each intersessional period, back-to-back with meetings of the other subsidiary bodies of the Convention, unless otherwise decided by the Conference of the Parties [, with due consideration to the importance of ensuring the full and effective participation of the developing country Parties [and indigenous peoples and local communities]].

12. The [Subsidiary Body] on Article 8(j) and Other Provisions may, within the budgetary resources approved by the Conference of the Parties or the Conference of the Parties serving as the meetings of the Parties to the Cartagena or Nagoya Protocols in respect to a specific decision by those bodies within the mandate of the [Subsidiary Body], make requests to the Executive Secretary and use mechanisms under the Convention or its Protocols, as appropriate.

13. The Executive Secretary should provide to the [Subsidiary Body] the support necessary to carry out its functions and mandate. The [Subsidiary Body], may, as appropriate, and subject to the availability of resources, use mechanisms that are established under the Convention. The meetings of the [Subsidiary Body] on Article 8(j) and Other Provisions will be conducted in plenary sessions or, where the necessary budgetary resources have been approved by the Conference of the Parties[, in open-ended sessional working groups, as appropriate. Up to two open-ended sessional working groups of the [Subsidiary Body] on Article 8(j) and Other Provisions could be established and operate simultaneously during meetings of the [Subsidiary Body]. The working groups would not meet in parallel to the plenary sessions. The working groups shall be established on the basis of well-defined terms of reference and will be open to all Parties and observers].

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<sup>21</sup> Following the practice of rotation in the chairing of the Subsidiary Body on Scientific, Technical and Technological Advice and the Subsidiary Body on Implementation, and with a view to avoiding that, at any one time, a regional group provides the chairs of more than one subsidiary body, the order of the regions from which the Chair of the Subsidiary Body on Article 8(j) and Other Provisions of the Convention is elected shall be as follows: African States, Western European and other States, Asia-Pacific States, Latin America and Caribbean States and Eastern European States.

14. Upon a decision of the Conference of the Parties considering it necessary to carry out its mandate, and subject to the availability of resources, ad hoc technical expert groups may be established in accordance with section H, paragraph 8, of the consolidated modus operandi of the Subsidiary Body on Scientific, Technical and Technological Advice, as contained in annex III to decision VIII/10 of 31 March 2006.

## **VI. Focal points**

15. Parties should designate national focal points to follow up on the work of the [Subsidiary Body]. The existing national focal points for Article 8(j) and related provision may continue to be the focal points for the [Subsidiary Body] on Article 8(j) and Other Provisions.

## **VII. Documentation**

16. The Secretariat shall make the documentation for meetings of the [Subsidiary Body] on Article 8(j) and Other Provisions available at least six weeks before the opening of the meeting, in accordance with rule 10 of the rules of procedure for meetings of the Conference of the Parties.

17. The number and length of documents, including information documents, should be kept to a minimum, and documentation should include proposed conclusions and recommendations for consideration by the [Subsidiary Body] on Article 8(j) and Other Provisions.

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## **12/3. Updated draft knowledge management component of the Kunming-Montreal Global Biodiversity Framework**

*The Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity*

1. *Takes note* of progress made in the development of the draft knowledge management strategy to support the implementation of the Kunming-Montreal Global Biodiversity Framework and of the comments made by Parties on the draft strategy at its twelfth meeting, which have been reflected in the draft strategy contained in the annex to the present recommendation;
2. *Requests* the Executive Secretary, when updating the draft strategy for its further peer review by Parties and subsequent submission to the Subsidiary Body on Implementation at its fourth meeting, to add a biennial workplan to accompany the actions of the draft strategy, with timelines for implementation up to 2030;
3. *Recommends* that the Subsidiary Body on Implementation, at its fourth meeting, and the Conference of the Parties to the Convention, at its sixteenth meeting, in their review and finalization of the draft strategy, give particular attention to issues related to the traditional knowledge, innovations and practices of indigenous peoples and local communities on the basis of the comments made by Parties at the twelfth meeting of the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention, as reflected in the annex.

### **Annex**

#### **Draft knowledge management strategy to support the implementation of the Kunming-Montreal Global Biodiversity Framework\***

##### **I. Background and context**

1. Knowledge management is one of the key strategic means of implementation that will underpin the achievement of the goals and targets of the Kunming-Montreal Global Biodiversity Framework, as recognized in Target 21<sup>1</sup> and section K of the Framework.
2. The knowledge management strategy supports the effective implementation of the Framework and complements its monitoring framework, the long-term strategic framework for capacity-building and development, the technical and scientific cooperation mechanism and the clearing-house mechanisms of the Convention.

##### **II. Components**

3. Knowledge management encompasses a range of processes, strategies and practices through which biodiversity-related data, information and knowledge are generated and collected; organized, curated, stored and shared; and used or applied to achieve biodiversity conservation-related objectives and outcomes.
4. The strategy recognizes the four interdependent components of knowledge management, namely: (a) people, including various actors, such as knowledge holders, indigenous peoples and local

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\* Further to decision 15/16 of the Conference of the Parties to the Convention on Biological Diversity, the draft will be subject to peer review by Parties before its submission for consideration by the Subsidiary Body on Implementation at its fourth meeting.

<sup>1</sup> Ensure that the best available data, information and knowledge are accessible to decision makers, practitioners and the public to guide effective and equitable governance and the integrated and participatory management of biodiversity, and to strengthen communication, awareness-raising, education, monitoring, research and knowledge management and, also in this context, traditional knowledge, innovations, practices and technologies of indigenous peoples and local communities should only be accessed with their free, prior and informed consent, in accordance with national legislation.

communities, managers, curators and users; (b) processes, that is, the relevant procedures, standards and policies; (c) technology, including the technological tools, systems and platforms; and (d) content, that is, biodiversity-related data, information and knowledge, including how it is managed, for example through cataloguing, tagging and indexing, digitization and organization.

### III. Principles

5. The strategy recognizes that, to contribute to the achievement of the goals and targets of the Framework, it is important for data, information and knowledge, as well as the traditional knowledge, innovations and practices of indigenous peoples and local communities that are made available with their free, prior and informed consent,<sup>2</sup> to be available and accessible in a timely manner to decision makers, practitioners and the public and to be considered by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services in the development of various assessments of biodiversity and ecosystem services. It is also important for knowledge to be fit for purpose in terms of content and format of transmission.

