



## Convention on Biological Diversity

Distr.  
GENERAL

CBD/POST2020/WS/2020/4/3  
3 July 2020

ENGLISH ONLY

### THEMATIC CONSULTATION ON THE SUSTAINABLE USE OF BIOLOGICAL DIVERSITY FOR THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK

Online, 27 July-8 October 2020

#### **CUSTOMARY SUSTAINABLE USE: SUMMARY OF KEY ACTIVITIES AND DECISIONS UNDER THE CONVENTION**

*Note by the Executive Secretary*

#### **INTRODUCTION**

1. Sustainable use of biological diversity is the second objective of the Convention on Biological Diversity. It is addressed specifically in Article 10 on Sustainable Use of Components of Biological Diversity. Each Contracting Party shall, as far as possible and as appropriate:

- (a) Integrate consideration of the conservation and sustainable use of biological resources into national decision-making;
- (b) Adopt measures relating to the use of biological resources to avoid or minimize adverse impacts on biological diversity;
- (c) Protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements;
- (d) Support local populations to develop and implement remedial action in degraded areas where biological diversity has been reduced;
- (e) Encourage cooperation between its governmental authorities and its private sector in developing methods for sustainable use of biological resources.

2. In order to operationalize and implement Article 10, the Conference of the Parties, in decision [VII/12](#), in 2004, adopted the Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity. A framework for advising stakeholders on how they can ensure that their use of the components of biodiversity will not lead to long-term biodiversity declines but will instead promote conservation and contribute to poverty alleviation. Applying to both consumptive and non-consumptive uses of biodiversity, the Principles and Guidelines take into account issues related to: policies, laws and regulations; management of biodiversity; socioeconomic conditions; and information, research and education.

3. Building on the Addis Ababa Guidelines on Sustainable Use, the Conference of the Parties turned its attention to providing guidance and a plan of action on customary sustainable use. In 2014, the Conference of the Parties took action to operationalize Article 10(c) through decision [XII/12 B and its annex](#), which adopts the global Plan of Action on Customary Sustainable Use, as major component of the programme of work on Article 8(j) and related provisions of the Convention.

#### **I. PROGRESS**

3. Progress on the implementation of the global Plan of Action on Customary Sustainable Use, adopted in 2014, was considered by the Subsidiary Body on Implementation at its first meeting, in 2016,

and at its second meeting, in 2018, and, in turn, by the Conference of the Parties at its thirteenth and fourteenth meetings. Concerning progress in the implementation of the Plan of Action on Customary Sustainable Use, the Conference of the Parties at its thirteenth meeting, in decision XIII/1:

(a) Noted with concern that a limited number of national biodiversity strategies and action plans referred to indigenous peoples and local communities, customary sustainable use, or the involvement of indigenous peoples and local communities in the revision of national biodiversity strategies and action plans (para. 9);

(b) Encouraged Parties to reinforce and strengthen efforts to mainstream Article 8(j) and Article 10(c), including the Plan of Action on Customary Sustainable Use of Biological Diversity<sup>1</sup> and capacity development, in the development, updating and implementation of the national biodiversity strategies and action plans (para. 18);

(c) Invited Parties, other Governments, indigenous peoples and local communities, and relevant organizations to submit updated information on progress towards Aichi Biodiversity Target 18 on traditional knowledge and customary sustainable use of biodiversity, including on the various elements of the target, as well as implementation of the plan of action on customary sustainable use, in time to allow the Executive Secretary to synthesize and make available the information for consideration by the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions at its tenth meeting and by the Subsidiary Body on Implementation at its second meeting (para. 22).

4. Further to the matter of customary sustainable use, the most recent progress report on Articles 8(j) and 10(c) and related provisions to the Subsidiary Body on Implementation at its third meeting, indicates that, on a positive note, in comparison with the fifth national reports, the recent sixth national reports show a significant increase in information about the progress towards Aichi Biodiversity Target 18 and the contribution of traditional knowledge and collective actions to the achievement of other targets, which provides a basis for concluding that significant progress has been made towards this target, but it may be insufficient to achieve it by 2020. Only 27 per cent of the fifth national reports mentioned indigenous peoples and local communities, whereas 86.27 per cent (88 reports out of 102) of the sixth national reports submitted by 20 January 2020 included information related to indigenous peoples, local communities, traditional knowledge, customary sustainable use, or traditional agricultural practices. This represents a threefold increase in reporting on the collective actions of indigenous peoples and local communities through the national reports.

