



**Convention on
Biological Diversity**

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**Subsidiary Body on Article 8(j) and Other Provisions
of the Convention on Biological Diversity Related to
Indigenous Peoples and Local Communities
First meeting**

Panama City, 27–30 October 2025

Item 4 of the provisional agenda*

**Modus operandi of the Subsidiary Body on Article 8(j) and
Other Provisions of the Convention on Biological Diversity
Related to Indigenous Peoples and Local Communities**

**Compilation of views and information on the modus operandi of
the Subsidiary Body on Article 8(j) and Other Provisions of the
Convention on Biological Diversity Related to Indigenous Peoples
and Local Communities**

Note by the Secretariat

The present note contains a compilation of views and information on the modus operandi of the Subsidiary Body on Article 8(j) and Other Provisions of the Convention on Biological Diversity Related to Indigenous Peoples and Local Communities submitted pursuant to notification No. [2025-061](#). The submissions are made available in the form and languages in which they were submitted.

* CBD/SB8J/1/1/Rev.1.

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I. Submissions from Parties

Armenia

[2 June 2025]

I. Functions

Paragraph 1

We recommend harmonizing the overlapping options regarding the relationship with SBSTTA and SBI. A single, clear formulation should be adopted to ensure complementarity and coherence.

Suggested wording:

"...shall carry out its functions in collaboration with the Subsidiary Body on Scientific, Technical and Technological Advice and the Subsidiary Body on Implementation, ensuring complementarity and avoiding duplication."

Paragraph 1(a)

We support the formulation:

"review and promote the implementation" as it provides a balanced approach between oversight and active support of the programme of work.

Paragraph 1(b)

We recommend specifying that the advisory function of the Subsidiary Body should include:

- The development of standards and safeguards for free, prior and informed consent (FPIC);
- Mechanisms for the effective participation of IPLCs in national implementation of the Convention and its Protocols.

II. Operating Principles

Paragraph 2

The alignment with the Kunming-Montreal Global Biodiversity Framework (GBF) is welcomed. We propose explicitly referencing Targets 21 and 22 to ensure clarity and political coherence.

III. Procedural matters

Paragraph 6

We propose that the Subsidiary Body provide not only activity reports but also analytical reviews on the implementation status of Article 8(j) and related provisions.

IV. Bureau and Co-Chairs

Paragraphs 7–10

We believe that the Body should establish its own Bureau, following the model of the SBSTTA and SBI. This would ensure a stronger and more meaningful standing for the Body. At the same time, the Bureau may include two Co-Chairs, as proposed in paragraph 8.

V. Budgetary matters

Paragraph 11

We support the principle of "back-to-back" meetings with other subsidiary bodies. We underline the importance of:

- Securing funding mechanisms to guarantee the full and effective participation of developing country Parties and IPLCs.

VI. Focal points

Paragraph 15

We support the continuation of existing national focal points for Article 8(j). We further recommend encouraging Parties and Secretariat to provide relevant capacity-building to focal points.

Australia

[13 June 2025]

It is well established that Indigenous Peoples and local communities and their Traditional knowledge, innovations, practices and cultural diversity are fundamental to achieving the objectives of the Convention on Biological Diversity and implementing the Kunming-Montreal Global Biodiversity Framework. Australia considers the Subsidiary Body on Article 8(j) vital to enhancing the voice of Indigenous Peoples and local communities (IPLCs) and uplifting the protections and use of Traditional knowledge and practices in biodiversity conservation.

As the only multilateral environment agreement (MEA) that currently acknowledges the role and importance of Traditional knowledge from Indigenous Peoples and local communities in its articles, we believe the Subsidiary Body on Article 8(j) may become a valuable model on effective engagement and consultation of IPLCs for other MEAs.

This document outlines the key elements that Australia considers important for the Subsidiary Body to take into account when developing its modus operandi.

(a) The need for full and effective participation of Indigenous Peoples and local communities;

For collective, coordinated action to meet the global goals and targets of the Kunming-Montreal Global Biodiversity Framework, we need the full and effective participation of Indigenous Peoples and local communities. We believe the objectives of ‘full and effective’ can be met by implementing the following processes and practices:

- Ensure equitable representation of Indigenous Peoples and local communities in the Subsidiary Body on Article 8(j) meetings as well as all CBD intersessional meetings and Conference of the Parties for the Convention and its Protocols.
- Ensure full involvement of representatives and their interventions in meeting processes, as in the WG8J. For example, adopt the practice whereby representatives from Indigenous organisations speak first for parties to be able to support their requests and needs, as occurred effectively in Geneva 2024.
- Establish a mechanism to facilitate the sharing of information, positions and preferences for textual changes. Often interventions are delivered in real time, and parties need time to make sure they can seek views from IPLCs to support their interventions. Upload of statements prior to each item may assist with this.
- Encourage meetings with Parties during the meetings. Australia has been honoured to be invited to speak to our positions and issues in meetings of the International Indigenous Forum on Biodiversity (IIFB). We find this to be extremely valuable in supporting IPLCs during the meetings.

(b) Cost efficient operations and management of the Subsidiary Body

Australia supports the cost-efficient operation and management of all bodies operating under the Convention and its Protocols. We consider the working group was already operating as a subsidiary body and that the operations and management costs would largely remain the same now it functions as a permanent subsidiary body. Including but not limited to:

- Assistance for IPLCs to attend subsidiary body meetings.

- The appointment of an IPLC co-chair to the plenary and contact groups is continued
- The attendance of the IPLC co-chairs to COP bureau meetings should continue, as appropriate.

Australia supports the continuation of the working group practice to hold one meeting of the subsidiary body during the intersessional period back-to-back with another intersessional meeting. There is value in hosting the subsidiary body meeting at the same time as matters discussing the implementation of the Convention and the KMGB, F particularly for Goals C and D and Targets 22 and 23. Alignment of these discussions would ensure the implementation and measurement of the KMGBF fully considers IPLCs and includes their knowledge and practices as key measures for success.

