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PROGRESS IN IMPLEMENTING ARTICLE 8(j) AND RELATED PROVISIONS, INCLUDING THE PLAN OF ACTION ON CUSTOMARY SUSTAINABLE USE OF BIOLOGICAL DIVERSITY

Note by the Executive Secretary

INTRODUCTION

1. In order to review progress in implementation, the Conference of the Parties in decision XII/12 A, paragraph 4, invited Parties, other Governments, international organizations, indigenous and local communities and other relevant organizations to submit information on the implementation of Article 8(j) and related provisions and requested the Executive Secretary to compile and analyse information received and to make it available for consideration and, as appropriate, during the period of implementation of the Strategic Plan for Biodiversity 2011-2020.

2. Additionally, in decision XII/12 B, paragraph 1, the Conference of the Parties endorsed the global plan of action on customary sustainable use of biological diversity and, in paragraph 2, invited Parties, other Governments, relevant organizations, indigenous and local communities and stakeholders to implement it, taking into account diverse national circumstances, including legal and policy regimes, and to report on progress to the Executive Secretary, as well as through the national reporting process.

3. Taking into account the establishment of the Subsidiary Body on Implementation with a mandate to review progress in the implementation of the Convention, the ninth meeting of the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions requested the Executive Secretary to convey the following items, which are at an implementation stage, to the Subsidiary Body on Implementation for consideration at its first meeting and at subsequent meetings, as appropriate.¹

(a) Progress in implementing Article 8(j) and related provisions, at the national level, including the participation of indigenous peoples and local communities;

* See UNEP/CBD/SBI/1/1/Rev.1.

¹ See UNEP/CBD /WG8J/9/6, para. 30, and UNEP/CBD/COP/13/3.

(b) Implementation of the plan of action on customary sustainable use of biological diversity (Article 10(c));²

(c) Progress in mainstreaming Article 8(j) and related provisions across the areas of work of the Convention, including capacity-building and participation of indigenous peoples and local communities in the work of the Secretariat.

4. Parties, other Governments, international organizations, indigenous peoples and local communities, non-governmental organizations and other relevant organizations were invited to submit views on these matters in notification SCBD/NP/VN/JS/DM/85188 (2015-132) dated 20 November 2015. Views and information received³ are compiled and made available in UNEP/CBD/SBI/1/INF/2.⁴

5. In addition, considering that the last review of progress was carried out at the eighth meeting of the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions, information made available for the ninth meeting of the Working Group on Article 8(j) is also made available to the first meeting of the Subsidiary Body, for ease of reference.⁵

6. A supplementary information document, progress report on capacity development and participation of indigenous peoples and local communities in the work of the Convention is provided in (UNEP/CBD/SBI/1/INF/1).

7. The present document has been prepared to assist the Subsidiary Body on Implementation, at its first meeting, in its consideration of these issues. Section I contains an analysis concerning the progress on implementation of Article 8(j) and related provisions at the national level, drawing on the fourth edition of the *Global Biodiversity Outlook*, the fifth national reports, the revised national biodiversity strategies and action plans (NBSAPs)⁶ and submissions received. Section II contains an analysis based on information received regarding the implementation of global plan of action on customary sustainable use of biological diversity. Finally, section III contains an overview of progress in mainstreaming Article 8(j) and related provisions across the areas of work of the Convention, including capacity-building and participation of indigenous peoples and local communities in the work of the Convention. A draft recommendation on progress towards Aichi Target 18⁷ for consideration by the Subsidiary Body on Implementation will be included in UNEP/CBD/SBI/1/2.

I. PROGRESS IN IMPLEMENTING ARTICLE 8(j) AND RELATED PROVISIONS, AT THE NATIONAL LEVEL, INCLUDING THE PARTICIPATION OF INDIGENOUS PEOPLES AND LOCAL COMMUNITIES

8. In order to consider trends in the implementation of Article 8(j) and related provisions, in efforts to attain Target 18 by 2020, subsection A revisits the chapter of the fourth edition of the *Global Biodiversity Outlook* on Aichi Target 18⁸ as a starting point, against which recent information may be compared. Subsection B considers progress in implementing Article 8(j)

² As this is the first reporting cycle for the implementation of the plan of action for customary sustainable use (Article 10(c)), it is reported separately from “progress in the implementation of Article 8(j)”, however as a “related provision” in future progress reports it can be reported under progress in the implementation of Article 8(j) and related provisions.

³ In response to notification SCBD/NP/VN/JS/DM/85188 (2015-132).

⁴ Submissions were received from Australia, Benin, Bosnia and Herzegovina, China, Colombia, New Zealand, Sweden, the Forest Peoples Programme, Sámi árvvut, the Swedish Association for Transhumance and Pastoralism, and the Saami Parliament, as of 11 January 2016.

⁵ UNEP/CBD/WG8J/9/INF/1 and INF/1/Add.1.

⁶ National biodiversity strategies and action plans (NBSAPs).

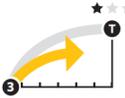
⁷ Target 18: By 2020, the traditional knowledge, innovations and practices of indigenous and local communities relevant for the conservation and sustainable use of biodiversity, and their customary use of biological resources, are respected, subject to national legislation and relevant international obligations, and fully integrated and reflected in the implementation of the Convention with the full and effective participation of indigenous and local communities, at all relevant levels.

⁸ <https://www.cbd.int/gbo4/>, Aichi Target 18, pages 115-117, prepared for the mid-term review of the Strategic Plan for Biodiversity, COP 12, October 2014.

and related provisions at the national level and is arranged thematically. Subsection C considers progress in the participation of IPLCs at the national level in the NBSAP-related processes.⁹ Subsection D provides an update on IPLCs initiatives concerning national implementation and finally, subsection E draws some conclusions. This information complements the analysis of NBSAPS and national targets, and progress towards the Aichi Biodiversity Targets, including Target 18, provided in UNEP/CBD/SBI/1/2/Add.1 and UNEP/CBD/SBI/1/2/Add.2.

A. Fourth edition of the *Global Biodiversity Outlook - Target 18, indicators and the mid-term review*

9. GBO 4 was launched as an integral component of the mid-term review of the Strategic Plan for Biodiversity 2011-2020 at the twelfth meeting of the Conference of the Parties, in October 2014. The following table, extracted from GBO 4, provides an overview of the efforts made by Parties towards achieving Aichi Target 18,¹⁰ at the time of the mid-term review (2014).

TARGET ELEMENTS	STATUS	COMMENT
 <p>Traditional knowledge, innovations and practices of indigenous and local communities are respected</p>		Processes are under way internationally and in a number of countries to strengthen respect for, recognition and promotion of, traditional knowledge and customary sustainable use
<p>Traditional knowledge, innovations and practices are fully integrated and reflected in implementation of the Convention ...</p>		Traditional knowledge and customary sustainable use need to be further integrated across all relevant actions under the Convention
<p>... with the full and effective participation of indigenous and local communities</p>		Efforts continue to enhance the capacities of indigenous and local communities to participate meaningfully in relevant processes locally, nationally and internationally but limited funding and capacity remain obstacles

10. On whether the Parties to the Convention are on track to achieve Target 18 by 2020, GBO 4 notes that Target 18 is extremely complex to measure and information is variable across countries and communities and frequently is not easily accessible. To assess status and trends globally for traditional knowledge the following headline indicators¹¹ have therefore been agreed as proxies and these are being considered and adapted for national contexts, where appropriate.¹²

- (a) Trends of linguistic diversity and numbers of speakers of indigenous languages;
- (b) Trends in land-use change and land tenure in the traditional territories of indigenous and local communities;
- (c) Trends in the practice of traditional occupations;
- (d) Trends in which traditional knowledge and practices are respected through their full integration, safeguards and the full and effective participation of indigenous and local communities in the national implementation of the Strategic Plan.