6. Furthermore, it is important for Parties, other Governments and stakeholders to foster a culture of knowledge-sharing, continuous learning from experience, and knowledge retention and re-use to improve implementation processes and practices.

7. The strategy also recognizes that effective knowledge management requires acknowledging and optimizing the contributions of various governmental and non-governmental institutions, regional and international organizations, researchers, practitioners, indigenous peoples and local communities and relevant stakeholders to promote diverse and inclusive knowledge societies.

8. The strategy promotes the principles of findability, accessibility, interoperability and reusability, with a view to promoting the open sharing of data, information and knowledge.

9. In addition, in order to ensure that access to the traditional knowledge, innovations, practices and technologies of indigenous peoples and local communities is given with their free, prior and informed consent, the strategy also promotes the principles of collective benefit, authority to control by indigenous peoples and local communities, responsibility, reciprocity and ethics.

### IV. Purpose

10. The strategy is aimed at addressing some of the challenges and needs identified by Parties in order to facilitate the effective implementation of the Framework and related decisions of the Conference of the Parties, including by achieving the following:

(a) Addressing disparities in data and information availability and accessibility across countries, and the barriers to the effective use of existing biodiversity-related data, information and knowledge, taking into account the specific challenges faced by developing countries and countries with economies in transition;

(b) Strengthening national and, as appropriate, subnational capacities, systems and mechanisms for biodiversity-related data, information and knowledge management to support evidence-based decision-making and action, and for the monitoring and reporting of progress towards the achievement of national targets as contributions to the goals and targets of the Framework;

(c) Increasing the level of standardization for greater harmonization and interoperability among national and regional biodiversity information systems, tools and platforms, so that data can flow seamlessly to support planning, implementation, monitoring and reporting;

(d) Developing appropriate national policies and strategies to support the generation of data and information and knowledge management;

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<sup>2</sup>All references to “free, prior and informed consent” refer to the tripartite terminology of “prior and informed consent”, “free, prior and informed consent” or “approval and involvement”.

(e) Enhancing coordination and collaboration among various biodiversity knowledge initiatives, tools and platforms to avoid their duplication and foster efficiency and sustainability;

(f) Leveraging existing biodiversity knowledge management initiatives and networks by bridging the gaps that prevent their full and effective usage, and enhancing coordination and collaboration among them, including by enhancing synergies among biodiversity-related conventions to facilitate more coordinated national reporting, in line with their respective mandates, legal authority and responsibilities;

(g) Strengthening the capacities of developing countries and countries with economies in transition for the generation of biodiversity-related data, information and knowledge.

11. Ultimately, the strategy is aimed at enhancing the accessibility and use of relevant data, information and knowledge, including traditional knowledge given access to with the free, prior and informed consent of indigenous peoples and local communities, for informed policy development, planning, decision-making and action to support the implementation and monitoring of the Framework at all levels. It is also aimed at strengthening communication, awareness-raising, education, capacity development, knowledge-sharing and organizational learning.

## **V. Outcomes**

12. The implementation of the strategy is expected to result in: the increased capacity of Governments, indigenous peoples and local communities and relevant stakeholders to capture, manage and use biodiversity-related data, information and knowledge; an expanded knowledge base; and the increased availability, accessibility and uptake of relevant data, information and knowledge at all levels, with a view to facilitating evidence-based programming and policy design, informed decision-making and the effective implementation and monitoring of the Framework.

13. The strategic objectives, component actions and main actors to achieve those outcomes are listed in the table below.

## **VI. Implementation**

14. The strategy will be implemented, as appropriate, by Governments, indigenous peoples and local communities and relevant stakeholders, including subnational governments, cities, other local authorities and the private sector, with support from the Secretariat, in line with the priorities outlined in the national biodiversity strategies and action plans, the Framework and relevant decisions of the Conference of the Parties by making full use of existing resources and cooperation with relevant organizations and processes, noting that any new and additional activities will be conducted subject to the availability of resources. The strategy will consider the capacity, technical, technological and financial gaps that undermine the capabilities of countries, in particular developing countries and countries with economies in transition, to produce and gain access to biodiversity-related data, information and knowledge. The strategy will also consider the need to engage indigenous peoples, local communities, women, youth and groups in vulnerable situations in research programmes for the conservation and sustainable use of biodiversity.

## **VII. Monitoring**

15. The implementation of the strategy will be monitored using the information provided by Parties in their national reports and the indicators included in the monitoring framework for the Kunming-Montreal Global Biodiversity Framework. Governmental and non-governmental actors may adapt and use the indicators to monitor, assess and report on the outcomes and impact of their knowledge management efforts at the national, regional and global levels. The information generated from the monitoring process will be used to inform the review and update of the strategy, as appropriate, in 2030.



**Strategic objectives, actions and actors**

<i>Strategic objectives</i>	<i>Component actions</i>	<i>Main actors</i>
A. Scoping and framing of the situation and the needs	(a) Map existing knowledge, knowledge holders, curators and sources <sup>a</sup> relevant to the Kunming Montreal Global Biodiversity Framework and national biodiversity strategies and action plans	Parties, indigenous peoples and local communities, Secretariat
	(b) Identify knowledge needs and priorities	Parties, indigenous peoples and local communities, organizations
	(c) Identify options for addressing knowledge gaps	Parties, organizations
	(d) Develop knowledge management strategies and plans	Parties
	(e) Map existing knowledge management systems and platforms at the global, regional, national and subnational levels	Parties, subnational governments, indigenous peoples and local communities, Secretariat, as relevant
B. Promoting knowledge generation and synthesis	(a) Establish processes for knowledge co-creation	Parties, indigenous peoples and local communities, organizations
	(b) Enhance collaboration among organizations, initiatives and processes to promote knowledge generation	Parties, indigenous peoples and local communities, organizations
	(c) Enhance outreach to relevant research and academic communities and other institutions and communities to encourage them to undertake relevant research and share relevant research data, information and knowledge	Parties
	(d) Develop national capacity for knowledge generation and promote the collection of data, information and knowledge by private citizens at the subnational and local levels	Parties
	(e) Promote the use of digital technology, including remote sensing, to collect data and information	Parties, organizations
	(f) Identify and collect, where authorized, the traditional knowledge of indigenous peoples and local communities, with particular attention to the knowledge of indigenous women, with their free, prior and informed consent, and with clear acknowledgement of the source	Parties, indigenous peoples and local communities