(c) Full recognition the subsidiary body operations are Party-led processes

Australia considers all operations of subsidiary bodies, including the Subsidiary Body on Article 8(j), to be Party led. Parties should determine which areas of work are within the remit of the Convention and require consideration or whether further investigation by other fora is more appropriate. In an already resource constrained environment, we consider it important that work undertaken by the Subsidiary Body on Article 8(j) remain focused on the Convention's goals and purpose, without adding unnecessarily to a demanding work program.

With collective efforts focused on meeting the global goals and targets of the KMGBF, Australia considers that any proposed work under the Subsidiary Body on Article 8(j) should clearly align with these objectives and enhance the representation of the views of IPLCs, as well as promote the uses and protections of Traditional Knowledge, to facilitate implementation of these targets.

(d) Equitable criteria and process for the selection of representatives of Indigenous Peoples and local communities to participate in its work as friends of the Bureau

It is critical to ensure equitable representation of IPLCs in decision-making and administrative processes of the Convention. At the commencement of each meeting Australia welcomes the selection of representatives of Indigenous Peoples and local communities from the seven socio-cultural regions to participate in its work as friends of the Bureau. The selection of representatives of IPLCs should consider the expertise of the individual on Indigenous issues and Traditional Knowledge as well as their understanding and experience of the Convention and its processes, whilst ensuring gender-equitable participation. A pool of representatives should be selected from a variety of countries within each socio-cultural region for consideration where possible. It is beneficial that all friends of the Bureau receive training and support to ensure they are well-equipped to undertake their duties and roles.

(e) Coordinated action across subsidiary bodies to minimise duplication and maximise synergies

Australia welcomes coordinated action between all the subsidiary bodies of the Convention to minimise duplication and maximise efficient outcomes for biodiversity conservation. While synergies are beneficial, they also need to be effective and inclusive with any processes respecting the similarities and differences between the respective subsidiary bodies. With the agendas of all subsidiary bodies ever-growing, Australia believes the Subsidiary Body on Article 8(j) should prioritise work that has a direct focus on the knowledge, innovative and practices of IPLCs relevant to the conservation and sustainable use of biodiversity, and the equitable sharing of benefits arising from its utilisation. Therefore, it follows that any technical or scientific-related work or any work on implementation, or any other work that fits within the mandate of an expert or working group, should be directed to the relevant body. Where questions of synergy or cross-cutting issues may arise, the Subsidiary Body on Article 8(j) should consult the COP and SBSTTA Bureaux to seek their recommendation on the most appropriate forum for such work to be considered.

Brazil

[6 June 2025]

Regarding the modus operandi of the Subsidiary Body on Article 8(j), Brazil would like to draw attention to the following elements:

(b) The cost efficiency of its operations and management compared with those of the Ad Hoc Openended Working Group on Article 8(j) and Related Provisions of the Convention;

Brazil would welcome receiving further detailed information on potential budgetary implications of the activities SB8(j) ahead of each meeting and of the subsequent COP. This would allow countries to be better informed and prepared for budget negotiations.

(a) The need for the full and effective participation of indigenous peoples and local communities;

Brazil acknowledges the importance of the technical contributions of the International Indigenous Forum on Biodiversity (IIFB), as well as their continued efforts to improve representation. As a Party-led subsidiary body, Brazil would stress that the responsibility for ensuring broader participation and representation of Indigenous Peoples and local communities also lies with the Parties to the Convention, without diminishing or undermining the role and significance of relevant Indigenous institutions and representatives. In this regard, a continuous effort to strengthen the participation process of Indigenous may benefit from the following actions:

a) **Regarding the IIFB:** Without prejudice to its autonomy, the IIFB should be encouraged to report on a regular basis on the selection process and relevant engagement and dialogues with the seven social-cultural regions, as well as their interactions with local organizations. Such reports may identify potential challenges to engage with specific regions, subregions or subgroups and which, to provide a more comprehensive picture of which groups may be underrepresented.

b) **Regarding the Secretariat, Parties, and IIFB:** Brazil would encourage having dedicated discussions on how to include and enhance the representation for African descent peoples and local communities, as we believe those groups have been experiencing additional challenges to engage in a meaningful manner in the Convention processes.

c) **Regarding the Parties:** Parties should be encouraged to make additional efforts to promote the participation of leaders from representative organizations of Indigenous Peoples, Afro- descendant peoples, and local communities from their respective countries in the SB8j discussions.

Further to those considerations, Brazil would encourage the Secretariat to promote regional capacity-building webinars/workshops to raise awareness amongst Indigenous and local communities' representatives about the working documents to be reviewed by the SB8(j) and relevant rules of procedures.

Last year the Brazilian government convened the first edition of the Kuntari Katu and Kala Tukula Programmes, which comprised a set of training activities to support the participation of Indigenous and local communities' representatives in COP-16. This Programme sought to address the challenges faced by those representatives to engage in an effective manner in the Convention processes, as many Indigenous and local communities' groups are not familiar with the preparatory processes that span the 2-year intersessional process. We have noticed that in many cases those groups are unaware of the negotiation processes that take place in the relevant Subsidiary Bodies, and they seek to engage with national governments at a later stage of negotiations ahead of COPs, when most documents have minor outstanding issues and are not amenable to being reopened. These programmes have proven instrumental in improving the understanding of negotiation dynamics and of the different entry points of the negotiation process and in inspiring new generations of young Indigenous and local communities' leaderships, including women.