⁹ This is the fourth indicator adopted for Target 18 on traditional knowledge.

¹⁰ By 2020, the traditional knowledge, innovations and practices of indigenous and local communities relevant for the conservation and sustainable use of biodiversity, and their customary use of biological resources, are respected, subject to national legislation and relevant international obligations, and fully integrated and reflected in the implementation of the Convention with the full and effective participation of indigenous and local communities, at all relevant levels.

¹¹ In decision VII/30, the Conference of the Parties agreed on a provisional list of global headline indicators, to assess progress at the global level towards the 2010 target and in decision X/7 decided to complement these global headline indicators with additional indicators which are suitable for monitoring progress towards those targets for which suitable indicators had not yet been identified. Further information is available at <https://www.cbd.int/2010-target/framework/indicators.shtml>.

¹² See decision XI/3 (<http://www.cbd.int/decision/cop/default.shtml?id=13164>).

11. In its assessment of progress towards Aichi Target 18 on traditional knowledge, GBO 4 further reports that a dataset is being advanced by the United Nations Educational, Scientific and Cultural Organization to determine trends over time only for the first of these headline indicators, that on linguistic diversity. Even for linguistic diversity, however, considerable uncertainty remains, primarily due to a lack of reliable data that is geographically and chronologically comparable.

12. Advancing information and data on the indicators of traditional occupations and land change and tenure is under discussion with relevant international organizations, including the International Labour Organization, the Office of the High Commissioner for Human Rights and the International Land Coalition, the United Nations Permanent Forum on Indigenous Issues, and the Working Group on Indicators of the International Indigenous Forum on Biodiversity, which are also considering these indicators under the framework of the implementation of the United Nations Declaration on the Rights of Indigenous Peoples.¹³

13. Overall, the two primary obstacles to the operationalization of the first three global indicators adopted for Target 18 on traditional knowledge and customary sustainable use remain lack of reliable disaggregated data that is geographically and chronologically comparable coupled with a lack of financial and human resources to possible lead agencies. The fourth indicator on participation is being considered in the analysis of the fifth and future national reports and is taken up in the subsection C below.

14. To complement the assessment of GBO-4 on progress towards the achievement of the Aichi Biodiversity Targets, a report entitled *Outlooks on Biodiversity: Indigenous Peoples and Local Communities' contributions to the implementation of the Strategic Plan for Biodiversity 2011-2020: A complement to the fourth edition of the Global Biodiversity Outlook* is being prepared under the leadership of the Forest Peoples Programme. The report will consider the contributions of IPLCs towards each of the Aichi Biodiversity Targets as well as analysing how progress towards their achievement affects IPLCs. A draft of the report will be made available as an information document.

B. Progress in implementing Article 8(j) and related provisions at the national level

15. This subsection provides an overview of efforts by Parties concerning progress towards Aichi Target 18, based on information received and is arranged thematically. Based on recent submissions,¹⁴ and submissions to the Working Group on Article 8(j) at its ninth meeting,¹⁵ 18 countries have provided information on progress towards Target 18.

16. Of all the submissions received, of particular note is the submission from Benin. The submission from Benin provides an insight into traditional knowledge within the national context but the lessons learned may be applicable for the broader African region and many developing countries. Benin reports a richness of traditional knowledge associated with the biological resources, especially the medicinal traditional knowledge, of the country supported by high levels of biological and cultural diversity. Benin also reports that the majority of the national population relies upon traditional knowledge and traditional medicines for primary health care. Benin provides an interesting example concerning the official recognition of traditional healers and traditional medicines and pharmacies, which also provides for multiple benefits for the national community. At the same time, factors working against traditional knowledge retention include the rapid urbanization and modernity of society and the indifference of the younger generation towards traditions, cultural practices or local knowledge, and a lack of any formal projects to record traditional knowledge, which is fast being lost. Additionally Benin reports that the lack of legal protection of traditional knowledge is further undermining traditional knowledge and calls for the development of a legal framework to improve confidence between holders of traditional knowledge and

¹³ General Assembly resolution 61/195 of 13 September 2007.

¹⁴ A total of 11 submissions were received from: Australia; Benin; Bosnia and Herzegovina; China; Colombia; New Zealand; Sweden; Forest Peoples Programme; Sámi árvvut; the Swedish Association for Transhumance and Pastoralism; and the Saami Parliament.

¹⁵ See <https://www.cbd.int/doc/?meeting=WG8J-09>.

researchers and also to empower holders of traditional knowledge and to value their knowledge. The same may be true for many developing Parties.

Access and benefit sharing

17. In relation to the issue of access and benefit sharing at the national level, some countries, such as Australia, are encouraging ABS measures through such mechanisms as joint participatory research and development of products based on traditional knowledge, in efforts to explore, encourage and promote its use. ABS measures generally include that access to traditional knowledge is based on prior informed consent of the owners or holders of the traditional knowledge and that its use is based on mutually agreed terms and equitable sharing of benefits. A number of countries, such as Suriname, have also included references to access and benefit-sharing in their commitments related to Aichi Biodiversity Target 18.

Prior informed consent/approval and involvement

18. Some Parties, such as Australia, Bolivia, Brazil, Finland, and India, require prior informed consent (PIC) of the relevant IPLCs for access to traditional knowledge as well as more generally for the registration of traditional knowledge and for related project planning and implementation.

19. In such countries as Australia, Canada and Sweden, this includes the development of “two-way” (indigenous and western scientific) approaches to land, water and sea management, management of protected areas and the exchange of ideas and practices, and through improved engagement with science on relevant topics, including indigenous livelihoods, monitoring and evaluation. Parties pursuing initiatives to bring knowledge systems together (such as science and traditional knowledge) are discovering traditional knowledge and sciences can be complimentary and mutually beneficial to scientists and communities so long as there is recognition of the particular strengths and limitations of both types of knowledge.¹⁶ Developing effective strategies that bring together Governments, the national community and IPLCs and different pools of knowledge in order to meet the conservation goals of the Strategic Plan for Biodiversity 2011-2020 requires “mutual learning from multiple knowledge systems, more effective communication across sectors and among academic disciplines, deeper analysis of what is working at the community level and identification of where there are gaps in expertise and application.”¹⁷

20. The Government of Norway and the Sami Parliament have an agreement on procedures intended to contribute to the practical implementation of the State’s obligations to consult indigenous peoples under international law, whenever consideration is being given to legislative and administrative measures that may directly affect Sami interests. The procedures are aimed at facilitating the development of partnerships between State authorities and the Sami Parliament that contribute to the strengthening of Sami culture and society. In this connection, the Swedish Sami Parliament stresses in its submission that one of the most important aspects for accessing traditional knowledge is free prior informed consent.

21. Canada, in its submission, uses case studies to explain approval and involvement processes, in action. In the Canadian context, Governments work with indigenous communities to build enduring relationships of mutual benefit, over time. Some of the examples provided are: (a) co-management committees under the Inuit Impact and Benefit Agreement for National Wildlife Areas and Migratory Bird Sanctuaries; (b) wildlife management boards, such as for the Polar Bear Harvest; and (c) management of the Porcupine Caribou Herd and Parks Canada.

