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WORKING GROUP ON ARTICLE 8(j) AND
RELATED PROVISIONS OF THE CONVENTION
ON BIOLOGICAL DIVERSITY

Eleventh meeting

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Item 5 of the provisional agenda*

**POSSIBLE OBJECTIVES AND GENERAL PRINCIPLES TO BE CONSIDERED TO ACHIEVE
THE INTEGRATION OF ARTICLE 8(J) AND RELATED PROVISIONS IN THE WORK OF
THE SUBSIDIARY BODIES ON MATTERS OF DIRECT RELEVANCE TO INDIGENOUS
PEOPLES AND LOCAL COMMUNITIES, AND TO ENABLE THE FULL AND EFFECTIVE
PARTICIPATION OF INDIGENOUS PEOPLES AND LOCAL COMMUNITIES IN THE WORK
OF THE CONVENTION**

INTRODUCTION

1. In [decision 14/17](#), paragraphs 1 and 2, the Conference of the Parties decided to complete the current programme of work on Article 8(j) and related provisions by its fifteenth meeting at the latest, and to consider the development of a fully integrated programme of work on Article 8(j) and related provisions within the post-2020 global biodiversity framework. The new fully integrated programme of work should allow for the full and effective participation of indigenous peoples and local communities in the work of the Convention, build on achievements to date and take into account ongoing and postponed tasks, the 2030 Agenda for Sustainable Development¹ and its goals, the Paris Agreement under the United Nations Framework Convention on Climate Change (UNFCCC),² and gaps identified.

2. In paragraph 12 of the same decision, the Conference of the Parties requested the Ad Hoc Open-ended Inter-sessional Working Group on Article 8(j) and Related Provisions to develop, at its eleventh meeting, proposals for possible future work, as well as institutional arrangements and their modus operandi for consideration by the Subsidiary Body on Implementation at its third meeting in order to inform the development of a fully integrated programme of work, as part of the post-2020 biodiversity framework.

3. In order to assist the Working Group with this work, the Conference of the Parties requested, in [decision 14/17](#), paragraph 6, that the Executive Secretary facilitate an online forum inviting Parties, other Governments, indigenous peoples and local communities, other relevant organizations and interested stakeholders to have an initial exchange of views and information, as appropriate, on:

(a) Possible objectives to be considered to achieve an effective integration of Article 8(j) in the work of the subsidiary bodies on matters of direct relevance to indigenous peoples and local communities, and to enable full and effective participation of indigenous peoples and local communities in the work of the Convention;

* CBD/WG8J/11/1.

¹ See General Assembly resolution [70/1](#), entitled “Transforming our world: the 2030 Agenda for Sustainable Development”.

² United Nations, *Treaty Series*, Registration No. [I-54113](#).

(b) Possible elements of a programme of work on Article 8(j) and related provisions as part of the post-2020 global biodiversity framework;

(c) Possible institutional arrangements, lessons learned and pros and cons of current arrangements.

4. To assist the Working Group in its task, the present document contains the following:

(a) In section I, an overview of the objectives and general principles of the current programme of work on the implementation of Article 8(j) and related provisions;

(b) In section II, possible objectives to be considered to achieve an effective integration in the work of the subsidiary bodies on matters of direct relevance to indigenous peoples and local communities, and to enable full and effective participation of indigenous peoples and local communities in the work of the Convention;

(c) In section III, possible general principles to be considered to achieve an effective integration in the work of the subsidiary bodies on matters of direct relevance to indigenous peoples and local communities, and to enable full and effective participation of indigenous peoples and local communities in the work of the Convention;

(d) In section IV, the conclusion.

5. The document also contains an annex, bringing together the possible objectives, general principles and elements of for a new fully integrated programme of work of relevance to indigenous peoples and local communities in the post-2020 global biodiversity framework, is made available in document CBD/WG8J/11/4, along with a draft recommendation, in order to assist the Working Group with this task.