We believe the Secretariat could replicate this programme at the regional level, by convening regional training webinars/workshops to provide valuable background information on the working documents, clarify the role of Parties and observers and provide guidance on the different steps of

the negotiation process. This would be critically important to ensure the effective and adequate representation of IPLCs from developing countries, which we fear have been underrepresented in the 8j discussions throughout the discussions. From our perspective, the SB8j provides an opportunity to address the specific challenges faced by IPLCs from developing countries to engage in the Convention processes.

(d) The criteria and process for the selection of representatives of indigenous peoples and local communities to be designated at the beginning of each of its meetings from the seven sociocultural regions to participate in its work as friends of the Bureau, and the role of Parties and the Bureau in those modalities;

Though Brazil acknowledges the importance and contributions of the seven sociocultural regions, we would like to highlight that this criterion may not reflect the uneven distribution of biodiversity and might lead to the underrepresentation of subgroups within the Latin American and the Caribbean region that come from biodiversity-rich areas, while favoring the overrepresentation of regions that may not be rich in biodiversity.

That said, Brazil would encourage efforts to identify potential groups within biodiversity-rich regions that may not be duly represented and to improve their effective participation in the Convention processes. Ensuring regional and subregional rotation in selection processes would be an important step to encourage young leaders and support the capacity-building of representatives that may not be familiar with the Convention and its procedures.

Furthermore, Brazil would like to stress the importance of enhancing the representation and participation of people of African descent, in accordance with COP Decision 16/6. The modus operandi should provide modalities for identifying representatives from people of African descent, comprising collectives embodying traditional lifestyles, and engaging them in the SB8j process, including to act as friends of the Bureau.

Canada

[26 May 2025]

The Government of Canada is committed to supporting the full and effective participation of Indigenous Peoples in the implementation of the Convention on Biological Diversity and is proud that, at COP-16, Parties reached a historic agreement to establish a formal, permanent body to enable meaningful Indigenous engagement in decision-making under the CBD. Canada sees the establishment of this new permanent subsidiary body on article 8j (SB8J) as an essential step to renew our commitment toward article 8j and looks forward to the first meeting of this body in October of 2025.

Functions

While Canada believes that the SB8J should perform its functions under the guidance of the COP in collaboration with and taking into account the roles and functions the Subsidiary Body on Scientific, Technical and Technological Advice and the Subsidiary Body on Implementation with a view to ensuring complementarity with their work and avoiding overlaps, Canada does not believe that the functions of SB8J should be bound to the mandates of SBSTTA or SBI. In addition, Canada believes that, while the work of the SB8J should be focused on the implementation of the program of work, it should not solely be limited to it. The new subsidiary body is a permanent body and should not be bound to a program of work that has a timeline of 2030.

Operating principles

Canada believes that, when carrying out its functions, the SB8J should seek to align its work more broadly with the Convention's current strategic plan and or framework. The SB8J should have the flexibility to undertake any tasks that fall within the scope of its programme of work as well as those

that are referred to SB8J by the COP as well as the other Subsidiary Bodies in order to further the implementation of the Global Biodiversity Framework and should report on its work to those bodies.

Bureau and co-chairs

Canada supports the inclusion of strong language that cements the role of representatives of Indigenous Peoples within the Bureau serving the SB8j and as co-chair for the SB8J. In addition, Canada would like to see the inclusion of specific criteria and processes for the selection of representatives of Indigenous Peoples from the seven socio-cultural regions to participate at in the SB8J in its work as Friends of the Bureau. Recalling COP Decision V/16 on Article 8j and Related Provisions, which invites Parties to support the participation of the International Indigenous Forum on Biodiversity (IIFB), as well as relevant organizations representing indigenous and local communities, in advising the Conference of the Parties on the implementation of Article 8(j) and related provisions. Further recognizing that the IIFB provides a forum/space for Indigenous Peoples as well as local communities participating in the CBD to dialogue and coordinate participation and engagement at the CBD. Canada would note that, while the IIFB has been the de facto point of contact for Indigenous Peoples and local communities within the CBD, Indigenous Peoples across all seven socio-cultural regions should also have the opportunity to shape their own process of governance and advocacy representation. In this sense, Canada supports a nomination process that would be agreed between the IIFB and organizations that Indigenous Peoples have chosen to represent them within each of the seven socio-cultural regions, respecting their procedures and structures.

Budget

Canada supports efforts to ensure the SB8J has the necessary resources to operate effectively and meaningfully, within the context of existing CBD Secretariat resources. In this sense, Canada welcomes the work done by the CBD Secretariat in [CBD/COP/16/INF/36](#) which concluded that the establishment of SB8J would result in zero to minimal costs.

Colombia

[30 May 2025]

Recomendaciones para el Modus Operandi del Órgano Subsidiario para la Implementación del Programa del Artículo 8(j)

(a) Participación plena y efectiva de los Pueblos Indígenas y comunidades locales (PCLI):

- El Órgano Subsidiario debe garantizar la participación plena y efectiva de los PCLI en todos sus procesos, con especial énfasis en la inclusión de mujeres indígenas, siguiendo la posición planteada por el Foro Internacional Indígena sobre Biodiversidad (FIIB).
- Se recomienda establecer criterios claros y transparentes para la designación de representantes de Pueblos Indígenas y comunidades locales, provenientes de las siete regiones socioculturales reconocidas, quienes serán invitados a participar en los trabajos del Órgano Subsidiario. La selección de estos representantes se realizará al inicio de cada reunión, en un proceso que involucra tanto a las Partes como al Bureau del Órgano Subsidiario, con el fin de asegurar una representación legítima, equitativa y efectiva.
- El Bureau deberá facilitar este proceso, garantizando la adecuada integración de los representantes en el desarrollo del trabajo, respetando la naturaleza participativa y colaborativa del Órgano Subsidiario. Este mecanismo busca asegurar la plena y efectiva participación de los Pueblos Indígenas y comunidades locales en la toma de decisiones y la implementación del Plan de Trabajo del Artículo 8(j).
- El Órgano Subsidiario debe garantizar una articulación efectiva del seguimiento y la implementación del Plan de Trabajo del Artículo 8(j) tanto a nivel nacional como regional. Para ello, es fundamental que las Partes designen puntos focales nacionales con un rol

claramente definido, quienes serán responsables de coordinar con los representantes regionales y facilitar la integración de las acciones derivadas del Plan de Trabajo en los Planes Estratégicos Nacionales de Biodiversidad (NBSAP).