¹⁶ Fraser, Coon, Prince, Dion and Bernatchez, 2006.

¹⁷ Chan, K., Pringle, R., Ranganathan, J., Boggs, C., Chan, Y., Ehrlich, P., et al. (2007). When Agendas Collide: Human Welfare and Biological Conservation. *Conservation Biology*, 21 (1), 59-68.

Fraser, D. J., Coon, T., Prince, M. R., Dion, R., & Bernatchez, L. (2006). Integrating traditional and evolutionary knowledge in biodiversity conservation: A population level case study. *Ecology and Society*, 11 (2: 4)

22. The concept of consent or approval for access and use of traditional knowledge is accepted by the Parties to the Convention.¹⁸ The Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions at its ninth meeting advanced draft guidelines for access and benefit-sharing related to traditional knowledge which include [free] prior informed consent [or approval and involvement], that will be considered for possible adoption at the thirteenth meeting of the Conference of the Parties.

Sui generis systems of protection for traditional knowledge

23. In the most recent submissions, Peru has provided information on national sui generis systems and practices in protecting traditional knowledge, which contribute to better conditions for negotiating equitable sharing of benefits arising from access and use of traditional knowledge, as well for monitoring misappropriation of traditional knowledge. Peru continues to make progress on the registration of traditional knowledge through an in situ registration process, which itself constitutes a sui generis system for the protection of traditional knowledge. The Working Group on Article 8(j) at its fourth meeting considered, under the agenda item on sui generis systems, a list of Parties with sui generis arrangements for traditional knowledge (see UNEP/CBD/WG8J/4/7, annex I).¹⁹

24. Over the history of the issue at the Working Group on Article 8(j) and related provisions, preference for sui generis systems for the protection of traditional knowledge has been shown mainly in developing Parties. Some developed Parties, such as Australia and New Zealand, have shown a preference for and pursued some reform of the existing legal system through amendments to copyright and/or patent procedures. At the same time, such Parties as Australia have also demonstrated an interest in broad-based non-legal sui generis systems for the protection and promotion of traditional knowledge through practical means, such as programmes and projects to strengthen the intergenerational use of traditional knowledge, and by encouraging traditional management and customary sustainable use, which allow for the practical application and use of traditional knowledge.

Community protocols

25. Some Parties, including Bolivia, are investigating national templates or possible models for community protocols for access and benefit-sharing related to traditional knowledge and associated genetic resources. Honduras promotes the Miskito Biocultural Protocol as a possible national model for other IPLCs to consider and adapt as appropriate. Some countries, such as Benin, are investigating the legal recognition of community protocols. Australia reports on the use of community protocols for various purposes, including customary sustainable use. For example, the Great Barrier Reef Marine Park Authority promotes the use of Traditional Owner community protocols within the Great Barrier Reef Marine Park, a World Heritage Site, in order to address customary management and use of culturally significant species, such as turtles and dugongs.²⁰ The Enhanced Indigenous Compliance Programme and the Specialized Indigenous Rangers Programme are also driven and informed by Traditional Owner community protocols.

26. Community protocols are gaining acceptance within the international community, as a possible local sui generis mechanisms for access and use of traditional knowledge and are being promoted for access to traditional knowledge associated with genetic resources under the Nagoya Protocol, and are

¹⁸ See decision V/16 on the programme of work on Article 8(j) and related provisions. General Principle 5: Access to traditional knowledge, innovations and practices of indigenous and local communities should be subject to prior informed consent or prior informed approval from the holders of such knowledge, innovations and practices.

¹⁹ The following regions and Parties are considering or have established sui generis frameworks for traditional knowledge: African Union, Andean Community, ASEAN, Latin America, Secretariat of the South Pacific Regional Environment Programme, Bangladesh, Bolivia, Brazil, Costa Rica, India, Pakistan, Panama, Peru, Philippines, and Venezuela.

²⁰ See Dugong at

https://www.google.ca/search?q=dugong&biw=1536&bih=720&source=lnms&tbn=isch&sa=X&sqi=2&ved=0ahUKEwiGmKD A96TKAhXJh4KHT2lCoIQ_AUIBigB&dpr=1.25#imgrc=DmufuTF4hL0IFM_per_3A

being considered more broadly for access and benefit sharing related to traditional knowledge relevant to conservation and sustainable use.²¹

Registries and databases

27. Some Parties, such as Bolivia, China, Ecuador, India and Malaysia, are developing actions under the Convention and of relevance to the Nagoya Protocol, for the registration of traditional knowledge, innovations and practices based on the consent of the relevant communities.

28. China has also implemented the Intangible Cultural Heritage Act (2011), which provides for such measures as surveys, identification, records and documentation, to save and protect the intangible cultural heritage, and has published a catalogue and inheritors list of national intangible cultural heritage. By the end of 2012, 1,219 national-level intangible cultural heritage items and 1,986 representative inheritors or holders of intangible cultural heritage had been identified, covering 10 categories, including folk literature, traditional skills and traditional medicine. Meanwhile, provincial, municipal and county governments also have respectively published complementary lists of the intangible heritage and its inheritors. So far, catalogue systems (national, provincial, municipal and county levels) for intangible cultural heritage and its inheritors have been established.

29. In the light of disruptions caused by war, urbanization and modernization, some countries including Bosnia and Herzegovina and Benin report on the diminishing intergeneration transmission of traditional knowledge important to food production and human health (such as traditional knowledge about medicinal herbs) and the need for more effective documentation and public awareness.

30. The Conference of the Parties to the Convention on Biological Diversity has discussed the use of databases and registers for recording traditional knowledge in decision VIII/5 and has recommended that Parties and Governments bear in mind that registers are only one approach to the protection of traditional knowledge, innovations and practices, and, as such, their establishment should be voluntary, not a prerequisite for protection and that registers should only be established with the prior informed consent of indigenous and local communities.

*Akwé: Kon Voluntary Guidelines for the Conduct of Cultural, Environmental and Social Impact Assessment regarding Developments Proposed to Take Place on, or which are Likely to Impact on, Sacred Sites and on Lands and Waters Traditionally Occupied or Used by Indigenous and Local Communities*²²

31. In Finland, the Metsähallitus Natural Heritage Services, in cooperation with the Sámi Parliament, has continued applying the Akwé: Kon Guidelines in the preparation of management plans for protected areas in the Sámi Homeland. The Akwé: Kon principles have proven to be a useful tool for structuring cooperation and impact assessments, providing much valuable information for both protected area managers and the Sámi People. The first report in which the Akwe: Kon Guidelines were applied is for a management plan for the Hammastunturi Wilderness Area. The report will be published soon.

32. The Finnish national Article 8(j) working group has significantly contributed to progress in cooperation between Finland's State administration and the Sámi Parliament of Finland. Experiences in the practical application of the Akwé: Kon Guidelines have proven to be very useful for both administrators and the Sámi community. The Akwé: Kon Guidelines have helped in establishing a procedure for taking into account traditional knowledge in management planning. A significant part of the Sámi Homeland is included in protected areas and the Natura 2000 network. Hence, cooperation between the protected area managers and the Sámi Parliament is essential and close, regular and open interaction has been achieved. The Sámi Parliament participates in preparations for meetings under the Convention on Biological Diversity and their representative is always welcome in the Finnish delegation.