<i>Strategic objectives</i>	<i>Component actions</i>	<i>Main actors</i>
	(g) Establish and convene communities of practice on knowledge management, including knowledge generation, storage, dissemination and application	Parties
C. Facilitating knowledge discovery and collection	(a) Develop, enhance and use web-based tools to discover and collect data, information and knowledge from various sources	Secretariat, organizations
	(b) Promote the use of tools and technology for knowledge discovery, such as data mining and machine learning	Parties, organizations
	(c) Engage relevant stakeholders, including knowledge creators, brokers and private citizens, in the creation and collation of knowledge	Parties, organizations
D. Enhancing knowledge organization and sharing	(a) Review metadata and enhance the tagging and mapping of knowledge objects from various sources to increase findability	Parties, organizations
	(b) Develop and promote data, information and knowledge-sharing standards and protocols to ensure good quality data, compatibility and interoperability across biodiversity information systems, tools and platforms <sup>b</sup>	Parties, organizations
	(c) Improve data harmonization and interoperability among biodiversity-related data, information and knowledge systems	Secretariat, Parties, organizations
	(d) Strengthen the capacity of Governments to manage and share data, information and knowledge efficiently across conventions <sup>c</sup>	Parties
	(e) Promote a culture of sharing data, information and knowledge and their application	Parties
	(f) Develop, showcase and disseminate tailored knowledge products, including at workshops, webinars and knowledge fairs	Secretariat, Parties, indigenous peoples and local communities, organizations
	(g) Ensure compliance of data users and databases with relevant access and benefit-sharing legislation related to access to traditional knowledge to prevent the misuse and misappropriation of traditional knowledge	Parties, indigenous peoples and local communities, organizations
	(h) Develop a single national repository or portal for biodiversity-related data, information and knowledge to promote access and use as part of or linked to the national clearing-house mechanism	Parties
E. Promoting the uptake and effective use and	(a) Develop and implement strategies to increase the uptake, use and application of existing biodiversity-related data, information and knowledge to inform	Parties

<i>Strategic objectives</i>	<i>Component actions</i>	<i>Main actors</i>
application of knowledge	biodiversity programming and policy and decision-making	
	(b) Promote and facilitate the sharing, replication, scale-up, adaptation and systematization of data, information and knowledge, including documented good practices and lessons learned, to improve processes and practices	Parties, organizations
	(c) Create and utilize mechanisms to facilitate interactions and dialogue between policymakers and decision makers and the research community, practitioners, indigenous peoples and local communities	Parties, indigenous peoples and local communities
	(d) Establish linkages between scientific networks and communication experts to enable the translation of scientific research outcomes into knowledge products	Parties
F. Conducting knowledge audits and reviews	(a) Undertake periodic surveys to assess, inter alia, the types of information and knowledge most frequently sought, the ease of access to the information needed, existing knowledge gaps, the level of knowledge-sharing and preferred channels	Parties
	(b) Analyse major knowledge gaps and identify options to address them	Parties, indigenous peoples and local communities
	(c) Conduct a comprehensive review of the knowledge management strategy	Parties
G. Developing capacity in data, information and knowledge management	(a) Undertake gap and need analyses of national knowledge management capacities in the implementation of national biodiversity strategies and action plans	Parties
	(b) Develop or strengthen the policies and programmes for biodiversity knowledge management, including for traditional knowledge	Parties, indigenous peoples and local communities
	(c) Strengthen the institutional capacity of relevant national agencies in biodiversity informatics and knowledge management, including to support efforts by indigenous peoples and local communities to strengthen their secure indigenous knowledge systems of knowledge management	Parties, indigenous peoples and local communities, organizations
	(d) Strengthen national knowledge management systems and mechanisms for biodiversity conservation and sustainable use	Parties
	(e) Provide guidance on national database development and the sharing of experience in data access and use	Parties

<i>Strategic objectives</i>	<i>Component actions</i>	<i>Main actors</i>
	(f) Strengthen the capacities of decision makers, practitioners, the public, relevant stakeholders and knowledge holders to gain access to and use biodiversity-related data, information and knowledge, including traditional knowledge provided with the free, prior and informed consent of indigenous peoples and local communities	Parties, indigenous peoples and local communities, organizations, Secretariat
H. Strengthening knowledge networks and partnerships	(a) Strengthen networks on biodiversity-related data, information and knowledge management	Parties, indigenous peoples and local communities, organizations
	(b) Link centres of expertise, communities of practice, indigenous peoples and local communities and other knowledge sources	Parties, indigenous peoples and local communities, organizations
	(c) Enhance collaboration among scientific institutions, public institutions and indigenous peoples and local communities in their work on traditional knowledge related to sustainable practices	Parties, indigenous peoples and local communities, organizations
	(d) Enhance coordination and collaboration among various biodiversity knowledge initiatives, tools and platforms	Parties, indigenous peoples and local communities, organizations, Secretariat
	(e) Substantially increase the exchange of results of technical, scientific and socioeconomic research, as well as information on training and surveying programmes, specialized knowledge, indigenous and traditional knowledge, as such and in combination with the technologies referred to in paragraph 1 of Article 16 of the Convention	Parties, indigenous peoples and local communities, organizations, Secretariat
I. Addressing capacity and technical gaps	(a) Develop targeted capacity-building initiatives to support the engagement of indigenous peoples and local communities in the production and generation of biodiversity-related data, information and knowledge	Parties, indigenous peoples and local communities, organizations, Secretariat
	(b) Establish partnerships between universities and scientific institutions and indigenous peoples and local communities to enhance the contributions of traditional knowledge to conservation and sustainable use research programmes, in line with the principle of free, prior and informed consent	Parties, indigenous peoples and local communities, organizations, Secretariat

<sup>a</sup> Including tools identified in the *Compendium of Guidance on Key Global Databases Related to Biodiversity-related Conventions* of the United Nations Environment Programme World Conservation Monitoring Centre.

<sup>b</sup> In the context of traditional knowledge, this involves the development and promotion of community protocols and biocultural community protocols for gaining access to and using traditional knowledge.

<sup>c</sup> An example of an applicable tool to manage data, information and knowledge at the national level is the Data Reporting Tool for Multilateral Environmental Agreements (available at <https://dart.informea.org>).