- Este mecanismo promoverá la coherencia y alineación entre las políticas y programas nacionales y las directrices internacionales, fortaleciendo la participación y el empoderamiento de los Pueblos Indígenas y comunidades locales en la gestión de la diversidad biológica.

(b) Eficiencia de costos en operaciones y gestión:

- Se recomienda que el modus operandi del Órgano Subsidiario sobre el Artículo 8(j) se diseñe con un enfoque en la eficiencia administrativa y financiera, asegurando que sus operaciones sean comparables o mejores en costo-eficiencia que las del Grupo de Trabajo Ad Hoc sobre el Artículo 8(j).
- Para ello, se deberán aprovechar las sinergias existentes con el Órgano Subsidiario de Asesoramiento Científico, Técnico y Tecnológico (SBSTTA) y el Órgano Subsidiario de Implementación (SBI), con el fin de evitar duplicidades y cargas administrativas innecesarias. Asimismo, el Órgano Subsidiario sobre el Artículo 8(j) deberá regirse por las mismas normas y reglas aplicables a estos órganos subsidiarios, garantizando así coherencia, eficiencia y simplificación en sus procesos internos.
- El Órgano Subsidiario debe identificar y promover medidas estratégicas para optimizar la implementación del Convenio, fomentando la integración de sus objetivos en políticas nacionales, fortaleciendo sinergias interinstitucionales y ampliando la participación de actores clave, incluyendo Pueblos Indígenas y comunidades locales (PCLI), el sector privado y gobiernos subnacionales.
- Además, debe fortalecer los medios de aplicación, haciendo énfasis en la movilización de recursos financieros, el desarrollo de mecanismos de financiamiento efectivos, la cooperación científica y técnica, la creación de capacidades, la transferencia tecnológica y la sensibilización y educación pública.

(c) Reconocimiento total de las operaciones como procesos dirigidos por las Partes:

- El Órgano Subsidiario sobre el Artículo 8(j) actuará como un órgano dirigido y conducido por las Partes, en línea con el mandato de la COP y la COP-MOP del Protocolo de Nagoya.
- El Órgano Subsidiario mantendrá un papel claro y definido en el examen de los avances en la aplicación del Convenio sobre la Diversidad Biológica y del Marco Mundial para la Biodiversidad de Kunming-Montreal (MGB), utilizando la asesoría científica proporcionada por el Órgano Subsidiario de Asesoramiento Científico, Técnico y Tecnológico (SBSTTA) y otras fuentes relevantes.

(d) Criterios y proceso para la selección de representantes indígenas y locales:

- Los representantes de PCLI serán designados al inicio de cada reunión, asegurando una representación equitativa y legítima de las siete regiones socioculturales reconocidas.
- El perfil de los candidatos debe incluir experiencia y conocimiento específico en el marco del CDB y en temas relevantes para PCLI.
- El proceso de selección deberá ser transparente y contar con la participación de las Partes y del Bureau del Órgano Subsidiario sobre el Artículo 8(j), con mecanismos claros para la designación y participación.
- Además, se promoverá la designación de puntos focales nacionales responsables del seguimiento del trabajo del Órgano Subsidiario sobre el Artículo 8(j), que deberán articular la implementación del Plan de Trabajo 8(j) con los NBSAP y coordinar con representantes regionales.

- (e) Interacción con otros órganos subsidiarios para minimizar duplicación y maximizar sinergias:
- El modus operandi del Órgano Subsidiario sobre el Artículo 8(j) debe prever mecanismos efectivos de coordinación e interacción con otros órganos subsidiarios del CDB (SBSTTA y el SBI), para evitar duplicidades en la revisión y análisis de información.
 - Se deberán promover sinergias en la evaluación de progresos, medidas estratégicas y medios de aplicación, para optimizar recursos y fortalecer el impacto de las recomendaciones.
 - El Órgano Subsidiario sobre el Artículo 8(j) deberá trabajar mutatis mutandis en los asuntos remitidos por la COP-MOP del Protocolo de Cartagena y del Protocolo de Nagoya, coordinando sus actividades y evitando cargas administrativas redundantes para las Partes.

Rol de los afrodescendientes en la conservación de la biodiversidad

En el marco de lo adoptado en la Decisión 16/6, es importante continuar visibilizando el rol de los afrodescendientes y su reconocimiento como actores clave en la conservación de la biodiversidad. Asimismo, para Colombia es fundamental promover la implementación de lo dispuesto en esta decisión.

Esta decisión, adoptada por consenso, “reconoce el papel crucial que desempeñan los esfuerzos y las acciones de los afrodescendientes, en la conservación de la biodiversidad y en la aplicación del Convenio, en algunos países”.

El documento invita a las Partes a reconocer las contribuciones de los afrodescendientes en la aplicación del Convenio sobre la Diversidad Biológica (CBD), al igual que en la implementación el Marco Mundial de Biodiversidad de Kunming-Montreal (MMBKM).

Asimismo, alienta a las Partes a facilitar la participación plena y efectiva de los afrodescendientes en la aplicación del CBD y el MMBKM. También, las invita a trabajar con los afrodescendientes, para proteger y promover sus conocimientos compartidos, innovaciones y prácticas que apoyen la conservación y la utilización sostenible de la biodiversidad.