²¹ Traditional knowledge within the mandate of the Convention on Biological Diversity.

²² <https://www.cbd.int/guidelines/>

33. A broad study on status and trends in traditional knowledge conducted in Sweden in 2010 was carried out to serve as baseline for further work on implementation of Article 8(j) and related provisions at the national level. Naptek²³ has also translated and distributed texts of the programme of work on Article 8(j) and related provisions, the Ákwé: Kon Guidelines, and the Tkarihwaí:ri Code of Ethical Conduct to Ensure Respect for the Cultural and Intellectual Heritage of Indigenous and Local Communities²⁴ in Swedish, to increase broader and more effective local participation.

34. Sweden has established a broad project that involves a range of stakeholders on how to apply the Akwé: Kon guidelines in the Swedish context and to what extent they could be seen as applicable to current legislation on environmental impact assessments. While it is possible to apply the guidelines in the current Swedish legal context, Sweden notes in its submission that the national environmental impact assessment process may need to be revised or changed.

35. Beyond the Scandinavian subregion, there has been no official reporting on the application or use or adaption of the either the Akwe: Kon Guidelines or the Tkarihwaí: ri Code of Ethical Conduct for use at the national level, indicating a general lack of uptake and implementation of these voluntary guidelines at the national level. Lessons learned from the Finish example demonstrate multiple benefits from applying the Akwe: Kon Guidelines in the national context, including increased cooperation between protected areas managers and the Saami Parliament through close, regular and open interactions.

C. Participation of IPLCs at the national level in relation to the NBSAPs

36. Of the 60 NBSAPs received by 30 October 2015, and the 59 reviewed by 15 January 2016, only two Parties²⁵ reported IPLCs participating on the NBSAPS Committee. A total of 12 Parties²⁶ reported IPLCs were consulted in the revision of the NBSAP. Four Parties²⁷ reported that IPLCs would be involved in the implementation of the NBSAPs. A total of 41 of the 59 NBSAPs considered did not mention IPLCs.

37. Additionally, some countries, for example Malta and Serbia, which are not included in the NBSAPs reviewed so far,²⁸ have established commitments in their national biodiversity strategies and action plans which relate to preservation of the knowledge and practices of local communities.

38. This sampling of participation of IPLCs in the revision and implementation of the NBSAPs suggests that 30.5 per cent of Parties that have submitted NBSAPs are actively considering the participation of IPLCs in the implementation of the Convention at the national and subnational levels. Unfortunately, this represents a lost opportunity for many Parties in the effective implementation of the Convention, especially at the local level, as IPLCs are on-site or in situ communities actively pursuing conservation and sustainable use and contributing to the effective implementation of the Convention. Additionally traditional knowledge, along with science, has proven effective in species and ecosystem management, in situ conservation, establishing and managing protected areas, to name a few.

39. The lack of reference to the involvement of IPLCs in the revision of the NBSAPs and/or the implementation of the Convention at the national level may be indicative of a lack of political awareness of the concept of either “indigenous peoples” or “local” or “traditional” communities in the national context. For those Parties that may not recognize or have indigenous peoples within their borders, the concept of “local” or “traditional” communities may have resonance at the national, subnational or local level. Extensive guidance has been provided on the concept of local communities (also referred to as

²³ Refer to: <http://www.slu.se/en/collaborative-centres-and-projects/swedish-biodiversity-centre1/samverkan-/aktuella-projekt-och-uppdrag/naptek/>

²⁴ <https://www.cbd.int/guidelines/>

²⁵ Ireland and Namibia.

²⁶ Burundi, Cameroon, Colombia, Guatemala, Guyana, Japan, Peru, Slovakia, Surinam, Togo, Venezuela and Zambia.

²⁷ Australia, Austria, Belgium and Nepal.

²⁸ NBSAP analysis takes into account reports submitted by 30 October 2015.

“traditional communities”) within the context of the Convention in the note by the Executive Secretary on local community representatives within the context of Article 8(j) and Related Provisions of the Convention on Biological Diversity (UNEP/CBD/WG8J/7/8) and in the report of the Expert Group Meeting of Local Community Representatives within the Context of Article 8(j) and Related Provisions (UNEP/CBD/WG8J/7/8/Add.1),²⁹ which resulted in decision XI/14 B on the participation of “local communities”.³⁰

40. The need to be more inclusive of “local communities”, such as communities of African descent in the Latin American and Caribbean region, is emphasized strongly in the submission from the Government of Colombia and in a submission from the Swedish Association for Transhumance and Pastoralism. Parties, taking into account the unique circumstances of each country, may wish to determine whether the concept of local or traditional communities may be applicable in the effective implementation of the Convention at the national, subnational and local levels, and, if so, take this into account in any further processes involving the revision and implementation of the NBSAPs and in the drafting of future national reports.

41. Overall, greater efforts are required by most Parties to ensure that IPLCs are participating in the review and implementation of NBSAPs, and such efforts will be rewarded many times over by recognizing, valuing and enhancing the contributions of IPLCs to the goals of the Convention.

D. National targets and indicators

42. In considering the implementation of the various elements of Aichi Target 18,³¹ and referring back to the NBSAPs analysed, approximately 60 per cent of the NBSAPs, contain national targets or similar commitments related to traditional knowledge. Where established, these national targets are broadly in line with the Aichi Biodiversity Target 18.³²

43. The inclusion of all three elements of Target 18 (respect for traditional knowledge and customary sustainable use (CSU), the full integration of traditional knowledge and CSU into the implementation of the Convention, and implementation with the full and effective participation of indigenous and local communities) in national targets is low. In the NBSAPs analysed, where Parties have established national targets, in general, they address the first component only (respect) and there is less explicit emphasis on the full integration of traditional knowledge and CSU into the implementation of the Convention or on ensuring effective participation of indigenous and local communities in implementation. An example that runs counter to this trend is Finland, which has established a national target, which reflects the various elements of the Aichi Biodiversity Target 18. Similarly, Brazil and Canada have also established targets which reflect the various elements of the Aichi Biodiversity Target 18.

44. For example, Canada’s 2020 Biodiversity Targets include a target on Aboriginal Traditional Knowledge (Target 15): “by 2020, Aboriginal traditional knowledge is respected, promoted and, where made available by Aboriginal peoples, regularly, meaningfully and effectively informing biodiversity conservation and management decision-making.”

²⁹ Available at: <https://www.cbd.int/doc/?meeting=WG8J-07>.

³⁰ Refer to <https://www.cbd.int/decision/cop/default.shtml?id=13175>.

³¹ Aichi Target 18³¹ has three components: (a) respect for traditional knowledge and customary sustainable use; (b) full integration of traditional knowledge and CSU into the implementation of the Convention (as a cross-cutting issue); and (c) implemented with the full and effective participation of indigenous and local communities. Only a limited number of Parties, such as Canada, have adopted national targets and indicators reflective of the three components of Aichi Target 18 on traditional knowledge.

³² For further information see UNEP/CBD/SBI/1/2/Add.1 and Add.2.

45. Review of post-2010 NBSAPs submitted so far indicate that very few NBSAPs have systematically developed relevant national indicators that relate to the national targets set.³³

E. IPLC Initiatives concerning national implementation

46. The present subsection provides an overview of IPLCs contributions to the effective implementation of the Convention at the national and local levels.