6. The present document draws upon the following documents:

(a) Relevant decisions, including [14/15](#) on safeguards and [14/17](#) on integration;

(b) The report of the Online Forum on the Integration of Article 8(j) and Provisions Related to Indigenous Peoples and Local Communities in the Work of the Convention and its Protocols (CBD/A8J/OM/2019/1/3).³ This online Forum was held during February and March 2019, and included a webinar (held on 19 February 2019 in three languages, English, French and Spanish) and a survey;⁴

(c) A compilation of views on objectives, general principles and possible elements of a fully-integrated programme of work within the post-2020 global biodiversity framework, prepared for the eleventh meeting of the Ad Hoc Open-ended Inter-sessional Working Group on Article 8(j) and Related Provisions ([CBD/WG8J/11/INF/1](#));⁵

(d) A compilation of views, as part of the post-2020 global biodiversity framework, on possible elements of a future programme of work on Article 8(j) and related provisions, as well as possible institutional arrangements and their modus operandi, prepared for the fourteenth meeting of the Conference of the Parties ([CBD/COP/14/INF/5/Rev.1](#)).⁶

7. This document contains more detailed and elaborated information on objectives and principles, to supplement the information summarized in document CBD/WG8J/11/4 on the development of a fully integrated programme of work on Article 8(j) within the post-2020 global biodiversity framework.

³ The Online Forum webpages can be found at <https://www.cbd.int/tk/future.shtml>.

⁴ The survey was answered by 119 respondents (54 in English, 19 in French and 46 in Spanish). The participants were 31% indigenous peoples; 4% local communities; 30% government representatives; 14% NGOs; 9% education sector; 6% international organizations; 0% private sector; and 6% others, which included consultants working with indigenous peoples and local communities.

⁵ As requested in decision 14/17, paragraph 8, and solicited through notification [SCBD/SSSF/AS/JS/MLS/87830](#).

⁶ As requested by the Ad Hoc Open-ended Inter-sessional Working Group on Article 8(j) and Related Provisions in recommendation 10/3, paragraph 2, and solicited through notification SCBD/SPS/AS/JS/VF/87320.

8. This document is complementary to the following documents:

(a) Possible elements of work of the new programme of work on Article 8(j) and related provisions as part of the post-2020 biodiversity framework (CBD/WG8J/11/INF/10);

(b) Possible institutional arrangements and their modus operandi and governance implications, for consideration in the post-2020 global biodiversity framework (CBD/WG8J/11/INF/11);

(c) Budget estimates for possible options concerning institutional arrangements for the effective participation of indigenous peoples and local communities in the work of the Convention beyond 2020 (CBD/WG8J/11/INF/12).

I. OVERVIEW OF THE OBJECTIVES AND GENERAL PRINCIPLES OF THE CURRENT PROGRAMME OF WORK ON THE IMPLEMENTATION OF ARTICLE 8(J) AND RELATED PROVISIONS

9. The programme of work on the implementation of Article 8(j) and related provisions is the main instrument that Parties to the Convention on Biological Diversity have given themselves to achieve, by 2020, the commitments in [Article 8\(j\)](#) and related provisions, and later, [Aichi Biodiversity Target 18](#).

10. The [current programme of work](#)⁷ has as its objective to promote, within the framework of the Convention, a just implementation of Article 8(j) and related provisions, 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 its implementation.

11. The current programme of work on Article 8(j) has general principles, as follows:

1. Full and effective participation of indigenous and local communities in all stages of the identification and implementation of the elements of the programme of work. Full and effective participation of women of indigenous and local communities in all activities of the programme of work.

2. Traditional knowledge should be valued, given the same respect and considered as useful and necessary as other forms of knowledge.

3. A holistic approach consistent with the spiritual and cultural values and customary practices of the indigenous and local communities and their rights to have control over their traditional knowledge, innovations and practices.

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

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.

12. The following voluntary guidelines, code of conduct and plan of action, based on the objectives and general principles of the current programme of work, promote within the framework of the Convention a just implementation of Article 8(j) and related provisions (Articles 10(c), 17 and 18), at the local, national, regional and international levels. Their effective implementation at the national and subnational levels remains central for successfully realizing the full potential of the knowledge, innovations and practices of indigenous peoples and local communities and their customary sustainable use of biodiversity for the goals of the Convention and its vision of living in harmony with nature by 2050. The objectives included in the following guidelines and standards, developed under the auspices of the Working Group

⁷ Adopted in [decision V/16](#) (2000).

and adopted by the Conference of the Parties, reinforce the overarching objective and principles of the programme of work on Article 8(j) and related provisions.