## 12/4. Joint programme of work on the links between biological and cultural diversity: review and update of the four adopted traditional knowledge indicators

*The Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity*

1. *Takes note* of the progress made by the Ad Hoc Technical Expert Group on Indicators for the Kunming-Montreal Global Biodiversity Framework, including in its work on the headline indicators, component indicators and complementary indicators, disaggregation by indigenous peoples and local communities status, the global indicator collated from binary responses related to Target 22 of the Framework and filling temporal spatial data gaps, including through the use of big data, citizen science, community-based monitoring and information systems, remote sensing, modelling and statistical analysis and other forms of data and diverse knowledge systems;

2. *Notes* that the proposed global indicator collated from binary responses related to Target 22 of the Framework<sup>1</sup> could provide a basis for continuing to track the indicators on the degree to which trends in the traditional knowledge, innovation and practices of indigenous peoples and local communities are respected through their full, equitable, inclusive, effective and gender-responsive representation, participation and integration in the national implementation of the Framework;

3. *Invites* the Ad Hoc Technical Expert Group on Indicators and the Subsidiary Body on Scientific, Technical and Technological Advice, in their work:

(a) To further develop the indicators, taking into account the submissions received on the traditional knowledge indicators and the views expressed at the twelfth meeting of the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity, in particular with regard to:

(i) Headline indicator 9.2 (Percentage of the population in traditional occupations);

(ii) Headline indicator 21.1 (Indicator on biodiversity information for monitoring the Kunming-Montreal Global Biodiversity Framework), as the indicators on biodiversity information should include the indicators related to traditional knowledge, innovations and practices;

(b) To consider gaps in relation to Target 22, including on trends in the degree to which traditional knowledge and practices are respected through their full integration, and the full and effective participation of indigenous peoples and local communities in the national implementation of the Framework;

(c) To consider the development of indicators on trends in land-use change and land tenure in the traditional territories of indigenous peoples and local communities;

(d) To ensure that indigenous peoples and local communities, as well as their traditional knowledge, innovation and practices, are well reflected in the component and complementary indicators;

(e) To consider the need for data disaggregation by sex for all indicators related to the Framework, including the traditional knowledge indicators, and of strengthening, in line with objective 3.2 of the Gender Plan of Action, the evidence-based understanding and analysis of the gender-related impacts of the implementation of the Framework, including insights from the traditional knowledge of women and girls from indigenous peoples and local communities;

4. *Encourages* Parties, other Governments, subnational governments, local authorities, indigenous peoples and local communities, women and youth, and relevant organizations to contribute to the online discussions on the monitoring framework for the Kunming-Montreal Global Biodiversity

<sup>1</sup> See [CBD/SBSTTA/25/2, annex](#).

Framework, in particular to provide examples of community-based monitoring and information systems;

5. *Stresses* the importance of community-based monitoring and information systems for filling temporal and spatial data gaps and building capacity to implement the monitoring framework for the Kunming-Montreal Global Biodiversity Framework, while acknowledging the need to engage indigenous peoples and local communities in the development and management of those information systems, as well as the need for enhanced international cooperation to address technical and financial gaps in developing countries;

6. *Requests* that the Secretariat, subject to the availability of resources, and with the full equitable, inclusive, effective and gender-responsive representation and participation of indigenous peoples and local communities, as well as women and youth:

(a) Facilitate a scientific and technical review of the traditional knowledge indicators and their suggested links with the headline, component and complementary indicators of the monitoring framework for the Kunming-Montreal Global Biodiversity Framework;

(b) Provide the results of the review to the Ad Hoc Technical Expert Group on Indicators in time for its second in-person meeting, currently scheduled for March 2024, so that the Expert Group may take them into account in the formulation of its recommendations for consideration by the Subsidiary Body on Scientific, Technical and Technological Advice at its twenty-sixth meeting;

7. *Recommends* that, at its sixteenth meeting, the Conference of the Parties adopt a decision that includes the following elements, also taking into account the outcomes of the discussions on the monitoring framework held by the Subsidiary Body on Scientific, Technical and Technological Advice at its twenty-sixth meeting:

*The Conference of the Parties,*

*Recalling* the previous work on indicators related to indigenous peoples and local communities, including in its decision [XIII/28](#) of 17 December 2016, on indicators for the Strategic Plan for Biodiversity 2011–2020 and the Aichi Biodiversity Targets, and decision 15/5 of 19 December 2022, on the monitoring framework for the Kunming-Montreal Global Biodiversity Framework,

*Underscoring* the critical importance of engaging indigenous peoples and local communities and of taking into consideration their traditional knowledge, innovations and practices in the review of progress in the implementation of the Kunming-Montreal Global Biodiversity Framework,<sup>2</sup>

*Recognizing* the contributions of community-based monitoring and information systems to improving global biodiversity knowledge, data and information, while acknowledging the need to engage indigenous peoples and local communities in the development and management of those information systems, as well as the need for enhanced international cooperation to address technical and financial gaps in developing countries,

*Encourages* Parties, other Governments, subnational governments, local authorities and relevant organizations to provide support for community-based monitoring and information systems, including in the use of data from those systems in the implementation of the monitoring framework for the Kunming-Montreal Global Biodiversity Framework.

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<sup>2</sup> Decision 15/4, annex.

## 12/5. Recommendations from the Permanent Forum on Indigenous Issues pertaining to the Convention on Biological Diversity

*[The Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity*

*Recommends* that, at its sixteenth meeting, the Conference of the Parties adopt a decision along the following lines:

*The Conference of the Parties,*

*Recalling* that the Kunming-Montreal Global Biodiversity Framework<sup>1</sup> is to be understood, acted upon, implemented, reported and evaluated consistent with the contribution and rights of indigenous peoples and local communities and that the important roles and contributions of indigenous peoples and local communities as custodians of biodiversity and as partners in its conservation, restoration and sustainable use are acknowledged in the Framework,

*Recalling also* that the Framework is to be implemented in accordance with international instruments, including the United Nations Declaration on the Rights of Indigenous Peoples,<sup>2</sup> and human rights law, and in this regard that nothing in the Framework may be construed as diminishing or extinguishing the rights that indigenous peoples currently have or may acquire in the future,

*Having considered* the note by the Secretariat<sup>3</sup> on the recommendations from the Permanent Forum on Indigenous Issues pertaining to the Convention on Biological Diversity,<sup>4</sup>

1. *Takes note* of the observations and recommendations emanating from the twentieth, twenty-first and twenty-second sessions of the Permanent Forum on Indigenous Issues;

2. *Requests* the Secretariat to continue to inform the Permanent Forum on Indigenous Issues of developments of mutual interest and to provide information to the Forum about activities undertaken under the Convention related to the observations and recommendations of the Forum, in accordance with the system-wide action plan for ensuring a coherent approach to achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples.<sup>5</sup>]

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<sup>1</sup> Decision 15/4, annex.