5. However, only 13.73 per cent mention engagement of indigenous peoples and local communities in NBSAP processes. There is also ample evidence that capacity-building programmes with a focus on traditional knowledge, bringing together Parties with indigenous peoples and local communities, have contributed to raising awareness about the contribution of indigenous peoples and local communities and assisted in the implementation of Aichi Biodiversity Target 18 at the national and local levels.

6. Overall, the analysis concludes that further efforts are needed to implement the plan of action on customary sustainable use and in understanding the role of customary sustainable use in achieving all three objectives of the Convention.

## II. FUTURE WORK

7. The Conference of the Parties at its fourteenth meeting further considered customary sustainable use in the context of a new programme of work on Article 8(j) and related provisions.<sup>2</sup> In its decision

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<sup>1</sup> [Decision XII/12 B](#), annex.

<sup>2</sup> Article 8(j), and related provisions, Articles 10(c), 17.2 and 18.4 of the Convention address: the respect, preservation, maintenance and promotion of the knowledge, innovations and practices of indigenous peoples and local communities; protecting and encouraging customary sustainable use; encouraging the exchange of information, including indigenous and traditional knowledge and where feasible repatriation; as well as methods for the development and use of technologies, including indigenous and traditional technologies. These articles are regarded as cross-cutting and therefore relevant across the other areas of work of the Convention.

14/17 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:

(a) Invited Parties and other Governments to report on the implementation of the programme of work on Article 8(j) and related provisions, in particular, tasks 1, 2 and 4 and the implementation of the Plan of Action on Customary Sustainable Use, as well as the application of the various guidelines and standards developed under the aegis of the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions and adopted by the Conference of the Parties, through the national reports or the clearing-house mechanism, in order to determine progress made and inform the development of the post-2020 biodiversity framework (para. 5);

(b) Requested the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions to develop, at its eleventh meeting, proposals for possible future work, including proposals for a second phase of work on the Plan of Action on Customary Sustainable Use, 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 which takes into account developments in other relevant international forums and organizations (para. 12);

8. Following the fourteenth meeting of the Conference of the Parties, in 2018, the eleventh meeting of the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions was held in November 2019, and, in its recommendation to the Conference of the Parties at its fifteenth meeting on the development of a new programme of work and institutional arrangements on Article 8(j) and related provisions,<sup>3</sup> the Working Group included an annex containing draft possible elements of a new programme of work on Article 8(j) and related provisions. Among the possible elements, the elements related to sustainable use, building on the Plan of Action on Customary Sustainable Use, appear below.

*[To promote the sustainable use of biological diversity, including the customary sustainable use of wildlife and traditional food production practices and agriculture systems*

Suggested activities:

- 1.1 Develop voluntary guidelines to incorporate customary sustainable use practices or policies, with the full and effective participation of indigenous peoples and local communities as appropriate, into national biodiversity strategies and action plans.
- 1.2 Develop voluntary guidelines to promote and strengthen community-based initiatives that support and contribute to the implementation of Article 10(c) and enhance customary sustainable use of biological diversity.
- 1.3 Identify and promote best practices (e.g. case studies, mechanisms, legislation and other appropriate initiatives).
- 1.4. Develop proposals to support indigenous peoples and local communities in on-farm and in situ conservation.
- 1.5 Develop communication, education and public awareness materials on the value and contributions of indigenous, local and traditional food systems, and on these systems and their products and their advantages for human health and biodiversity.
- 1.6 In accordance with national legislation and international obligations, encourage indigenous peoples and local communities to register their existing practices with the appropriate international mechanisms and initiatives, such as the Globally Important Agricultural Heritage Systems (GIAHS) of the Food and Agriculture Organization of the United Nations (FAO), as well as the programmes implemented by the United Nations Educational, Scientific and Cultural

<sup>3</sup> Recommendation WG8J-11/2, annex II

Organization (UNESCO), and the Satoyama Initiative, to assist in transmission to future generations in appropriate and respectful ways.