De igual manera, alienta a las Partes a que comuniquen, a través de sus informes nacionales, las contribuciones de los afrodescendientes a la aplicación del CBD y el MMBKM, solicitando a la Secretaría Ejecutiva que recopile la información presentada y la publique a través del mecanismo de facilitación.

Para Colombia es crucial que en la preparación del SB8J-1 se tengan en cuenta las anteriores disposiciones. En este marco, para esta primera sesión del órgano subsidiario es importante facilitar la participación de los afrodescendientes. Además, en el programa de trabajo se deben incluir las acciones que lleven a la visibilización de los aportes de estos a la conservación de la biodiversidad, tal y como lo señala la Decisión 16/6.

European Union

[28 May 2025]

Regarding the modus operandi the EU and its Member States reiterate the importance of meaningful, inclusive and effective participation of Indigenous Peoples and local communities¹ in the implementation of the Convention. We also support retaining the strengths and leading practices of the previous Open-ended Working Group on Article 8(j), including the enhanced participation mechanisms and the possibility to prepare the engagement and contributions of Indigenous Peoples and local communities in a timely manner.

The EU and its Member States were ready to accept the modus operandi as proposed in the Annex of CBD/WG8J/REC/12/2 already at COP 16, and the EU and its Member States are ready to actively

¹ As agreed in the Council Conclusions for CBD COP16 (14480/24): the terminology of ‘Indigenous Peoples and local communities’ is applied without prejudice to the continued use in CBD documents of the agreed terminology contained in CBD COP Decision XII/12, pending negotiations on this issue.

participate in the discussion to facilitate an agreement on the matter at the SB8J-1 in Panama, that can be submitted for a decision at COP 17.

We consider the following elements key to the modus operandi of SB8j:

- Meaningful, inclusive and effective participation of Indigenous Peoples and local communities;
- Retaining the strengths and leading practices of the Open-ended Working Group on Article 8(j), including the enhanced participation mechanisms and its open-ended and inclusive spirit;
- Alignment of work under the SB8j with the K-M GBF and any post-2030 framework or strategic plan under the Convention, with a focus on the implementation of the programme of work as set out in CBD Decision 16/4 and any future programmes of work;
- Cost-efficiency of the operation and management of the Subsidiary Body, including organising meetings back-to-back with SBSTTA;
- Integrity, functioning and specificity of CBD: Clarity on the procedures, roles and division of labour between SB8j, SBI, SBSTTA and COP, whilst maintaining the effectiveness and functioning of the CBD;
- In support of the COP Bureau to serve as the Bureau for SB8j.

The EU and its Member States are aware of ongoing discussions within other MEAs regarding the engagement of Indigenous Peoples and local communities and acknowledge that the establishment and functioning of the Subsidiary Body on Article 8(j) is tailored to the unique structures and work methods of the Convention and is not meant to be a general approach for other MEAs. Nevertheless, the modus operandi should allow for cooperation with and synergies between similar entities under other MEAs and Rio Conventions.

Finland

[23 May 2025]

In our view, the full and effective participation of Indigenous Peoples is highly important. It could be useful to consider criteria for diversity to be taken into consideration when selecting representatives that receive funding to participate to the meetings. It is important to ensure that the participating have expertise in traditional knowledge as well as expertise in relation to Article 8(j). However, it is possible, within the limits of resources, to use a wider range of expertise in the work of the Article 8(j) matters and to allow for support for organizations/experts also by using modern technology. For example, there are many expert organizations in the Arctic that work every day to support and develop traditional knowledge, such as the International Centre for Reindeer Husbandry, which has wide expertise and knowledge especially in relation to Articles 8(J) and 10(c).

It would also be essential to consider how the know-how of the Indigenous representatives participating in the meetings could broadly benefit the Indigenous community of the elected representatives also before and after meetings. The need to continue to develop the interaction and the effectiveness of Article 8(j) work and to organize workshops/community events before/after the international meeting in the best possible way. This would increase the effectiveness of the Article 8(j) work.

Finally, we underline the importance of youth representation and next generation involvement in Article 8(j) questions. It would be important to develop technical and innovative solutions for broader and multidimensional participation in matters relating to traditional knowledge including gender responsiveness.

Mexico

[26 May 2025]

Respecto del Modus Operandi del Órgano Subsidiario, en el punto III. Cuestiones de procedimiento, se sugiere añadir que:

- Los idiomas oficiales y de trabajo del Órgano Subsidiario de Asesoramiento Científico, Técnico y Tecnológico serán los de las Naciones Unidas. Los debates del Órgano Subsidiario de Asesoramiento Científico, Técnico y Tecnológico se celebrarán en las lenguas de trabajo de la Conferencia de las Partes.
- El Órgano Subsidiario encargado del artículo 8 j), con sujeción a los recursos presupuestarios disponibles para cuestiones relacionadas con su mandato, puede hacer peticiones al Secretario Ejecutivo y utilizar el mecanismo de facilitación y otros medios adecuados como ayuda para la preparación de sus reuniones.
- El Órgano Subsidiario podría realizar recomendaciones que incluyan opciones o alternativas.
- Se sugiere establecer conforme a las 7 regiones socioculturales un número de personas que participen, tomando como base los criterios tanto en el Foro Permanente para las Cuestiones Indígenas como en el Grupo de Trabajo Facilitador (FWG) de la Plataforma de Comunidades Locales y Pueblos Indígenas (LCIPP), de la Convención Marco de Naciones Unidas sobre Cambio Climático (CMNUCC). Asimismo, se sugiere establecer un espacio adicional en cada región destinado a juventudes indígenas.
- Se sugiere siempre contar con interpretación en los idiomas oficiales de la ONU
- De conformidad con la disposición presupuestaria, se sugiere llevar a cabo diálogos virtuales entre los miembros, así como una sesión formal de manera presencial, a efecto de avanzar en las tareas del órgano subsidiario.
- Se sugiere llevar a cabo un diálogo específico para abordar los criterios de selección, particularmente para juventudes indígenas.
- El órgano subsidiario deberá ser capaz de emitir recomendaciones a la COP, para su consideración y someterlo como decisión entre las partes.
- SBI y SBSSTTA deberán consultar al SB8J sobre los asuntos relativos a pueblos indígenas, por lo que sus recomendaciones deberán ser sometidas a discusión con integrantes del SB8J.