<sup>2</sup> General Assembly resolution 61/295, annex.

<sup>3</sup> CBD/WG8J/12/7.

<sup>4</sup> United Nations, *Treaty Series*, vol. 1760, No. 30619.

<sup>5</sup> [E/C.19/2016/5](#) and [E/C.19/2016/5/Corr.1](#).

## II. Account of proceedings

### Introduction

1. The twelfth meeting of the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and related provisions of the Convention on Biological Diversity was held in Geneva from 12 to 16 November 2023.
2. The following Parties to the Convention attended the meeting: Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Benin, Bhutan, Bosnia and Herzegovina, Brazil, Burkina Faso, Burundi, Cambodia, Canada, Chad, Chile, China, Colombia, Comoros, Cuba, Côte d'Ivoire, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Egypt, Eswatini, Ethiopia, European Union, Fiji, Finland, Georgia, Germany, Guatemala, Haiti, Hungary, India, Indonesia, Ireland, Japan, Jordan, Kiribati, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Luxembourg, Madagascar, Malawi, Maldives, Mauritius, Mexico, Morocco, Namibia, Nepal, New Zealand, Nicaragua, Nigeria, Norway, Oman, Republic of Korea, Republic of Moldova, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Senegal, Somalia, South Africa, Spain, Sweden, Switzerland, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Uganda, United Kingdom of Great Britain and Northern Ireland and Uruguay.
3. The meeting was also attended by observers from United Nations bodies, specialized agencies, convention secretariats and other bodies, as well as representative of indigenous peoples and local communities and non-governmental and organizations.<sup>1</sup>

### Item 1

#### Opening of the meeting

4. The meeting began with a traditional indigenous opening offered by Kenneth Deer, elder of the Mohawk community from Kahnawake, Canada. Recalling the practice of the people of the Iroquois Confederacy when they gathered together to make decisions of great importance, Mr. Deer spoke "the words that come before all others" and encouraged those attending the meeting to bear in mind all of creation during their deliberations over the ensuing days.
5. The Chair, Liu Ning, representing the President of the fifteenth meeting of the Conference of the Parties to the Convention, Runqiu Huang, Minister of Ecology and Environment of China, thanked Mr. Deer for his words and delivered opening remarks. He began by noting that the international dialogue with indigenous peoples and local communities and relevant stakeholders on the implementation of the Kunming-Montreal Global Biodiversity Framework and the Gender Plan of Action, which had been held over the previous two days, had produced the clear message that building bridges between cultures and knowledge systems, recognizing the values and supporting the collective and local action of indigenous peoples and local communities would be critical steps in implementing the Framework. China, he said, had embraced a system of protected areas and considered them of great value in the protection of rare and endangered species. The country had numerous community-administered cultural protected areas founded on traditional culture that contributed prospectively to preserving ecologic and cultural diversity. Yunnan Province, the site of the first part of the fifteenth meeting of the Conference of the Parties, supported the preservation of biodiversity and biodiversity-related traditional knowledge through many pilot projects for the protection of sacred natural sites in communities. At a time when biodiversity continued to decline at an alarming rate, the biological and cultural diversity of indigenous peoples and local communities could make a vital contribution to overcoming the triple crisis of climate change, pollution and biodiversity loss. The present meeting was an opportunity for Parties to let the world's indigenous peoples and local communities lead the

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<sup>1</sup> See CBD/WG8J/12/8/Add.1 for the list of participants.



way in the implementation of the international commitments contained in the Framework, guided by the long-term vision of living in harmony with nature by 2050.

6. Following his remarks, the Chair declared the meeting open at 10.35 a.m. on 12 November.

7. The Acting Executive Secretary of the Convention, David Cooper, delivered an opening statement. He welcomed the representatives to Geneva and thanked the Parties that, through their financial contributions, had made the present meeting possible and supported the participation of representatives from developing countries and countries with economies in transition. Over the more than 20 years since its creation, the Working Group had raised the profile of indigenous peoples and local communities as essential partners in the work of the Convention, especially as on-the-ground partners in implementation. The roles and contributions of indigenous peoples and local communities were clearly acknowledged in the Framework, a key milestone for the Convention, and the Framework would need to be implemented in a way that ensured respect of their rights. At the present meeting, the Working Group would consider both the new programme of work for Article 8(j) and other provisions of the Convention and new institutional arrangements to facilitate the inclusive implementation of the Framework. A clean recommendation to the Conference of the Parties on the proposed new programme of work would send a strong positive signal and be a catalyst for ongoing efforts to align all the programmes of work in support of the implementation of the Framework.

## Item 2

### **Organizational matters: election of officers, adoption of the agenda and organization of work**

#### *Election of officers*

8. In accordance with established practice, the Bureau of the Conference of the Parties acted as the Bureau of the Working Group. The Bureau designated Hlob'sile Sikhosana (Eswatini) to act as Rapporteur of the meeting.

9. In keeping with past practice, representatives of indigenous peoples and local communities were also invited to designate seven “friends of the Bureau” to participate in Bureau meetings and to act as co-chairs of possible contact groups. As the representative from the Arctic region had been unable to attend the meeting and the Indigenous Caucus had therefore been unable to nominate a representative for that region, representatives of six of the seven regional groupings recognized by the Permanent Forum on Indigenous Issues were elected, by acclamation, as friends of the Bureau as follows:

Africa:	Lucy Mulenkei (Indigenous Information Network)
Asia:	June Rubis (ICCA Consortium)
Latin America and the Caribbean:	Yolanda Terán (Andes Chinchasuyo)
Central and Eastern Europe, the Russian Federation, Central Asia and Transcaucasia:	Polina Shulbaeva (Centre for Support of Indigenous Peoples of the North/Russian Indigenous Training Centre)
North America:	Rochelle Diver (International Indian Treaty Council)
Pacific:	Christine Teresa Grant (Jabalbina Yalanji Aboriginal Corporation)

10. At the same time, it was agreed that Ms. Rubis would serve as the indigenous Co-Chair of the Working Group.

*Adoption of the agenda*

11. At its 1st plenary session, on 12 November 2023, the Working Group adopted the following agenda on the basis of the provisional agenda prepared by the Secretariat:<sup>2</sup>

1. Opening of the meeting.
2. Organizational matters: election of officers, adoption of the agenda and organization of work.
3. In-depth dialogue: “The role of languages in the intergenerational transmission of traditional knowledge, innovations and practices”.
4. Progress in the implementation of the priority tasks of the multi-year programme of work on Article 8(j) and related provisions of the Convention on Biological Diversity.
5. Knowledge management component of the Kunming-Montreal Global Biodiversity Framework.
6. Development of a new programme of work and institutional arrangements on Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities.
7. Joint programme of work on the links between biological and cultural diversity: review and update of the four adopted traditional knowledge indicators.
8. Recommendations of the Permanent Forum on Indigenous Issues.
9. Other matters.
10. Adoption of the report.
11. Closure of the meeting.