Title	Objectives/Purpose and approach/General principles
<p>The Rutzolijirisaxik Voluntary Guidelines for the Repatriation of Traditional Knowledge Relevant for the Conservation and Sustainable Use of Biological Diversity (decision 14/12)</p>	<p>Objective: To facilitate the repatriation of the traditional knowledge of indigenous peoples and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity, including related or complementary information in accordance with Article 8(j) and Article 17, paragraph 2, of the Convention, in order to facilitate the recovery of traditional knowledge relevant for the conservation and sustainable use of biological diversity.</p>
<p>The Mo’otz Kuxtal 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)</p>	<p>Objective: To provide guidance for the development of mechanisms, legislation, administrative and policy measures, or other appropriate initiatives, to ensure that potential users of knowledge, innovations and practices that are held by indigenous peoples and local communities and that embody traditional lifestyles relevant for the conservation and sustainable use of biological diversity (hereinafter “traditional knowledge”), obtain the “prior and informed consent”, “free, prior and informed consent” or “approval and involvement”, depending on national circumstances where appropriate, of these indigenous peoples and local communities, in accordance with national legislation, and that these indigenous peoples and local communities obtain a fair and equitable share of benefits arising from the use and application of such traditional knowledge and for reporting and preventing unlawful appropriation of traditional knowledge relevant for the conservation and sustainable use of biological diversity.</p> <p>General principles:</p> <p>(a) Access to traditional knowledge of indigenous peoples and local communities should be subject to “prior and informed consent”, “free, prior and informed consent” or “approval and involvement” depending on national circumstances, of the traditional holders of such knowledge;</p> <p>(b) 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;</p> <p>(c) prevent and report on unlawful appropriation and use of traditional knowledge.</p>
<p>The Global Plan of Action on Customary Sustainable Use of Biological Diversity (decision XII/12, B, and contained in the annex)</p>	<p>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.</p>

Title	Objectives/Purpose and approach/General principles
	<p>General principles:</p> <p>(a) The development and implementation of all activities under the plan of action on customary sustainable use of biological diversity should be undertaken with the full and effective participation of indigenous and local communities, particularly women and youth;</p> <p>(b) Traditional knowledge should be valued, respected and considered as useful and necessary for biodiversity conservation and sustainable use as other forms of knowledge;</p> <p>(c) The ecosystem approach, a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use of biological diversity in an equitable way, is consistent with the spiritual and cultural values as well as customary practices of many indigenous and local communities and their traditional knowledge, innovations and practices;</p> <p>(d) Recognizing that indigenous and local communities are the holders of their traditional knowledge, innovations and practices, access to their traditional knowledge, innovations and practices should be subject to their prior informed consent or approval and involvement.</p>
<p>The Tkarihwaí:ri Code of Ethical Conduct to Ensure Respect for the Cultural and Intellectual Heritage of Indigenous and Local Communities (decision X/42)</p>	<p>Rationale: To provide guidance in activities/interactions with indigenous and local communities and for the development of local, national, or regional codes of ethical conduct, with the aim of promoting respect, preservation and maintenance of traditional knowledge, innovations and practices relevant for the conservation and sustainable use of biodiversity.</p> <p>General ethical principles:</p> <p>(a) Respect for existing settlements;</p> <p>(b) Intellectual property;</p> <p>(c) Non-discrimination;</p> <p>(d) Transparency/full disclosure;</p> <p>(e) Prior informed consent and/or approval and involvement;</p> <p>(f) Inter-cultural respect;</p> <p>(g) Safeguarding collective or individual ownership;</p> <p>(h) Fair and equitable sharing of benefits;</p> <p>(i) Protection;</p> <p>(j) Precautionary approach.</p>
<p>The Akwé: Kon Voluntary Guidelines for the Conduct of</p>	<p>Objective: To provide general advice on the incorporation of cultural, environmental, including biodiversity-related, and social</p>