Contribution of IPLCs to protected areas at the national level

47. In involving IPLCs in the work of the Convention at the national level, Parties are increasingly exploring the potential of traditional knowledge along with science, for ecosystem, water and species management. This is particularly true concerning protected areas. Parties are also increasingly recognizing that local knowledge and local labour from on-site or in situ communities can provide efficient and effective ways and means of managing protected areas. Practice over time has shown that local communities need to be involved in the establishment of protected areas and need to benefit from them, if those areas are to be effective in the long term.

48. An update on Target 11 on protected areas and IPLCs is provided in paragraph 85 of this document. Information collected from country submissions in three regional and subregional capacity-building workshops (covering Mainland Asia and LAC regions) on achieving Aichi Biodiversity Targets 11 and 12, covering over 50 countries, reveal some trends including the increasing recognition and inclusion of community conservation areas (CCAs).

Indigenous community conservation areas or indigenous protected areas

49. Following on from the broader work on protected areas, a number of countries have already formally adopted CCAs into national legislation and a few are planning to broaden governance types used to manage protected areas, while other countries are recognizing CCAs through other area-based conservation measures. For example, in India, community reserves are legally protected under the Wildlife Protection Act of 1972, while, in Brazil, recent legislation governing protected areas calls for the establishment of local councils for each protected area as a mean to strengthen engagement with society and local communities. Parties are increasingly exploring the role of indigenous and local community conservation areas (ICCAs) or indigenous protected areas (IPAs), as possible contributions to the national protected areas estate.

50. For instance, Australia has reported³⁴ 72 declared IPAs, covering 64,629,395 hectares and making up 43.6 per cent of the National Reserve Network. IPAs are supported through multi-year funding, which some Indigenous groups supplement through other income-generating activities. Some also seek additional support through private sector and philanthropic organizations. Through the recognition of community conservation and diverse conservation governance, Australia has reached Aichi Target 11 (17 per terrestrial and inland waters protected by 2020) five years ahead of schedule, at the same time realizing multiple benefits for Indigenous Australians and the Australian Nation.

51. Australia's IPA programme has been very successful in supporting Indigenous communities to manage their land for conservation as part of Australia's National Reserve System. The IPA programme commenced in 1998/1999 and was expanded under the Government's "Caring for our country" initiative. Benin has also reported on initiatives to conserve community sacred forests, including as a measure to enhance traditional knowledge and genetic resources.

³³ In decision XI/3 the Conference of the Parties took note of the indicative list of indicators available for assessing progress towards the goals of the Strategic Plan for Biodiversity 2011–2020 and the Aichi Biodiversity Targets and recognizes that these provide a starting point for assessing progress in the achievement of the Strategic Plan for Biodiversity 2011–2020 at various scales.

³⁴ As of November 2015.

52. Although the recognition of community conservation can have a direct impact on a nation's protected areas estate, submissions received also point to other multiple benefits, including in situ conservation, enhancement of traditional knowledge and strengthening culture, facilitating customary management and use, protection of genetic diversity and resources, income generation/poverty alleviation, including employment of IPLC rangers³⁵ and tourism. As Parties pursue various Aichi Targets³⁶ such as Target 11 on protected areas and Target 12 on species, there is growing acceptance of the recognition of community conservation as demonstrated by the ICCA Registry.³⁷

Initiatives of indigenous peoples and local communities in support of indicators and national implementation

53. Through the International Indigenous Forum on Biodiversity's (IIFB) Working Group on indicators, indigenous peoples and local communities are advancing their own solutions to establishing status and trends in the four indicators adopted for traditional knowledge including such initiatives as community based monitoring and information systems.³⁸ Community-based monitoring and information systems (CBMIS) refers to the bundle of monitoring approaches related to biodiversity, ecosystems, land and waters, and other resources, as well as human well-being, used by indigenous and local communities as tools for the management and documentation of their resources. Community-based monitoring and information systems use an innovative methodology based on both traditional knowledge and new tools, such as digital mapping using the latest technology, three-dimensional maps and printers and the countryside management software (CMS). The methodology is based on traditional knowledge and is particular for each indigenous or local community. Among many possible uses, CBMIS can provide tools for monitoring status and trends at the community level, in the four indicators adopted for traditional knowledge. CBMIS trainings can also familiarize IPLCs with new technologies to assist them in monitoring status and trends in indicators and in establishing databases of relevant information. CBMIS can provide a basis for community planning and decision-making. CBMIS could also contribute at national, regional and global levels to improve local, national and regional information systems. Further to this, the Swedish Resilience Centre is promoting a methodology using a Multiple Evidence Base approach which is compatible with CBMIS and which may also be very useful in arriving at a picture of status and trends in the indicators adopted for traditional knowledge. CBMIS and a Multiple Evidence Base approach may provide useful information to Parties in preparing their national reports, noting the guidelines for the fifth national reports³⁹ call for indigenous and local community participation.

Possible contributions of the private sector

54. Australia, in its submission, explores the possible role of the private sector in assisting IPLCs and Governments in attaining Target 18 and other Targets, such as Target 11 on protected areas. Australia reports that, in establishing Indigenous Protected Areas, indigenous Australians are considering multiple benefits, including traditional knowledge and customary sustainable use and beyond, such as employment and income-generating activities, and are actively seeking support through both the private sector and philanthropic organizations. Additionally, major developments, such as extractive industries, are including as part of the approval process offset strategies of real benefit to local indigenous peoples. For example, the offset strategy for a natural gas plant in Western Australia required the establishment of an Indigenous Sea Ranger Programme, funded by the proponent. The Programme involves the employment of five full-

³⁵ The Government of Australia funds organizations through a multi-year funding agreement to employ indigenous rangers, provide nationally accredited training to indigenous people in land and sea management and create career pathways. As of November 2015, about 775 full-time equivalent Indigenous ranger contracted positions are funded in over 100 ranger teams across Australia. These are filled by around 1,612 full-time, part-time and casual rangers who deliver environmental outcomes on a variety of land tenures including about 60 per cent of Australia's IPAs.

³⁶ <https://www.cbd.int/sp/targets/>

³⁷ See UNEP-WCMC ICCA Registry at: <http://www.iccaregistry.org/>

³⁸ See decision XII/12 A, para. 9.

³⁹ See decision X/10, para. 11.

time field ranger positions and a full-time lead coordinator position for the life of the project. Under this programme, the Sea Rangers address threats to listed threatened and migratory species, undertake ecological monitoring, and protect the coastline and other habitats. This approach simultaneously generates the conservation benefits required through the offset while also generating positive multiple social and economic co-benefits. Similar partnerships are exemplified through collaborative research ventures between indigenous peoples, universities and the private sector in developing new pharmaceuticals and products.

F. Conclusions

55. All in all, submissions received by the Secretariat show moderate progress on some components of Aichi Target 18 in a limited number of Parties (30.5 per cent) that are regularly reporting on Article 8(j) and related provisions but limited progress in most Parties. Recalling that of the 59 NBSAPs analysed,⁴⁰ 41 or 70 per cent did not mention IPLCs, there remains much more work to do to raise awareness among Parties and Governments of the concepts of “indigenous peoples” and “local or traditional communities” within diverse national contexts and the value added by their effective participation in Convention’s implementation processes, including the usefulness of their traditional knowledge and the multiple benefits of customary sustainable use of biological diversity.