*Organization of work*

12. At the same session, the Working Group considered the proposed organization of work set out in the annotated agenda,<sup>3</sup> as well as an innovative proposal from the Bureau to allow representatives of indigenous peoples and local communities to address the Working Group before the Parties during the consideration of the agenda items.

13. The representative of the Democratic Republic of the Congo made a statement.

14. The Working Group approved the proposed organization of work, including the Bureau’s proposal, on the understanding that allowing representatives of indigenous peoples and local communities to take the floor before representatives of Parties on the matters under consideration would apply exceptionally to the present meeting and would not constitute a precedent for future meetings.

**Item 3**

**In-depth dialogue: “The role of languages in the intergenerational transmission of traditional knowledge, innovations and practices”**

15. The Working Group considered agenda item 3 at its 1st plenary session. To provide context for the dialogue, the Working Group had before it a related note by the Secretariat,<sup>4</sup> which contained a recommendation for a draft decision to be submitted to the Conference of the Parties for consideration at its sixteenth meeting. It also had before it, as information documents, a compilation of views

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<sup>2</sup> CBD/WG8J/12/1/Rev.1.

<sup>3</sup> CBD/WG8J/12/1/Add.1/Rev.1.

<sup>4</sup> CBD/WG8J/12/2.

submitted to the Secretariat on the in-depth dialogue<sup>5</sup> and the report on the Nature and Culture Summit.<sup>6</sup>

16. Panel presentations were made by Mohamed Handaine (Indigenous Peoples of Africa Coordinating Committee), Dario Mejía Montalvo (Permanent Forum on Indigenous Issues) and Ms. Terán.

17. A statement was made by the representative of the International Indigenous Forum on Biodiversity.

18. Statements were also made by representatives of the following Parties: Algeria, Argentina, Australia, Benin, Brazil, Canada, Chad, Colombia, Côte d'Ivoire, Democratic Republic of the Congo, Dominican Republic, Egypt, European Union and its member States, Guatemala, India, Indonesia, Japan, Madagascar, Mexico, Namibia, New Zealand, Nigeria, Norway, Saudi Arabia, South Africa and Uganda.

19. Further statements were made by representatives of the CBD Women's Caucus, the Forest Peoples Programme, the Global Youth Biodiversity Network and the Indigenous Women Network on Biodiversity from Latin America and the Caribbean.

20. A summary of the in-depth dialogue is set out in the annex to the present report.

21. Following the exchange of views, the Working Group agreed that the Co-Chair would prepare a draft recommendation, in consultation with the Secretariat, for consideration by the Working Group, based on the recommendation contained in document CBD/WG8J/12/2 and taking into account the views expressed or supported by Parties.

22. At its 4th plenary session, on 15 November, the Working Group considered the draft recommendation submitted by the Chair and approved it, as orally amended, for formal adoption as draft recommendation CBD/WG8J/12/L.2.

23. At its 6th plenary session, on 16 November, the Working Group adopted draft recommendation CBD/WG8J/12/L.2 as recommendation 12/1 (see sect. I).

#### **Item 4**

#### **Progress in the implementation of the priority tasks of the multi-year programme of work on Article 8(j) and related provisions of the Convention on Biological Diversity**

**and**

#### **Item 6**

#### **Development of a new programme of work and institutional arrangements on Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities**

24. The Working Group considered agenda items 4 and 6 together at its 2nd session, on 12 November. In considering agenda item 4, the Working Group had before it a related note by the Secretariat.<sup>7</sup> In considering agenda item 6, it had before it a related note by the Secretariat<sup>8</sup> and the report of the Ad Hoc Technical Expert Group on the New Programme of Work and Institutional Arrangements on Article 8(j) and Other Provisions of the Convention Related to Indigenous Peoples and Local Communities on its meeting held from 11 to 13 July 2023.<sup>9</sup>

25. A statement was made by a representative of the International Indigenous Forum on Biodiversity.

<sup>5</sup> CBD/WG8J/12/INF/1.

<sup>6</sup> CBD/WG8J/12/INF/5, annex.

<sup>7</sup> CBD/WG8J/12/3.

<sup>8</sup> CBD/WG8J/12/5.

<sup>9</sup> CBD/A8J/AHTEG/2023/1/3.

26. Statements were also made by representatives of the following Parties: Argentina, Australia, Bosnia and Herzegovina, Brazil, Canada, China, Colombia (on behalf of the Latin American and Caribbean States), Democratic Republic of the Congo, European Union and its member States, Guatemala, India, Indonesia, Japan, Mexico, Russian Federation, Saudi Arabia, South Africa, Togo and Uganda.
27. Further statements were made by representatives of the International Union for Conservation of Nature and the Permanent Forum on Indigenous Issues.
28. Representatives of Avaaz, the CBD Women's Caucus, the Forest Peoples Programme, the Global Youth Biodiversity Network and the Indigenous Women Network on Biodiversity from Latin America and the Caribbean also made statements.
29. Following the exchange of views, with respect to agenda item 4, the Working Group took note of the progress made in the implementation of the priority tasks of the multi-year programme of work on Article 8(j) and related provision of the Convention, as reported in document CBD/WG8J/12/3 and in the statements made during the plenary session, noting that the document would be revised for consideration by the Subsidiary Body on Implementation at its fourth meeting, scheduled for May 2024.
30. With respect to agenda item 6, the Working Group agreed to establish a contact group, facilitated by Matilda Wilhelm (Sweden) and Ms. Mullenkei, with the mandate to discuss the draft programme of work on Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities to 2050, as set out in annex I to document CBD/WG8J/12/5, and to address the future institutional arrangements for Article 8(j) and related provisions of the Convention, including the modus operandi of the proposed permanent subsidiary body, as contained in annex II to document CBD/WG8J/12/5.
31. At its 5th plenary session, on 16 November, the Working Group considered a draft recommendation submitted by the Co-Chair following discussions in the contact group.
32. Statements were made by representatives of the following Parties: Australia, Brazil, Canada, Colombia, Cuba, Democratic Republic of the Congo, Egypt, Eswatini, European Union and its member States, Guatemala, Indonesia, Japan, Norway, Russian Federation, Switzerland and Togo.
33. A statement was also made by the representative of the International Indigenous Forum on Biodiversity.
34. At its 6th plenary session, the Working Group considered a revised draft recommendation submitted by the Chair and adopted it, as orally amended, as recommendation 12/2 (see sect. I).