Norway

[26 May 2025]

With regard to the modus operandi of the new Subsidiary Body on Article 8(j), Norway offers merely a few reflections in this submission, and looks forward to offer more detailed recommendations at a later stage, given the short deadline for this particular submission.

2. Key Considerations for the Modus Operandi of the new, permanent Subsidiary Body on 8j

- The rules of the procedure of the COP should, as a starting point, apply mutadis mutandis to the SB8j. However - There might be a case for special rules for SB8j as is the case for the other SBs. Norway is still considering this matter.
- Inclusive Participation: Ensuring Indigenous Peoples, and where relevant, local communities are actively involved in decision-making processes, on the basis of their FPIC.

- The new body could have an Indigenous and a party co-chair, and be guided by the United Nations Declaration on the Rights of Indigenous Peoples, and other instruments, as appropriate.
- Cost Efficiency: Optimizing operations while maintaining effectiveness compared to previous arrangements for the participation and representation.
- Party-Led Process: Recognizing that the work of the CBD and the GBF, including the new SB8j, are driven by Parties, while reflecting the key role of Indigenous Peoples, Traditional Knowledge, and where relevant, local communities.
- Selection Criteria: Establishing a transparent process for designating representatives from parties, as well as the seven socio-cultural regions of Indigenous Peoples, based on their right to self-determined representation.²
- The approach taken by the Local Communities and Indigenous Peoples Platform of the UNFCCC is a case in point, with its Facilitative Working Group consisting in 7 representatives of parties, and 7 representatives of Indigenous Peoples.³
- Coordination with Other Bodies: Enhancing synergies while minimizing duplication of efforts.

Saudi Arabia

[27 May 2025]

ينبغي أن تنشئ الهيئة الفرعية خطط عمل مشتركة وفرق عمل مشتركة مع كل من الهيئة الفرعية للمشورة العلمية والتقنية والتكنولوجية (SBSTTA) والهيئة الفرعية للتنفيذ (SBI) لتوحيد الجهود في القضايا المتقاطعة، مثل المعرفة التقليدية في رصد التنوع الأحيائي، أو الموافقة المسبقة عن علم (PIC) في آليات تقاسم المنافع (ABS). وفي الختام، تجدد المملكة العربية السعودية التزامها بأهداف اتفاقية التنوع الأحيائي وبالمساهمات الحيوية للمجتمعات المحلية في تحقيق إطار كونمينغ-مونتريال العالمي للتنوع الأحيائي، وتطلع إلى المشاركة الفعالة في مداولات الهيئة الفرعية، والتعاون مع الأطراف الأخرى وأصحاب المصلحة دعماً لحقوق ومعارف ومساهمات الشعوب الأصلية والمجتمعات المحلية، والمشاركة الفعالة في عمليات الهيئة الفرعية، ونحث جميع الأطراف على الوفاء بالتزاماتهم بموجب المادة (٨) والأحكام ذات الصلة.

- The Subsidiary Body should establish joint workplans and cross-body task forces with SBSTTA and SBI to streamline efforts on overlapping issues, such as traditional knowledge in biodiversity monitoring or FPIC in ABS mechanisms.

Finally, Saudi Arabia reaffirms its commitment to the objectives of the Convention on Biological Diversity and the vital contributions of local communities to achieving the Kunming-Montreal Global Biodiversity framework. We look forward to actively participating In the Subsidiary Body's deliberations and collaborating with other parties and stakeholders in support of the rights, knowledge, and contributions of IPLCs, and to contributing actively to its processes and call on all Parties to uphold their commitments under Article 8(j) and related provisions.

² [IIFB Calls for Strong Indigenous Role in Biodiversity Decisions - IIFB.](#)

³ [LCIPP Facilitative Working Group | Local Communities and Indigenous Peoples Platform.](#)

Zimbabwe

[30 May 2025]

The need for the full and effective participation of indigenous peoples and local communities;

1. The procedures and practices of the Ad Hoc Open-ended Working Group on Article 8(j) shall apply, *mutatis mutandis*, directly to the Subsidiary Body on Article 8(j). These practices refer to promoting the full and effective participation of indigenous peoples and local communities, including the Co-chairs of the WG, co-chairs of the CG, Indigenous Peoples and Local Communities representatives, and their inclusion in opening ceremonies and participation at the HLS of COP meetings to allow a smooth transition, inclusivity and continuity in the full and effective participation of Indigenous Peoples and Local Communities meetings.
2. The SB8j must ensure that representatives of Indigenous Peoples and local communities particularly women and youth have full, active, and effective participation in all meetings and activities of the body taking into consideration UNEP/CBD/COP/DEC/XI/14, paragraph 16.
3. To achieve this, sufficient financial and technical resources, capacity building and technical support and inclusion mechanisms should be provided to facilitate their participation at all levels.