- 1.7 Develop guidance to promote indigenous concepts of diverse agroforestry systems in areas adjacent to protected areas.]

9. On the basis of the draft recommendations before the Conference of the Parties at its fifteenth meeting, the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions at its twelfth meeting (2021) is requested to further elaborate the new programme of work on Article 8(j) and other provisions, taking into account the recommendations of an ad hoc technical expert group on indigenous peoples and local communities and the post-2020 global biodiversity framework for the consideration of the Conference of the Parties at its sixteenth meeting (2022).

*Annex I***DECISION XII/12/B****Article 10, with a focus on Article 10(c), as major component of the programme of work on Article 8(j) and related provisions of the Convention***The Conference of the Parties,*

1. *Endorses* the plan of action on customary sustainable use of biological diversity, contained in the annex to this decision;
2. *Invites* Parties, other Governments, relevant organizations, indigenous and local communities and stakeholders to implement the plan of action on customary sustainable use of biological diversity, considering 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. *Decides* that the development and implementation of all activities of 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, in particular women and youth, taking into consideration the United Nations Declaration on the Rights of Indigenous Peoples;<sup>85</sup>
4. *Acknowledges* that other initiatives, such as the International Partnership for the Satoyama Initiative (IPSI), consistent with decisions [X/32](#) and [XI/25](#), and in accordance with other international obligations, are contributing to the facilitation of the customary sustainable use of biological diversity;
5. *Invites* Parties to include in requests to donors, support for indigenous and local communities to organize themselves to develop community plans and protocols to document, map, and register their community conservation areas, as well as to prepare, implement and monitor their community conservation plans and for support to countries to strengthen recognition of indigenous and local community conservation areas;
6. *Invites* Parties, other Governments, international organizations, programmes and funds to provide funds and technical support to developing country Parties and indigenous and local communities for implementation of programmes and projects that promote customary sustainable use of biological diversity;
7. *Requests* the Executive Secretary to compile and analyse the information received pursuant to paragraph 2 above and to make this information available to the next meeting of the Ad Hoc Open-ended Inter-Sessional Working Group on Article 8(j) and Related Provisions and through the Traditional Knowledge Information Portal of the Convention;
8. *Also requests* the Executive Secretary, in partnership with relevant organizations and subject to the availability of funding, to support implementation of the plan of action on customary sustainable use of biological diversity through organization of regional and subregional workshops and other capacity-building activities involving indigenous and local communities.

**Decision XII/12/B, Annex****PLAN OF ACTION ON CUSTOMARY SUSTAINABLE USE OF BIOLOGICAL DIVERSITY****I. OBJECTIVE**

1. The objective of this plan of action is 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.

## II. GENERAL PRINCIPLES

2. 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.
3. Traditional knowledge should be valued, respected and considered as useful and necessary for biodiversity conservation and sustainable use as other forms of knowledge.
4. 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.
5. 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.