56. Submissions show some advances made in establishing minimal standards for access and use of traditional knowledge associated with genetic resources, such as prior informed consent or approval and involvement, and benefit-sharing, especially concerning measures taken under the Nagoya Protocol, concerning traditional knowledge associated with genetic resources.

57. Moderate improvements have been noted in both the effective participation of IPLCs in the national implementation of the Convention, in at least 30.5 per cent of Parties.⁴¹ These Parties are increasingly understanding and exploring the value added by traditional knowledge, when used along with science, for ecosystem, water and species management.

58. Furthermore the effectiveness of involving communities in the designation, management and monitoring of protected areas, including by the recognition of indigenous community conservation areas (ICCAs) is gaining acceptance, in many countries. There is growing understanding that in order for protected areas to thrive, local communities must benefit from them. Information received demonstrates that programmes and projects most likely to succeed are developed in partnership with IPLCs and contain maximum flexibility in how obligations arising from Articles 8(j), 10(c) and related provisions may be implemented at the national, subnational and local levels. Additionally, those Parties active on Article 8(j) and related provisions, such as Colombia, are increasingly understanding and taking into account the links between biological and cultural diversity at a conceptual level, when considering the Article 8(j) and related provisions and the implementation of the Convention.

59. These rather modest results should be tempered against other significant developments concerning traditional knowledge under the Convention. Additionally, 28 Parties have established National Focal Points for Article 8(j) and related provisions.⁴² Taking into account the significant developments in the Working Group on Article 8(j) and Related Provisions on voluntary guidelines for national arrangements to implement Article 8(j) and related provisions effectively, and the growing awareness among Governments of the value added by traditional knowledge and customary sustainable use and the efficiencies of involving IPLCs in local ecosystem management, including in protected areas, there remains grounds for some optimism.

60. However, despite some bright spots, the survival of traditional knowledge remains at a crossroads. Studies such as the composite report on the status and trends regarding the knowledge,

⁴⁰ As of 15 January 2016.

⁴¹ Based on the 59 NBSAPs, received by the 30 November 2015, and analysed as of 15 January 2016.

⁴² Refer to: <https://www.cbd.int/doc/lists/nfp-cbd-tk.pdf>

innovations and practices of indigenous and local communities relevant to the conservation and sustainable use of biodiversity⁴³ have identified the use and transmission of traditional knowledge to be in decline in recent history and facing many obstacles to its retention and use. Additionally, the submission received from Sámi árvvut, emphasizes that the most significant challenge and threat to traditional knowledge in all the countries is the decreasing and limited possibilities to practice traditional livelihoods and to use the associated traditional language.

61. At the same time there is renewed interest by indigenous peoples and local communities, Parties and Governments, as well as the private sector in the retention and use of traditional knowledge. There are also excellent traditional language restoration and revival programmes in a number of countries, including New Zealand and Canada. The Nagoya Protocol, which came into force in October 2014, will also contribute to both the protection and promotion of traditional knowledge associated with genetic resources.

62. Parties have shown renewed interest in progressing tools,⁴⁴ through the revised programme of work on Article 8(j) and related provisions, to fully implement commitments under Articles 8(j), 10(c) and related provisions. Parties are also increasingly reporting on traditional knowledge and customary sustainable use initiatives, both in their national reports and directly to the Working Group on Article 8(j) and Related Provisions.

63. With political will and adequate financial support, the Working Group on Article 8(j) is likely to complete the development and adoption of several sets of guidelines, standards and tools by 2020 that will assist Parties in the effective implementation of Article 8(j) and related provisions at the national level. However, where Parties have not taken proactive action, and on the basis of trends previously outlined, there is a risk that Target 18 may not be achieved universally until the guidelines of the Working Group are adopted and implemented effectively at the national and local levels, with the effective participation of indigenous peoples and local communities.

II. IMPLEMENTATION OF THE PLAN OF ACTION ON CUSTOMARY SUSTAINABLE USE OF BIOLOGICAL DIVERSITY ARTICLE 10(c)

64. In decision XII/12 B, the Conference of the Parties endorsed a global plan of action on customary sustainable use of biological diversity with the objective to promote, within the framework of the Convention, a just implementation of Article 10(c) at local, national, regional and international levels and to ensure the full and effective participation of indigenous and local communities at all stages and levels of implementation and invited Parties to implement the plan of action, taking into account diverse national circumstances, including legal and policy regimes.

65. The plan of action on CSU has identified some key actions⁴⁵ which Parties may take to realize its implementation including:

- (a) Incorporating customary sustainable use practices or policies into national biodiversity strategies and action plans (NBSAPs);
- (b) Promoting and strengthening community-based initiatives that support and contribute to the implementation of Article 10(c);

⁴³ See [UNEP/CBD/WG8J/5/3](#), [UNEP/CBD/WG8J/AG/2/2/Add.4](#), [UNEP/CBD/WG8J/AG/2/2/Add.5](#), and [UNEP/CBD/WG8J/AG/2/2/Add.6](#).

⁴⁴ Refer to UNEP/CBD/COP/13/3, 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 ninth meeting, 9/1. Voluntary guidelines for the development of mechanisms, legislation or other appropriate initiatives to ensure the [free,] prior informed consent [or approval and involvement] of indigenous peoples and local communities for accessing their knowledge, innovations and practices, the fair and equitable sharing of benefits arising from the use and application of such knowledge, innovations and practices relevant for the conservation and sustainable use of biological diversity, and for reporting and preventing unlawful appropriation of traditional knowledge.

⁴⁵ Decision XII/12 B, annex, section V.

(c) Identifying best practices to promote the full and effective participation of IPLCs involvement in, the establishment, expansion, governance and management of protected areas, including marine protected areas;

(d) Encouraging the application of traditional knowledge and customary sustainable use of biological diversity in protected areas;

(e) Promoting the use of community protocols to affirm and promote customary sustainable use.

66. The rationale of the plan of action argues that, incorporating customary sustainable use of biological diversity with the effective participation of indigenous and local communities, into national biodiversity strategies and action plans is an important and strategic way to integrate Article 10(c) and its implementation as a cross-cutting issue in the Strategic Plan for Biodiversity 2011-2020 and efforts to achieve the Aichi Biodiversity Targets.

67. Additionally in decision XII/12 B, paragraph 2, the Conference of the Parties invited Parties, other Governments, relevant organizations, indigenous and local communities and stakeholders to report on progress in the implementation of the plan of action on CSU, to the Executive Secretary, as well as through the national reporting process. As requested in paragraph 7 of the same decision, the Executive Secretary has compiled and analysed the information received⁴⁶ and made this information available as an information document (UNEP/CBD/SBI/1/INF/2) for the consideration of the first meeting of the Subsidiary Body on Implementation.

68. To date, limited information has been received regarding the implementation of the plan of action on CSU. Only Benin and New Zealand have referred to customary sustainable use in recent submissions and Canada in a previous submission.⁴⁷ However, substantive submissions on CSU were received from Australia and the Forest Peoples Programme. The following, further reviews the information provided.