## **Item 5**

### **Knowledge management component of the Kunming-Montreal Global Biodiversity Framework**

35. The Working Group considered agenda item 5 at its 2nd plenary session. It had before it a note by the Secretariat on the updated draft knowledge management component of the Framework,<sup>10</sup> which contained a draft recommendation.
36. A statement was made by the representative of the International Indigenous Forum on Biodiversity.
37. Statements were also made by representatives of the following Parties: Australia, Brazil, Canada, Chile, China, Colombia, Democratic Republic of the Congo, European Union and its member States, Japan, Mexico, Norway and South Africa.
38. A further statement was made by the representative of the CBD Women's Caucus.

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<sup>10</sup> CBD/WG8J/12/4.

39. The Working Group agreed that the Secretariat would take the views expressed or supported by Parties into account when drafting a recommendation for the revised version of the updated knowledge management component of the Framework, for submission to the Subsidiary Body on Implementation for consideration at its fourth meeting.

40. The Working Group also agreed that the Co-Chair would prepare a revised draft recommendation for its consideration, taking into account the views expressed or supported by Parties.

41. At its 5th plenary session, the Working Group considered the revised draft recommendation submitted by the Chair and approved it, as orally amended, for formal adoption as draft recommendation CBD/WG8J/12/L.4.

42. At its 6th plenary session, the Working Group adopted draft recommendation CBD/WG8J/12/L.4 as recommendation 12/3 (see sect. I).

## **Item 7**

### **Joint programme of work on the links between biological and cultural diversity: review and update of the four adopted traditional knowledge indicators**

43. The Working Group considered agenda item 7 at its 3rd plenary session, on 13 November. It had before it a related note by the Secretariat, which included a draft recommendation,<sup>11</sup> and the report on the Nature and Culture Summit held in Montreal, Canada, on 11 and 12 December 2022.<sup>12</sup>

44. The Co-Chair of the Ad Hoc Technical Expert Group on Indicators for the Kunming-Montreal Global Biodiversity Framework, James Williams (United Kingdom), made a presentation.

45. A statement was made by the representative of the International Indigenous Forum on Biodiversity.

46. Statements were also made by representatives of the following Parties: Australia, Brazil, Canada, China, Colombia, Comoros, Democratic Republic of the Congo (on behalf of the African States), Cuba, Dominican Republic, Eswatini, European Union and its member States, Haiti, Japan, Madagascar, Mexico, Morocco, Nigeria, Norway, Saudi Arabia, South Africa and Uganda.

47. Further statements were made by representatives of the CBD Women's Caucus and the International Land Coalition.

48. Following the exchange of views, the Working Group agreed that the Co-Chair would prepare a revised draft recommendation for its consideration, taking into account the views expressed or supported by Parties.

49. At its 4th plenary session, the Working Group considered the revised draft recommendation submitted by the Chair and approved it, as orally amended, for formal adoption as draft recommendation CBD/WG8J/12/L.3.

50. At its 6th plenary session, the Working Group adopted draft recommendation CBD/WG8J/12/L.3, as orally amended, as recommendation 12/4 (see sect. I).

51. During the adoption of the recommendation, the representative of Colombia requested that it be put on record that she had proposed including a mention of environmental human rights defenders in the recommendation, as referred to in Target 22 of the Framework and the indicator for that target proposed by the Ad Hoc Technical Expert Group on Indicators, but that there had been no consensus on her proposal.

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<sup>11</sup> CBD/WG8J/12/6/Rev.1.

<sup>12</sup> CBD/WG8J/12/INF/5, annex.

## **Item 8**

### **Recommendations of the Permanent Forum on Indigenous Issues**

52. The Working Group considered agenda item 8 at its 3rd plenary session. It had before it a related note by the Secretariat,<sup>13</sup> which included a draft recommendation.
53. Mr. Mejía Montalvo made a presentation.
54. Statements were made by the representatives of the Amazon Cooperation Network, the International Indian Treaty Council, the International Indigenous Forum on Biodiversity and the Indigenous World Association.
55. Statements were also made by representatives of the following Parties: Brazil, Canada, Côte d'Ivoire, Denmark, Democratic Republic of the Congo, European Union and its member States, Norway, South Africa and Togo.
56. Following the exchange of views, the Working Group agreed that the Co-Chair would prepare a revised draft recommendation for its consideration, taking into account the views expressed or supported by Parties.
57. At its 4th plenary session, the Working Group considered the revised draft recommendation submitted by the Chair.
58. Statements were made by representatives of the following Parties: Canada, Eswatini, European Union and its member States, Norway, Togo and Uganda.
59. At its 5th plenary session, the Working Group resumed its consideration of the revised draft recommendation and approved it, as orally amended, for formal adoption as draft recommendation CBD/WG8J/12/L.5.
60. At its 6th plenary session, the Working Group adopted draft recommendation CBD/WG8J/12/L.5, as orally amended, as recommendation 12/5 (see sect. I)

## **Item 9**

### **Other matters**

61. At the 6th plenary session, a statement was made by the representative of Indonesia (also on behalf of Algeria, Egypt, the Islamic Republic of Iran, Jordan, Oman, Pakistan and Türkiye).

## **Item 10**

### **Adoption of the report**

62. The Working Group adopted the present report, as orally amended, at its 6th session, on the basis of the draft prepared by the Rapporteur.<sup>14</sup>

## **Item 11**

### **Closure of the meeting**

63. Following the customary exchange of courtesies, the Chair declared the twelfth meeting of the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions closed at 7 p.m. on 16 November 2023.

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<sup>13</sup> CBD/WG8J/12/7.