Title	Objectives/Purpose and approach/General principles
<p>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 (decision VII/16)</p>	<p>considerations of indigenous and local communities into new or existing impact-assessment procedures, noting that some existing procedures may take these concerns into consideration in different ways.</p> <p>More specifically, the purpose of these Guidelines is to provide a collaborative framework within which Governments, indigenous and local communities, decision makers and managers of developments can:</p> <p>(a) Support the full and effective participation and involvement of indigenous and local communities in screening, scoping and development planning exercises;</p> <p>(b) Properly take into account the cultural, environmental and social concerns and interests of indigenous and local communities, especially of women who often bear a disproportionately large share of negative development impacts;</p> <p>(c) Take into account the traditional knowledge, innovations and practices of indigenous and local communities as part of environmental, social and cultural impact-assessment processes, with due regard to the ownership of and the need for the protection and safeguarding of traditional knowledge, innovations and practices;</p> <p>(d) Promote the use of appropriate technologies;</p> <p>(e) Identify and implement appropriate measures to prevent or mitigate any negative impacts of proposed developments;</p> <p>(f) Take into consideration the interrelationships among cultural, environmental and social elements.</p>

II. POSSIBLE OBJECTIVES TO BE CONSIDERED TO ACHIEVE EFFECTIVE INTEGRATION IN THE WORK OF THE SUBSIDIARY BODIES OF MATTERS OF DIRECT RELEVANCE TO INDIGENOUS PEOPLES AND LOCAL COMMUNITIES, AND TO ENABLE FULL AND EFFECTIVE PARTICIPATION OF INDIGENOUS PEOPLES AND LOCAL COMMUNITIES IN THE WORK OF THE CONVENTION

13. This section provides an analysis of the information received in submissions (reproduced in CBD/WG8J/11/INF/1 and CBD/COP/14/INF/5/Rev.1), from the online forum (CBD/A8J/OM/2019/1/3), and in the survey, regarding the possible objectives of the future programme of work.

14. With respect to the possible objectives of a future programme of work on Article 8(j) and related provisions, many views highlighted the following ideas:⁸

(a) Realizing the full potential contribution of indigenous peoples and local communities to the Aichi Biodiversity Targets and future arrangements post 2020, and more broadly to other international commitments, including the Sustainable Development Goals and the Paris Agreement;

⁸ As proposed in the Online Forum (CBD/A8J/OM/2019/1/2).

(b) Creating legal certainty and clarity to protect indigenous peoples and local communities and their traditional knowledge;

(c) Granting access to traditional knowledge associated with genetic resources should be subject to reasonable and adaptive procedures;

(d) Indigenous peoples and local communities should be considered as custodians of biological resources, and hence genetic resources, and should be provided with incentives to maintain them;⁹

(e) The promotion, within the framework of the Convention, of a just implementation of Article 8(j) and related provision, and in accordance with the provisions of the Protocols (Nagoya and Cartagena), guaranteeing the full and effective participation of indigenous and local communities at all levels. In particular, concerning the Protocols, the fair and equitable sharing of benefits arising from the use of genetic resources, and safeguards/protections for indigenous peoples and local communities concerning biosafety and the safe transfer, handling and use of living modified organisms, and the results of modern biotechnology;

(f) Respect for the rights of indigenous peoples and local community, particularly regarding the protection of traditional knowledge.