The cost efficiency of its operations and management compared with those of the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions of the Convention;

1. SB8J operates with cost efficiency by facilitating focused, deeper and more sustained engagement of Indigenous Peoples and local communities through a focused agenda, extended deliberation time, and integration with other Convention processes. This streamlined structure minimizes duplicative expenditures and costs and logistical burdens, thereby maximizing human and financial resources and substantive outcomes in advancing the objectives of the convention and its protocols.
2. It is essential to increase contributions to the [Voluntary Trust Fund to Facilitate the Participation of Indigenous and Local Communities in the Work of the Convention on Biological Diversity](#)⁴, to ensure the full and effective participation of Indigenous Peoples and Local Communities, enabling their representatives to attend the SB8j meetings and other subsidiary bodies of the CBD taking into consideration UNEP/CBD/COP/DEC/XI/14, paragraph 20.
3. Develop long-term funding strategies that support the continuity of SB8j meetings and sustain the participation of Indigenous Peoples and Local Communities. This can include collaborations with international organizations, trust funds, donors, and partnerships with private entities committed to biodiversity conservation and the recognition and protection of the rights of Indigenous Peoples and Local Communities. This strategy should be articulated around clear goals and demonstrate the benefits of supporting the work of the SB8j.
4. Ensure that SB8j meetings are held consecutively with other subsidiary bodies of the Convention. This not only optimizes resources but also facilitates greater participation from Parties, Indigenous Peoples, and local communities by reducing travel and logistics costs.
5. The SB8j should have ongoing support from the Secretariat of the CBD to access the financial mechanisms of the Convention or its Protocols. This means that the Secretariat could seek out additional funding sources for specific projects related to the SB8j's mandate.
6. Provide capacity-building for Indigenous Peoples and local communities' representatives in management and resource mobilization enabling them to actively engage in securing and managing funds, both for their participation in meetings and for implementing Article 8(j) projects.

⁴ More information at <https://www.cbd.int/traditional/fund.shtml>.

(c) The full recognition of its operations as Party-led processes;

Sb8j is lead by Parties with the full and effective participation of IPLCs is enhanced through the fair and equitable representation and full and effective participation of IPLCs in the programmes and activities of the body taking into consideration UNEP/CBD/COP/DEC/XI/14 paragraph. 16.

(d) The criteria and process for the selection of representatives of indigenous peoples and local communities to be designated at the beginning of each of its meetings from the seven socio-cultural regions to participate in its work as friends of the Bureau, and the role of Parties and the Bureau in those modalities;

- It is recommended that the Bureau of the Conference of the Parties also serve as the Bureau of the SB8j.
- The SB8j will have two co-chairs elected by the Conference of the Parties: one nominated by the Parties and another nominated by representatives of Indigenous Peoples and local communities. The co-chairs should have strong experience in the processes of the Convention on Biological Diversity (CBD) and be knowledgeable about issues related to Indigenous Peoples and local communities. It is recommended that the language regarding the election of SB8j co-chairs be more generic and practical, rather than overly prescriptive and the election of a co-chair from a particular region shall not prejudice that region from having representation in the “Friends of the Bureau”
- The practice of inviting representatives from the seven sociocultural regions (as defined by the United Nations Permanent Forum on Indigenous Issues) as “friends of the Bureau” should continue, with the possibility and flexibility of expanding this to ensure inclusivity and the fair and equitable representation of indigenous peoples and local communities. This will ensure broad and diverse participation in decision-making, reflecting the concerns and perspectives of different Indigenous Peoples and local communities globally.
- It is recommended that the “friends of the Bureau,” in addition to participating in the meetings of the SB8J, expand their role to have active involvement in intersessional period decisions, helping to ensure continuity in Indigenous Peoples and local communities’ representation and oversight of progress to ensure inclusivity taking into consideration UNEP/CBD/COP/DEC/XI/14 paragraph 16 and ensuring there is fair and equitable representation of indigenous people and local communities friends of the Bureau.
- It is viewed positively that the co-chairs elected to lead the SB8j remain in their position throughout the session, including the intersessional period. This also applies to the “friends of the Bureau.”
- It is essential to include representation from the seven sociocultural regions of the world (Africa, Asia, Latin America and the Caribbean, Eastern Europe, Russian Federation, Central Asia and Transcaucasia, the Arctic, North America, and the Pacific Islands) to ensure that all perspectives and concerns are equitably considered.
- Provide Specialized Training: Offer specific training for representatives of Indigenous Peoples and local communities participating in SB8j meetings, focusing on diplomatic, technical, and legal procedures. This will enhance their ability to effectively influence negotiations and discussions.

(e) Interaction with the other subsidiary bodies, with a view to minimizing duplication and any additional burden to those subsidiary bodies, while enhancing synergies.

- The SB8J work will focus on the implementation of the new Programme of Work on Article 8(j) and this would prevent work duplication and ensure elements related to Indigenous Peoples and local communities are addressed in depth with the attention and specificity they require.
- Enhancing synergies, not duplicate the work of other SBs.
- Improve articulation, coordination, synergies, and complementarity with other CBD subsidiary bodies, such as the Subsidiary Body on Scientific, Technical, and Technological Advice (SBSTTA) and the Subsidiary Body on Implementation (SBI). In this regard, the SB8j will address in-depth topics not covered by other bodies, such as the contribution of lands and territories to biodiversity conservation (Target 3 of the Kunming-Montreal Global Biodiversity Framework)
- The SB8j should focus on supporting and promoting the full implementation of Article 8(j) and related provisions. This includes ensuring that traditional knowledge is respected, preserved, and maintained in all actions related to biodiversity conservation, to promote its application with the participation of Indigenous Peoples and local communities, and to encourage the equitable sharing of the benefits arising from the utilization of such knowledge, innovations and practices.
- The SB8j should maintain effective coordination with other subsidiary bodies such as the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) and the Subsidiary Body on Implementation (SBI), ensuring that their work complements rather than overlaps. This involves collaborating in areas such as biodiversity conservation and sustainable use, where the perspectives and rights of Indigenous Peoples can enrich scientific and technical discussions. While coordination with other bodies is important, duplication of functions should be avoided. The SB8j should address topics not covered in depth by other bodies, such as the specific contributions of Indigenous Peoples and local communities to the conservation and sustainable use of biodiversity and the management of their territories.
- The SB8J should ensure that at each meeting of the subsidiary bodies is assigned adequate and specific time to thoroughly discuss issues related to Indigenous Peoples and local communities, fostering enriching dialogue and ensuring these topics are not sidelined in the agendas.
- The SB8j should establish clear mechanisms for monitoring and periodically reviewing the implementation of the provisions, ensuring that the focus on the rights of Indigenous Peoples and local communities and their contributions to biodiversity conservation is maintained.
- Enhance coordination with other international organizations and processes working on traditional knowledge, such as the WIPO, FAO, UNESCO, IPBES, and UNFCCC, among others. The SB8j should act as a bridging entity between international organizations working on traditional knowledge issues, like FAO, WIPO, IUCN and IPBES, fostering more effective synergies and strengthening policies for the protection of traditional knowledge.