69. In its submission, New Zealand explains that co-governance and/or co-management arrangements with local and/or regional councils regarding biological resources can allow for traditional and customary use in the national context. The Australian submission provides information on the legislative protection for CSU on indigenous peoples' traditional lands, which is guaranteed by the Native Title Act 1993. This national law recognizes the role of indigenous peoples in the conservation and sustainable use of biodiversity and the important cultural and socio-economic links that exist with biodiversity and the broader natural environment. To ensure rights to CSU can be enjoyed and practiced by indigenous peoples, the Government of Australia has developed, in partnership with indigenous peoples and local communities, a range of interlinked programmes and projects, tailored for unique national situations and local circumstances. Customary sustainable use is addressed by a menu of supportive actions, which include opportunities for training, supporting traditional knowledge transfer and improving opportunities for employment in biodiversity conservation and sustainable use sectors, including through recognizing ICCAs. CSU is further enhanced in Australia through mechanisms and principles in place for the establishment and management of both terrestrial and marine protected areas.⁴⁸ In the Australian context, customary sustainable use has a legal basis and is exercised through diverse (Traditional Owner) agreements, instruments and tools that affirm and promote customary sustainable use of biological diversity.

70. In aid of the implementation of the plan of action on CSU, the Forest Peoples Programme (FPP) reports in their submission, that they are working with IPLCs organizations and communities in Bangladesh, Cameroon, Guyana, Panama, Suriname and Thailand, that have prioritized for the 2016-2019

⁴⁶ Received in response to notification SCBD/NP/VN/JS/DM/85188 (2015-132).

⁴⁷ See UNEP/CBD/SBI/1/INF/2.

⁴⁸ For example, the processes used to develop and implement Traditional Use of Marine Resources Agreements (TUMRAs) provide mechanisms to make and document management decisions based on traditional ecological knowledge, including customary sustainable use of resources within the Great Barrier Reef Marine Park.

period, the implementation of the plan of action. The FPP anticipates submitting case studies on CSU in these countries in time for the review of the Strategic Plan for Biological Diversity leading up to 2020.

71. In the analysis of the NBSAPs, although 18 Parties have reported on inclusion of IPLCs in the NBSAPs, only three have mentioned customary sustainable use.

72. Although there is significant action relevant to Articles 8(j) and 10(c) as evidenced, much greater efforts are still required in order to implement the plan of action of customary sustainable use and achieve Target 18 by 2020.

III. PROGRESS IN MAINSTREAMING ARTICLE 8(j) AND RELATED PROVISIONS ACROSS THE AREAS OF WORK OF THE CONVENTION, INCLUDING CAPACITY-BUILDING AND PARTICIPATION OF INDIGENOUS PEOPLES AND LOCAL COMMUNITIES IN THE WORK OF THE SECRETARIAT

73. This section is focused on activities under the prerogative of the Secretariat, with a focus on capacity development of IPLCs for their effective participation of the Convention and the effective participation of IPLCs in meetings held under the Convention. Additionally, as Articles 8(j), 10(c) and related provisions are considered as cross-cutting issues within the Convention, where progress has been made in integrating or mainstreaming Article 8(j) and related provisions into other Aichi Targets, an update is provided on those Targets.

A. Capacity development

74. The Conference of the Parties has acknowledged the importance of capacity-building as a tool for the effective participation of indigenous peoples and local communities, most recently in decision XII/12 A, paragraph 7, where the Conference of the Parties requested the Executive Secretary, in collaboration with partners, to continue to organize and facilitate international technical workshops and regional workshops on indicators on the status of traditional knowledge, innovations and practices and customary sustainable use, community protocols, amongst other things.

75. Additionally, in paragraph 8, the Conference of the Parties requested the Executive Secretary to support the implementation of the plan of action on customary sustainable use of biological diversity through the organization of regional and subregional workshops and other capacity-building activities involving indigenous and local communities.

76. In line with these decisions, the Secretariat has been implementing a capacity-development strategy aimed at trainers, with a focus on traditional knowledge and customary sustainable use. The aim of the strategy is to continue to engage and grow a strong network of IPLC trainers and support them through regional and subregional workshops, small local training grants, resources and training materials, along with video-conferencing, in order to assist them to continue capacity development at the national, subnational and local levels, to further increase the number of indigenous peoples and local communities that are familiar with the work of the Convention, with a particular focus on Convention articles and Aichi Targets of most relevance to IPLCs.

77. As a result, from October 2013 to December 2014, thanks to the generous financial support of the Governments of Japan and Sweden and the Amazon Cooperation Treaty Organization (ACTO), the Secretariat of the Convention on Biological Diversity was able to organize five regional workshops: two for the Asian region, one for the Latin American region, one for the Pacific region and one for the African region.⁴⁹ These workshops were organized in partnership with the Indigenous Women Network on Biodiversity of the Latin American and Caribbean Region, the Indigenous Peoples' International Centre for Policy Research and Education (Tebtebba), the Indigenous Peoples Pact Asia (AIPP) and Indigenous Information Network (IIN) among other organizations.

⁴⁹ (a) Cochabamba, Bolivia, 9-11 December 2013 (Latin American and Caribbean region); (b) Kenya, 26-28 March 2014 (African region) (c) Chiang Mai, Thailand, 2-4 June 2014 (Asian region); (d) Chiang Mai, Thailand, 6-7 June 2014, (Asia region-CBMIS) (e) Apia, Samoa, 26-28 August 2014 (Pacific region).

78. Furthermore, the training programme was able to fund 12 local training proposals submitted by the trainers who participate in the regional workshops. Each successful trainer was awarded \$5,000 to organize national, subnational or local workshops in their home country. Altogether 29 subnational, national or local workshops for indigenous peoples and local communities were successfully facilitated by trainers. A total of 182 participants from indigenous peoples and local communities and Government representatives participated in the regional workshops, and a total of 680 participants from indigenous peoples' and local communities' organizations participated in the local, subnational or national workshops. Further information on both the regional and local trainers is available in information document UNEP/CBD/SBI/1/INF/1.⁵⁰

79. In addition, there are increasing efforts by the Secretariat to integrate indigenous and local community representatives into other capacity-building efforts of the Secretariat. A total of 69 representatives of indigenous peoples and local communities participated in other workshops organized by the Secretariat during reporting period 2014-2015.

80. In 2015-2016, thanks to the generous financial support of the Governments of Japan, Sweden and Guatemala, the Secretariat of the Convention on Biological Diversity was able to develop and plan, with partners, a training programme for representatives of indigenous peoples and local communities and Parties, on the following:

- (a) Initiatives concerning indicators for traditional knowledge;
- (b) Implementation of the global plan of action on customary sustainable use of biological diversity;
- (c) Community Protocols for Traditional Knowledge, including their possible contribution to the effective implementation of the Nagoya Protocol.

81. This programme includes a global workshop held in Guatemala in June 2015 and five regional training programmes planned for 2016, including two for Latin America and the Caribbean,⁵¹ one for the Asia, one for Africa and one for the Pacific.⁵² These regional programmes are organized in partnership with the host Governments and the International Indigenous Forum on Biodiversity, the Indigenous Women Network on Biodiversity of the Latin American and Caribbean Region, the Indigenous Peoples' International Centre for Policy Research and Education (Tebtebba), AIPP, IPACC and IIN.

82. In summary, the Secretariat continues to develop the capacity of IPLCs and Governments, foremost through the Capacity Development Strategy for IPLC trainers and through the integration of IPLCs in other capacity-building efforts of the Secretariat, and presentations at capacity-building initiatives organized by other organizations, meetings and events. A full report on progress in capacity development and the participation of indigenous peoples and local communities in the work of the Convention is provided in UNEP/CBD/SBI/1/INF/2.