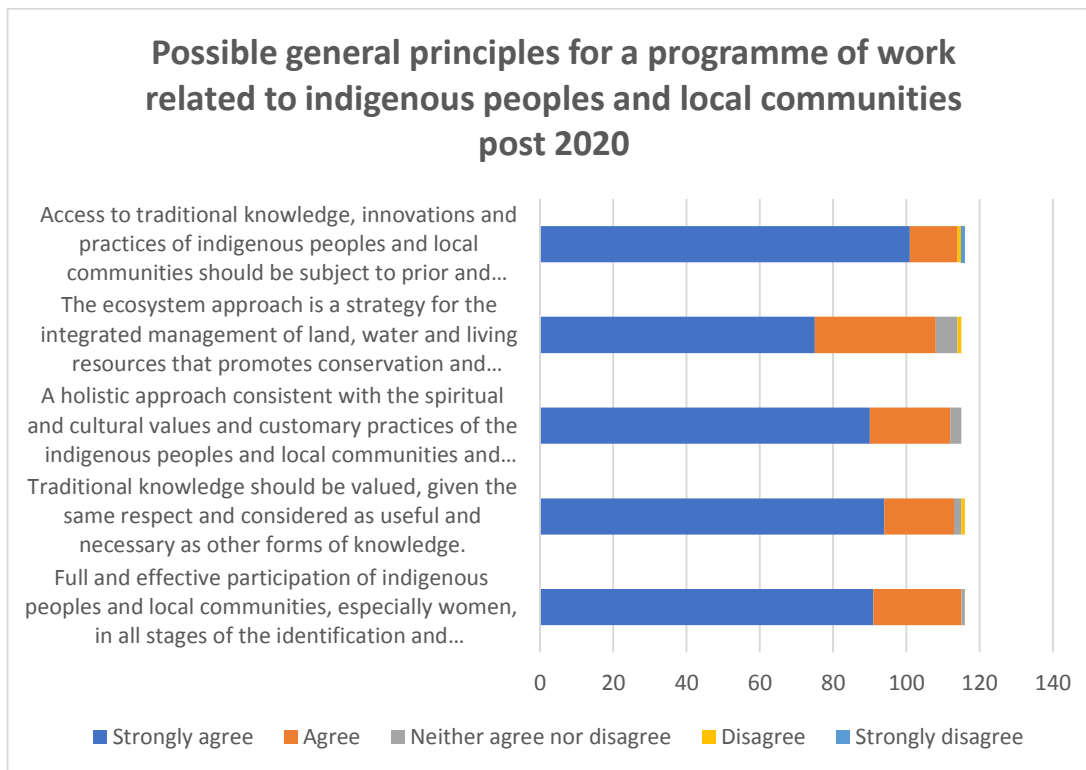
15. Taking into account the views received, the main conclusion is that the objective of the current and original programme of work remains valid for both present and future work. Thus, the objective could be retained in the new programme of work on Article 8(j) and related provisions, within the post-2020 global biodiversity framework.

III. POSSIBLE GENERAL PRINCIPLES TO BE CONSIDERED TO ACHIEVE EFFECTIVE INTEGRATION IN THE WORK OF THE SUBSIDIARY BODIES OF MATTERS OF DIRECT RELEVANCE TO INDIGENOUS PEOPLES AND LOCAL COMMUNITIES, AND TO ENABLE FULL AND EFFECTIVE PARTICIPATION OF INDIGENOUS PEOPLES AND LOCAL COMMUNITIES IN THE WORK OF THE CONVENTION

16. This section provides an analysis of the information received in submissions (CBD/WG8J/11/INF/1 and CBD/COP/14/INF/5/Rev.1) from the Online Forum on the Integration of Article 8(j) and Provisions Related to Indigenous Peoples and Local Communities in the Work of the Convention and its Protocols (CBD/A8J/OM/2019/1/3), and in the survey, regarding the possible general principles of the future programme of work. It includes views for each of the suggested principles and a conclusion.

17. In the Online Forum survey and in order of priority, most of the participants strongly agreed that access to traditional knowledge, innovations and practices of indigenous peoples and local communities should be subject to prior and informed consent, free, prior and informed consent or approval and involvement from the holders of such knowledge, innovations and practices (87%). The second priority is that traditional knowledge be valued, given the same respect and considered as useful and necessary as other forms of knowledge (81%), followed by the full and effective participation of indigenous peoples and local communities, especially women, in all stages of the identification and implementation of the elements of the programme of work (78%), as well as a holistic approach consistent with the spiritual and cultural values and customary practices of indigenous peoples and local communities, their rights to have control over their traditional knowledge, innovations and practices (78%) and finally, that the ecosystem approach is the strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use of biological diversity in an equitable way (65%).

⁹ As proposed by Nigeria in CBD/WG8J/11/INF/1.



18. The participants provided qualitative views regarding each of the general principles of the current programme of work.

19. The current programme of work has as a general principle: (1) “Full and effective participation of indigenous and local communities in all stages of the identification and implementation of the elements of the programme of work. Full and effective participation of women of indigenous and local communities in all activities of the programme of work”. The participants’ main views regarding this general principle are as follows:

(a) The full and effective participation of indigenous and local communities, especially of women, must be ensured at all stages of the identification and implementation of the elements of the programme of work. Accordingly, participation should not be on a voluntary funding basis;¹⁰

(b) Resources should be made available to support the active participation of indigenous representatives, including of young people, in order to allow for fuller participation;¹⁰

(c) Full involvement and inclusion of indigenous peoples and local communities should be ensured at the national level, in all relevant working groups and committees, etc., with the aim of providing access to information and building platforms and mechanisms for the integration of traditional knowledge into the implementation of the Convention, and for mainstreaming;¹⁰

(d) National legal frameworks for the Convention and its Protocols should be revised to be more efficient, to better promote the effective participation of indigenous peoples and local communities, and to ensure the implementation of effective mechanisms for the fair and equitable sharing of benefits derived from the use of genetic resources and its associated traditional knowledge;¹⁰

(e) Indigenous peoples and local communities should not be seen as an observer group, which limits their effective participation, but as partners in the implementation of the Convention;¹⁰

¹⁰ As proposed in the Online Forum (CBD/A8J/OM/2019/1/3).