## III. CONSIDERATIONS OF SPECIAL RELEVANCE

6. Special considerations for this action plan include the following:
  - (a) Biodiversity, customary sustainable use and traditional knowledge are intrinsically linked. Indigenous and local communities, through customary sustainable use of biological diversity, constantly shape and reshape social and ecological systems, landscapes, seascapes, plants and animal populations, genetic resources and related management practices, and are therefore well placed to adapt to changing conditions such as climate change, and to contribute to the maintenance of biodiversity and ecosystem services, and the strengthening of the resilience of the social and ecological systems. Indigenous and local communities and holders of traditional knowledge related to customary sustainable use of biological diversity also contribute to the generation of new knowledge for the benefit not only of indigenous and local communities but of human well-being at large;
  - (b) Indigenous and local communities depend directly on biodiversity and its customary sustainable use and management for their livelihoods, resilience and cultures and are therefore well placed, through their collective actions, to efficiently and economically manage ecosystems using the ecosystem approach;
  - (c) Cultural and spiritual values and practices of indigenous and local communities play an important role in the conservation and sustainable use of biological diversity and transmitting its importance to the next generation;
  - (d) The full and effective participation of indigenous and local communities, in particular women, is of primary importance for the successful development and implementation of policies and programmes for customary sustainable use of biological diversity;
  - (e) The development and implementation of policies and programmes for customary sustainable use of biological diversity should take fully into account Aichi Biodiversity Targets 14 (ecosystem services) and 18 (traditional knowledge and customary sustainable use), the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization and the programme of work on Article 8(j) and related provisions, with a view to avoiding duplication and ensuring complementarities;
  - (f) Cultural, social, economic and ecological elements associated with the traditional management systems of lands, waters and territories of indigenous and local communities and their involvement in the management of these areas should be recognized, secured and protected, as they contribute to customary sustainable use of biological diversity;
  - (g) Traditional knowledge and customary sustainable use of biological diversity are central to the full implementation of the ecosystem approach, which provides an important tool to strengthen the capacity of

indigenous and local communities to fully practice customary sustainable use of biological diversity, as appropriate;

(h) Customary sustainable use of biological diversity is useful in facilitating learning of socio-ecological systems and possible innovations for productive ecosystems and continued human well-being;

(i) Measures should be taken to address unsustainable use of biological diversity and revitalize and restore degraded ecosystems.

#### IV. RATIONALE

7. 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, the importance of which was reiterated in decision XI/14.<sup>86</sup>

8. Many indigenous and local communities are engaged in community-based initiatives to enhance implementation of Article 10(c) at the national and local levels. Such initiatives include research and documentation of traditional knowledge and customary practices, education projects to revitalize indigenous languages and traditional knowledge associated with customary sustainable use of biological diversity, community mapping, community-based sustainable resource management plans, and biodiversity and climate change monitoring and research. An overview of such initiatives was presented at the meeting on Article 10, with a focus on Article 10(c) as a major component of the programme of work on Article 8(j) and related provisions<sup>87</sup> and more detailed cases were presented at a Workshop on Community-based Monitoring and Information Systems held in the Philippines in February 2013.<sup>88</sup> By supporting such initiatives, or by getting involved in collaborative on-the-ground projects and monitoring of relevant indicators under the Convention on Biological Diversity, Parties and conservation organizations gain better insights into customary sustainable use of biological diversity issues in their countries. They can also more appropriately respond to existing needs or challenges and become more effective in implementing Article 10(c) and in contributing to the achievement of Target 18 and other relevant targets of the Strategic Plan for Biodiversity 2011-2020.

9. Protected areas established without the prior informed consent or approval and involvement of indigenous and local communities can restrict access to and use of traditional areas and therefore undermine customary practices and knowledge associated with certain areas or biological resources. At the same time, conservation of biodiversity is vital for the protection and maintenance of customary sustainable use of biological diversity and associated traditional knowledge. Customary sustainable use of biological diversity and traditional knowledge can contribute to the effective conservation of important biodiversity sites, either through shared governance or joint management of official protected areas or through indigenous and community conserved territories and areas. Community protocols and other community procedures can be used by indigenous and local communities to articulate their values, procedures and priorities and engage in dialogue and collaboration with external actors (such as government agencies and conservation organizations) towards shared aims, for example, appropriate ways to respect, recognize and support customary sustainable use of biological diversity and traditional cultural practices in protected areas.