B. The participation of indigenous and local communities in the work of the Convention, including through the Voluntary Fund for the Participation of indigenous and local community representatives in meetings held under the Convention (VB Trust Fund)

83. In the biennium 2014-2015, a total of 176 representatives of indigenous peoples and local communities received funding from the Trust Fund to participate in meetings of the Convention. The

⁵⁰ Progress report on capacity development and participation of indigenous peoples and local communities in the work of the Convention is provided in UNEP/CBD/SBI/1/INF/2.

⁵¹ Including one subregional Workshop for the Caribbean, held in Antigua and Barbuda, 14-18 December, 2015.

⁵² The five workshops planned for 2015-2016 will be held in: (a) Antigua and Barbuda, 14-18 December, 2015 (Caribbean subregional workshop); (b) Nairobi, 25-29 January 2016 (African regional workshop); (c) Bhutan, March, 2016 (to be confirmed) (Asian regional workshop); (d) Panama, June 2016 (to be confirmed) (Latin American region); (e) Canberra, 5-9 September, 2016 (to be confirmed) (Pacific region).

Secretariat wishes to thank Australia, Finland, Germany, New Zealand, Norway, the Republic of Korea, Sweden and Switzerland for their continuing support of the VB Trust Fund for the effective participation of indigenous and local communities in meetings held under the Convention.

C. Progress in mainstreaming Article 8(j) and related provisions across the areas of work of the Convention

84. Apart from the programme of work on Article 8(j) and related provisions, Article 8(j) and related provisions are implemented through integration into the many areas of work of the Convention. The following is an update on Aichi Targets that have made significant progress in incorporating Article 8(j) on traditional knowledge and Article 10(c) on customary sustainable use of biological diversity and related provision, in 2014-2015.

Aichi Biodiversity Targets

Target 11: By 2020, at least 17 per cent of terrestrial and inland water, and 10 per cent of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well-connected systems of protected areas and other effective area-based conservation measures, and integrated into the wider landscapes and seascapes

85. Of most relevance to IPLCs and Article 8(j) and related provisions regarding Target 11 is the element of the programme of work which deals with effective and equitable management of protected areas and other area-based conservation measures. For the biennium 2014-2015, the focus within this element has largely been on collecting information on various governance types in the protected area estates of countries and indigenous and local CCAs, including perceptions about “other effective area-based conservation measures”. To aid this work, participating countries have provided information on various types of governance in their protected areas, to the Conservation Matrix of the International Union for Conservation on Nature, including protected areas having co-management, private management, and/or public management and/or being exclusively managed by indigenous peoples and local communities (related information is available paras. 49-52 above).

Target 15: By 2020, ecosystem resilience and the contribution of biodiversity to carbon stocks has been enhanced, through conservation and restoration, including restoration of at least 15 per cent of degraded ecosystems, thereby contributing to climate change mitigation and adaptation and to combating desertification

86. In decision XII/20, paragraph 7, the Conference of the Parties requested the Executive Secretary to compile experiences with ecosystem-based approaches to climate change adaptation and disaster risk reduction and to share them through the clearing-house mechanism.

87. In response to this request, a synthesis report that compiles country experiences and synthesizes information related to ecosystem-based approaches to climate change adaptation and disaster risk reduction was prepared. The report contains a section on the contribution of indigenous peoples and local communities to ecosystem approaches. The report will be made available to the Subsidiary Body on Scientific, Technical and Technological Advice at its twentieth meeting.

88. In addition, a technical workshop ecosystem-based approach to climate change adaptation and disaster risk reduction was held in Johannesburg, South Africa, from 28 September to 2 October 2015, thanks to the support of the European Union and the Governments of South Africa, Germany and Sweden. The workshop comprised 50 participants, nominated from all regions including 26 participants from Parties, four representatives of indigenous peoples and local communities. The workshop provided an opportunity to review the draft synthesis report, to identify gaps in the information provided in the synthesis report, based on the knowledge and experience available at the national level, and to provide more information to strengthen the report. The workshop included a session on the contributions of indigenous peoples and local communities to ecosystem approaches. It facilitated the sharing of

experiences and lessons learned from the implementation of ecosystem-based approaches at the national, local and community levels.

Target 16: By 2015, the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization is in force and operational, consistent with national legislation

89. IPLCs participated in the First meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access and Benefit-sharing and six regional workshops⁵³ carried out throughout 2014-2015. During the current biennium, the Nagoya Protocol continues to ensure the effective participation of IPLCs as observers in relevant intersessional meetings, such as in the Informal Advisory Committee on Capacity-building for the Implementation of the Nagoya Protocol, the Compliance Committee under the Nagoya Protocol and the expert group meeting on Article 10.

90. Interest in the Nagoya Protocol, together with developments within the programme of work on Article 8(j) and related provisions regarding access and benefit-sharing for traditional knowledge, has led the International Indigenous Forum on Biodiversity to prioritize capacity development for IPLC trainers in the 2015-16 biennium, on community protocols. In order to develop capacity of IPLCs in this regard, the Secretariat, as previously mentioned, is planning and facilitating, with partners, five regional training workshops during 2016 which will focus on the potential roles of Community Protocols for Traditional Knowledge under the Convention and the Nagoya Protocol.

Target 17: By 2015 each Party has developed, adopted as a policy instrument, and has commenced implementing an effective, participatory and updated national biodiversity strategy and action plan

91. In decision XI/2 A, paragraph 4, the Conference of the Parties invited “Parties to include all stakeholders, including indigenous and local communities, women and youth, in planning and implementing national biodiversity strategies and action plans, thereby contributing to the achievement of the Strategic Plan for Biodiversity 2011-2020”. To the extent possible, given limited resources, the Secretariat invited and financed a broad range of stakeholders, including at least one regional indigenous or local community representative to the regional NBSAP revision workshops. Late in 2013, a global workshop to review progress in NBSAP revisions was held in Nairobi, with the generous support of the Japan Biodiversity Fund, the European Union and other donors, and at least one regional IPLC representative from each of the major United Nations language regions was supported to attend and participate. This workshop was being jointly convened by the Secretariat of the Convention on Biological Diversity, with close collaboration from UNDP and UNEP, as implementing agencies of the Global Environment Facility, along with other partners, as an output of the NBSAP Forum. The Forum website and other activities have provided an additional mechanism to promote stakeholder engagement, including IPLCs in national biodiversity planning processes. As noted previously, 24 Parties have mentioned the involvement of IPLCs in the NBSAP revision process undertaken since the Conference of the Parties adopted the Strategic Plan for Biodiversity 2011-2020 in Japan in 2010.

⁵³ Capacity-building workshop on the Access and Benefit-Sharing Clearing-House, Pyeongchang, Republic of Korea, 12 October 2014; Regional Capacity-building Workshop on the Nagoya Protocol on Access and Benefit-sharing for Africa, Kampala, 9-13 June 2014; Subregional Capacity-building Workshop on the Nagoya Protocol on Access and Benefit-sharing for West Asia and North Africa, Dubai, United Arab Emirates 1-5 June 2014; Subregional Capacity-building Workshop on the Nagoya Protocol for the Caribbean, Georgetown, Guyana, 19-22 May 2014; Subregional Capacity-building Workshop on the Nagoya Protocol for Central and Eastern Europe and Central Asia, Minsk, 31 March-4 April 2014; Regional Capacity-building Workshop for Latin America on Nagoya Protocol on Access and Benefit-sharing, Montevideo, 24-28 March 2014.