(f) Ensure the wide dissemination of information in formats that are easily accessible to communities, so they can understand and access the support that is available to them, for their effective participation in the Convention and its work, at all levels, thus promoting their full participation in decision-making and implementation processes for biodiversity conservation;¹⁰

20. The current programme of work has as a general principle: (2) “Traditional knowledge should be valued, given the same respect and considered as useful and necessary as other forms of knowledge”. The participants’ main views regarding this general principle are as follows:

(a) Ensure recognition and respect of the diversity of cultures, practices and collective traditions of indigenous peoples and local communities, particularly with regard to traditional knowledge related to biological and cultural diversity;¹¹

(b) Ensure recognition of the unique association that indigenous peoples and local communities have with the Convention and its Protocols;¹¹

(c) Establish a strong mechanism for the development of standards and guidelines for the transmission of traditional knowledge, including the recording, documentation, storage and dissemination of indigenous traditional knowledge, through secure indigenous knowledge documentation centres;¹²

(d) Advance community/collective territorial rights systems and promote genuine collaborations that respect the processes and outcomes of diverse knowledge systems;¹²

(e) Promote gender equality across knowledge systems and cultures;

(f) Acknowledge and use the United Nations system-wide requirements for a human rights-based approach to service delivery as a general and supportive principle underlying all the work of the Convention;¹²

(g) Ensure that the new Programme of Work is an effective intercultural learning platform for the exchange of experiences and information across Governments, indigenous peoples and local communities, and other experts, by applying a Multiple Evidence Based approach¹³ whereby indigenous, local and scientific knowledge systems are seen as equally valid and actively contributing to conservation and sustainable use, each on their own terms;¹⁴

(h) Recognize and respect the linguistic and cultural diversity of indigenous peoples and local communities and their traditional knowledge associated with biological diversity.¹⁵

21. The current programme of work has as a general principle: (3) “A holistic approach consistent with the spiritual and cultural values and customary practices of the indigenous and local communities and their rights to have control over their traditional knowledge, innovations and practices”. The participants’ main views regarding this general principle are as follows:

(a) A need for a more holistic, forward-looking and integrated approach when defining the elements of the future programme of work on Article 8(j);¹⁶

(b) The development of sui generis systems, as per [decision VII/16](#), paragraph (h), for the protection of indigenous/traditional knowledge, taking into consideration customary laws, values and world-views;¹⁷

¹¹ As proposed by IIFB in CBD/COP/14/INF/5.

¹² As proposed in the Online Forum (CBD/A8J/OM/2019/1/3).

¹³ [Decision XII/12](#)

¹⁴ As proposed by the European Union and its member States in CBD/WG8J/11/INF/1.

¹⁵ As proposed by the Bolivarian Republic of Venezuela in CBD/WG8J/11/INF/1.

¹⁶ As proposed by Canada in CBD/COP/14/INF/5.

¹⁷ As proposed in the Online Forum (CBD/A8J/OM/2019/1/3).

(c) The holistic approach allows for multiple “value” types (e.g. economic, ecological, and socio-cultural (of which relational, intrinsic, instrumental)), which are equally critical for restoring and conserving the benefits of nature, for indigenous peoples and local communities;¹⁷

(d) The recognition and revaluing of different and diverse ways of living, seeing and understanding nature, biodiversity and relationships to human life, on the planet for the conservation and use of biodiversity;

(e) Research on traditional knowledge should incorporate the cultural, social contexts and values of the respective indigenous peoples and local communities.¹⁷

22. The current programme of work has as a general principle: (4) “The ecosystem approach is a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use of biological diversity in an equitable way”. The participants’ main views regarding this general principle are as follows:

(a) It should be recognized that indigenous traditional knowledge is sustaining most of the Earth’s remaining biodiversity and must play a role in halting further loss of biodiversity;¹⁷