<sup>14</sup> CBD/WG8J/12/L.1.

## Annex

### Summary of the in-depth dialogue

1. On 12 November 2023, the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity held an in-depth dialogue on the role of languages in the intergenerational transmission of traditional knowledge, innovations and practices. The dialogue, which consisted of presentations by three panellists followed by a question-and-answer session, was focused on the role of indigenous languages in the transmission of traditional knowledge for biocultural conservation; the significance of incorporating the revitalization of indigenous languages into the implementation of the Kunming-Montreal Global Biodiversity Framework; how the Framework could best support the conservation and revitalization of indigenous languages and the intergenerational transmission of traditional knowledge; and strategies for ensuring the prioritization and strengthening of the intergenerational transmission of traditional knowledge, including spiritual connections to the land, while at the same time respecting the rights of indigenous peoples and local communities.
2. The three panellists were a representative of Andes Chinchasuyo, Yolanda Terán, the Chair of the Permanent Forum on Indigenous Issues, Dario Mejía Montalvo, and the President of the Indigenous Peoples of Africa Coordinating Committee, Mohamed Handaine.
3. In his presentation, Mr. Mejía Montalvo said that, despite the proclamation of the International Year of Indigenous Languages in 2019 and the International Decade of Indigenous Languages (2022–2032), international tools for protecting indigenous languages had developed slowly. Linguistic diversity was not of concern to indigenous peoples only; every word lost in any language was a loss for all of humanity. The protection and revitalization of indigenous languages allowed for diverse visions of the world and diverse values and experiences to be preserved. Such languages were the living heritage of humanity and a means for the intergenerational transfer of knowledge.
4. For Ms. Terán, indigenous languages were both a means of communication and a repository of tradition. Each language was unique in that it represented a complete microcosm of a community. Vulnerable because they existed in the macrocosm of dominant languages, indigenous languages had embedded knowledge, ideas and concepts linked to traditional territories, and it was imperative to recognize and secure indigenous land tenure over indigenous territories and waters.
5. In his remarks, Mr. Handaine said that most international agreements were focused on the importance of traditional knowledge for the preservation of biodiversity, in isolation from the protection of indigenous languages, but that, when a language disappeared, the associated traditional knowledge disappeared with it. Traditional knowledge was an entire system of accumulated experience passed down through generations and had to be considered as a whole. National legislation should recognize and promote indigenous languages, and national registries of traditional knowledge and national databases of traditional knowledge should be established and codified so as to be shared at the national level. An international database of traditional knowledge should then be created and linked to the national databases.
6. Following the panel presentations, many representatives, including one speaking on behalf of a group of Parties and several speaking on behalf of observers, took the floor to offer their views on the topic.
7. A representative of an observer, speaking on behalf of indigenous peoples and local communities, made a statement that was subsequently supported by many other representatives. Languages, she said, played a central role in the intergenerational transmission of traditional knowledge, innovation and practices and, as such, underpinned cultural values, identity and governance systems. The number of speakers of indigenous languages was an important indicator of ecosystem health, with abundant evidence showing a direct relationship between indigenous cultural

vitality and biological diversity. She welcomed the draft recommendation contained in document CBD/WG8J/12/2 but proposed a number of amendments to the text.

8. Other representatives also expressed support for the draft recommendation, with several proposing additional amendments to the wording or supporting amendments proposed by others.

9. There was general agreement that indigenous and local languages played a central role in the transmission of traditional knowledge, which could in turn play an important role in the conservation and sustainable use of biodiversity and in the implementation of the Framework. Several representatives highlighted the important role played by women in the transmission of language and thus of traditional knowledge and culture.

10. Many representatives speaking on behalf of Parties described measures that their Governments were taking to preserve and promote indigenous and local languages and culture, although several said that implementation was challenging.

11. Several representatives, including one speaking for a group of Parties, raised the issue of promoting and revitalizing indigenous languages through the Framework. Several called for funding for language preservation and direct access to such funding for indigenous peoples. Other suggestions were to include indigenous peoples in discussions on the national biodiversity strategies and action plans; link traditional knowledge indicators within the monitoring framework for the Kunming-Montreal Global Biodiversity Framework; strengthen and expand indigenous participation in national delegations; and use traditional knowledge in the national implementation of the Framework.

12. In terms of strategies for ensuring the prioritization and protection of the intergenerational transmission of traditional knowledge while respecting the rights of indigenous peoples and local communities, suggestions from individual representatives included creating a partnership between the United Nations Educational, Scientific and Cultural Organization and the Convention on Biological Diversity in the context of the International Decade of Indigenous Languages; ensuring that the traditional knowledge of indigenous peoples was used with their free, prior and informed consent; including languages in the new programme of work on Article 8(j) and other provisions of the Convention; strengthening traditional livelihoods; and promoting and using traditional knowledge in nature management institutions and practices.

13. Several representatives noted the connection between language and territory, with one observing that indigenous and local languages were connected to their traditional territories and that the displacement of indigenous peoples could lead to the loss of their knowledge systems. It was therefore important to protect indigenous territories.

14. One representative pointed to the Ibero-American Institute of Indigenous Languages, created in 2022 by the Ibero-American Summit of Heads of State and Government, as an example of a strategy for preserving and revitalizing indigenous languages.

15. Responding to the comments and a number of questions, Mr. Montalvo said that policies for energy transition and a green economy were an added threat to indigenous languages, as they tended to overlook the vulnerabilities of indigenous people and sometimes resulted in their displacement. Hate speech had also increased, often under the banner of freedom of the press or freedom of speech. At the national level, more financial support was needed for a holistic approach to educational systems aligned with indigenous peoples' holistic vision of the world. At the international level, indigenous people needed greater participation in decision-making, especially on financing mechanisms and processes.

16. In her response, Ms. Terán pointed to colonialism and the resulting intergenerational trauma as the structural reason for the inability of indigenous peoples to exercise their linguistic rights. Recovering a language took years and had to start with an understanding of the customary laws governing language use and cultural practice. Ensuring the survival of languages was a collective



responsibility. The extractive industries were a particular problem, as they destroyed sacred places and displaced indigenous peoples.

17. Mr. Handaine added that climate change had also pushed populations to emigrate, leading to the loss of languages and associated traditional knowledge and, therefore, to the loss of part of the international community's global memory. Saying that the preservation of languages, including indigenous languages, was a shared duty, he proposed that an international fund be created for the promotion of indigenous languages.

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