**V. ELEMENTS OF THE FIRST PHASE OF THE DRAFT PLAN OF ACTION ON CUSTOMARY SUSTAINABLE USE OF BIOLOGICAL DIVERSITY**

<i>Tasks</i>	<i>Main actors</i>	<i>Possible actions<sup>89</sup></i>	<i>Timeframes for phased implementation</i>	<i>Possible indicators and means of verification</i>
1. To incorporate customary sustainable use practices or policies, as appropriate, with the full and effective participation of indigenous and local communities, into national biodiversity strategies and action plans (NBSAPs), as a strategic way to maintain biocultural values and achieve human well-being, and to report on this in national reports;	Parties with the full and effective participation of indigenous and local communities	Revision of the NBSAPs to incorporate customary sustainable use of biological diversity	Through the revision and implementation of NBSAPs 2014-2015 and reported through future national reports, commencing with the fifth national reports, where feasible and to the Working Group on Article 8(j) and Related Provisions, in time for the mid-decade review	<i>Indicator:</i> Customary sustainable use of biological diversity incorporated by Parties, with the full and effective participation of indigenous and local communities, into NBSAPs <i>Means of verification:</i> Future national reports, commencing with the fifth national report, where feasible
2. To promote and strengthen community-based initiatives that support and contribute to the implementation of Article 10(c) and enhance customary sustainable use of biological diversity; and to collaborate with indigenous and local communities in joint activities to achieve enhanced implementation of Article 10(c);	Parties, other Governments, the Secretariat of the Convention on Biological Diversity, relevant international organizations, donors, funders, academic and research institutions and indigenous and local communities	Mobilization of funds and other forms of support to promote and strengthen community-based initiatives that support and contribute to the implementation of Article 10(c) and promote good practices Collation of case studies, experiences and approaches and making them available through the Traditional Knowledge Information Portal and the information portal of the International Indigenous Forum on Biodiversity (IIFB) Strengthening	Reported through future national reports, commencing with the fifth national reports, where feasible	<i>Indicator:</i> Inclusion of diverse examples of community-based initiatives that support and contribute to the implementation of Article 10(c) in the national reports and the Traditional Knowledge Information Portal <i>Means of verification:</i> Progress report for the Working Group on Article 8(j) and Related Provisions, from ninth meeting onwards

<i>Tasks</i>	<i>Main actors</i>	<i>Possible actions</i> <sup>89</sup>	<i>Timeframes for phased implementation</i>	<i>Possible indicators and means of verification</i>
		collaboration with other international agreements relevant to customary sustainable use of biological diversity, including with the International Treaty on Plant Genetic Resources for Food and Agriculture, for reinforcing mechanisms for community-based initiatives		
3. To identify best practices (e.g. case studies, mechanisms, legislation and other appropriate initiatives) to:	Parties, other Governments, indigenous and local communities and the Secretariat of the Convention on Biological Diversity and other relevant organizations, programmes and funds	Reporting on best practices (case studies, mechanisms, legislation and other appropriate initiatives) that support customary sustainable use of biological diversity as an input to a compilation to be published as a CBD Technical Series	Reported through future national reports, commencing with the fifth national reports, where feasible	<i>Indicator:</i> Publication and dissemination of a CBD Technical Series on best practices, case studies, mechanisms, legislation and other appropriate initiatives that support customary sustainable use of biological diversity
(i) Promote, in accordance with national legislation and applicable international obligations, the full and effective participation of indigenous and local communities, and also their prior and informed consent to or approval of, and involvement in, the establishment, expansion, governance and management of protected areas, including	(i) The Working Group on Article 8(j), Parties and other Governments, with the full and effective participation of indigenous and local communities	Compilation of best practices and existing guidelines on prior informed consent or approval and involvement of indigenous and local communities in the establishment, expansion, governance and management of protected areas and operationalize them by making them available through e-learning modules and tools for protected	Compilation of best practices and existing guidelines on prior informed consent or approval and involvement of indigenous and local communities could be considered by the ninth meeting of the Working Group on Article 8(j) and Related Provisions	<i>Indicator:</i> Actions that support the tasks of the plan of action for the customary sustainable use of biological diversity Best practices and guidelines are available <i>Means of verification:</i> Future national reports commencing with the fifth national reports, where feasible A compilation of best practices and existing guidelines