(b) The promotion of ecosystem-based climate change adaptation and mitigation (nature-based solutions) should take into account the practices, innovations and traditional knowledge of indigenous peoples and local communities.¹⁸

23. The current programme of work has as a 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”. The participants’ main views regarding this general principle are as follows:

(a) Decision-making processes must take a rights-based approach, led by ethical standards, and secure the traditional knowledge of indigenous peoples and local communities, based on their prior and informed consent, free, prior and informed consent, or approval and involvement, depending on national circumstances;¹⁹

(b) Protective systems for traditional knowledge must be established against unauthorized access or illegal use/misappropriation, based on the full and effective participation and on the rights of indigenous peoples and local knowledge holders, and access to indigenous and local knowledge should be based on prior informed consent, free, prior and informed consent, or approval and involvement;²⁰

(c) Capacity-building for indigenous peoples and local communities on the access and benefit-sharing (ABS) concepts should be provided prior to their participation in ABS negotiations;²¹

(d) Capacity-building must be provided to all actors to ensure that the benefits derived from the use of traditional knowledge associated with genetic resources are shared in a just and equitable manner with indigenous peoples and local communities that possess such knowledge;²²

(e) The principle of the “prior and informed consent”, “free, prior and informed consent” (FPIC) or “approval and involvement”, depending on national circumstances, of indigenous peoples and local communities, should be applied to projects and developments proposed on the traditional territories of indigenous peoples and local communities. The process should respect the time it takes for indigenous peoples and local communities to discuss and reach communal collective agreements. FPIC should be complemented with broader planning frameworks and instruments that assist indigenous peoples in

¹⁸ As proposed by the Bolivarian Republic of Venezuela in CBD/WG8J/11/INF/1.

¹⁹ As proposed by local community groups in Antigua and Barbuda, in CBD/COP/14/INF/5/Rev.1.

²⁰ As proposed in the Online Forum (CBD/A8J/OM/2019/1/3).

²¹ As proposed by the Bolivarian Republic of Venezuela in CBD/WG8J/11/INF/1.

²² As proposed by the Bolivarian Republic of Venezuela in CBD/WG8J/11/INF/1.

realizing their own visions of life and facilitate the way they choose to develop and ensure their effective participation in the Convention and its Protocols;

(f) The language of the Convention and its protocols and the related concepts, guidelines and standards need to be communicated in plain language to external actors (IPLCs) and stakeholders. At the same time, key information about the Convention should be translated into indigenous languages and disseminated through official communication channels.²³

24. Some participants mentioned some other principles to be considered, of which the main views provided are:

(a) The need to create a space for indigenous peoples and local communities to lead the policies and governance of protected and conserved areas;²³

(b) The promotion of justice, equity, responsibility and solidarity, with a focus on human rights and with an intergenerational perspective, not only for the benefit of past generations but also of future generations (intergenerational equity), since one of the greatest problems of indigenous communities is the migration of young people to urban areas, leading to the consequential loss of traditional knowledge and biodiversity;²³

(c) The promotion of better access to education in order to enable indigenous peoples and local communities to become aware of the value of their resources and to better defend themselves at the regional, national and international levels for sustainable and equitable management;²³

(d) Establish databases by country and region of the successful initiatives that are emblematic and iconic from the perspective of indigenous peoples and local communities.²³

IV. CONCLUSION

25. In conclusion, and taking into account the views received regarding possible objectives and general principles of a new programme of work of relevance to indigenous peoples and local communities in the post-2020 global biodiversity framework, the Parties may wish to build on or revise, as needed, the current objectives and general principles, as submissions received overwhelmingly agree that the original objective and principles continue to be relevant for future work.

26. In order to assist the Working Group with this task, the Executive Secretary has provided, in the annex to the note on the development of a fully integrated programme of work on Article 8(j) and related provisions within the post-2020 biodiversity framework (CBD/WG8J/11/4),²⁴ the revised objectives and general principles. The draft recommendation to assist the Working Group with this task is also contained in document CBD/WG8J/11/4, which combines the objectives and general principles with possible elements of work so that the Working Group can consider a complete proposal.

²³ As proposed in the Online Forum (CBD/A8J/OM/2019/1/3).

²⁴ Building on views received and showing the changes.