<i>Tasks</i>	<i>Main actors</i>	<i>Possible actions</i> <sup>89</sup>	<i>Timeframes for phased implementation</i>	<i>Possible indicators and means of verification</i>
marine protected areas, that may affect indigenous and local communities;		areas. Fostering the full and effective participation of indigenous and local communities through consultations and advisory relations		
(ii) Encourage the application of traditional knowledge and customary sustainable use of biological diversity in protected areas, including marine protected areas, as appropriate and in accordance with national legislation;	(ii) Parties and other Governments, with the effective participation of indigenous and local communities	Revision of the NBSAPs to incorporate customary sustainable use of biological diversity and traditional knowledge Active involvement and effective participation of relevant indigenous and local communities in the planning, establishment and management of protected areas and the wider landscapes and seascapes	Revision of NBSAPs 2014-15 Reported in future national reports, commencing with the fifth national reports, where feasible	<i>Indicator:</i> Revised NBSAPs include promotion of traditional knowledge and customary sustainable use of biological diversity. <i>Means of verification:</i> Future national reports, commencing with the fifth national reports, where feasible
(iii) Promote the use of community protocols in assisting indigenous and local communities to affirm and promote customary sustainable use of biological diversity in protected areas, including marine protected areas, in accordance with traditional cultural practices and national legislation.	(iii) Parties, other Governments, Secretariat of the Convention on Biological Diversity, other relevant organizations, programmes and funds, ILC organizations and NGOs	Development of community protocols by indigenous and local communities. Active promotion by Parties of the development and use of, and respect for, community protocols and other mechanisms that affirm customary sustainable use of biological diversity and traditional knowledge	Ongoing and reported through future national reports, commencing with the fifth national reports, where feasible	<i>Indicator:</i> Parties recognize and support, and indigenous and local communities develop community protocols and other mechanisms, as appropriate, that affirm traditional knowledge and customary sustainable use of biological diversity. <i>Means of verification:</i> Future national reports, commencing with the fifth national reports, where feasible

## VI. GUIDANCE FOR POSSIBLE ACTIONS

*Task 1: To incorporate customary sustainable use practices or policies, as appropriate, with the full and effective participation of indigenous and local communities, into national biodiversity strategies and action plans, as a strategic way to maintain biocultural values and achieve human well-being, and to report on this in national reports.*

### *Guidance*

- Consider the establishment of and potential role for the national focal point for Article 8(j) (or the CBD national focal point) in promoting dialogue and creating bridges with indigenous and local communities to promote the incorporation of customary sustainable use practices and traditional knowledge into national biodiversity strategies and action plans.
- Promote the effective participation of representatives of indigenous and local communities in the revision of the national biodiversity strategies and action plans and in drafting the relevant sections of national reports.

*Task 2: To promote and strengthen community-based initiatives that support and contribute to the implementation of Article 10(c) and enhance customary sustainable use of biological diversity; and to collaborate with indigenous and local communities in joint activities to achieve enhanced implementation of Article 10(c).*

### *Guidance*

- Parties, through the national focal point for Article 8(j), may wish to facilitate discussions with the relevant indigenous and local communities and compile an inventory of relevant existing or planned community-based initiatives at the local and subnational levels, in order to assist in the revision of national biodiversity strategies and action plans and for inclusion in the national reports.
- Parties, through the national focal point for Article 8(j), may wish to facilitate discussions with the relevant indigenous and local communities regarding the value and contributions of these initiatives to customary sustainable use of biological diversity, as well as on existing and perceived obstacles and possible actions to overcome them.
- Parties, through the national focal point for Article 8(j) may wish to facilitate discussions with the relevant indigenous and local communities to support community initiatives and potential collaboration.

*Task 3: To identify best practices (e.g. case studies, mechanisms, legislation and other appropriate initiatives).*

### *Guidance*

- Parties, through the national focal points for Article 8(j) and for protected areas (or CBD focal points where national focal points for Article 8(j) and for protected areas have yet to be established), with the effective participation of indigenous and local communities, may wish to scope and compile existing guidelines, and develop an inventory of best practices for promotion and operationalization.
- In identifying best practices, Parties and other relevant stakeholders may wish to draw on existing international initiatives, reference materials and tools for best practices in relation to protected areas and customary use of biological diversity, such as the CBD Technical Series No. 64: *Recognizing and Supporting Territories and Areas Conserved by Indigenous Peoples and Local Communities - Global Overview and National Case Studies* on indigenous peoples and

community conserved territories and areas, the Whakatane Mechanism,<sup>90</sup> and community protocols.<sup>91</sup>

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