MODUS OPERANDI OF THE SUBSIDIARY BODY ON IMPLEMENTATION

A. Functions

The Subsidiary Body on Article 8(J) will perform its functions under the guidance of the Conference of the Parties to the Convention, and the Conference of the Parties serving as the meetings of the Parties to the Cartagena and Nagoya Protocols for items referred to it by them. The mandate of the Subsidiary Body on Article 8(j) is in the decision 16/5 paragraph 1 (1.Decides to establish a subsidiary body on Article 8(j) and other provisions of the Convention on Biological Diversity related to indigenous peoples and local communities, with a mandate to provide advice to the Conference of the Parties, other subsidiary bodies and, subject to their request, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety and the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access to Genetic Resources and the

Fair and Equitable Sharing of Benefits Arising from their Utilization on matters of relevance to indigenous peoples and local communities that are within the scope of the Convention and its Protocols;)

B. Areas of work

The functions of the Subsidiary Body on Article 8(J), are:

1. Promote the implementation of Article 8(j) and other related provisions.

- The SB8j should provide advice to the Conference of the Parties, as well as to other subsidiary bodies of the Convention or its Protocols.
- The SB8j should focus on supporting and promoting the full implementation of Article 8(j) and related provisions. This includes ensuring that traditional knowledge is respected, preserved, and maintained in all actions related to biodiversity conservation, to promote its application with the participation of Indigenous Peoples and local communities, and to encourage the equitable sharing of the benefits arising from the utilization of such knowledge, innovations and practices.
- The SB8j should establish clear mechanisms for monitoring and periodically reviewing the implementation of the provisions, ensuring that the focus on the rights of Indigenous Peoples and local communities and their contributions to biodiversity conservation is maintained.

2. Promote the implementation of PoW on Article 8j

3. Advice on International Legal Measures

- The SB8j should provide advice to the Conference of the Parties, as well as to other subsidiary bodies of the Convention or its Protocols, on decisions regarding international legal and policy measures to ensure the protection of traditional knowledge, innovations and sustainable practices. This includes recommendations on the development of national and international legislation that protects the rights of Indigenous Peoples and local communities and facilitates their full and effective participation in decision-making.

4. Coordination and Complementarity

- The SB8j should maintain effective coordination with other subsidiary bodies such as the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) and the Subsidiary Body on Implementation (SBI), ensuring that their work complements rather than overlaps. This involves collaborating in areas such as biodiversity conservation and sustainable use, where the perspectives and rights of Indigenous Peoples can enrich scientific and technical discussions. While coordination with other bodies is important, duplication of functions should be avoided. The SB8j should address topics not covered in depth by other bodies, such as the specific contributions of Indigenous Peoples and local communities to the conservation and sustainable use of biodiversity and the management of their territories.

5. Dialogue and Participation of Indigenous Peoples and Local Communities

- The SB8j should create a continuous dialogue space among Indigenous Peoples, local communities, the Parties, and other relevant stakeholders. This space should promote the exchange of traditional and scientific knowledge and foster mutual understanding of knowledge systems.
- The SB8j must ensure that representatives of Indigenous Peoples and local communities have full, active, and effective participation in all meetings and activities of the body taking into consideration UNEP/CBD/COP/DEC/XI/14 paragraph 16. To achieve this, sufficient resources and inclusion mechanisms should be provided to facilitate their participation at all levels.

6. Advisory Role in Implementing the Kunming-Montreal Global Biodiversity Framework

7. International Coordination

- The SB8j should strengthen cooperation with international organizations and processes relevant for Indigenous Peoples and local communities, such as the World Intellectual Property Organization (WIPO), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), UNCC Desertification, and the United Nations Framework Convention on Climate Change (UNFCCC).
- The SB8j should promote synergies among international processes to ensure that the traditional knowledge of Indigenous Peoples and local communities is respected and integrated into global conservation and sustainable use efforts.

8. Evaluation and Recommendations for Protocols

- The SB8j should provide periodic recommendations to improve the implementation of the Cartagena Protocol on Biosafety and the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization. These recommendations should be aligned with the rights of Indigenous Peoples and local communities to ensure that their knowledge and resources are respected and appropriately valued.

9. Capacity Development and/or Building of IPLCs

- The SB8j should provide advice to the Conference of the Parties on the capacity development and/or building needs of the indigenous peoples and local communities in various areas relevant to enhance the fully and effective participation of IPLCs in the work of the convention and its protocols.

C. Operating Principles

The operating principles of the SB8j of the Convention should be to:

- Ensure the full and effective participation of Indigenous Peoples and local communities in decision-making processes, ensuring that representatives of Indigenous Peoples and local communities have active and effective participation in all meetings and activities of the body while ensuring inclusivity and the fair and equitable representation of indigenous peoples and local communities. Sufficient resources and inclusive mechanisms should be provided to facilitate their participation at all levels.
- Create enabling conditions for the full performance of its functions, including human and financial resources, and facilities.

Establish a continuous dialogue space between Indigenous Peoples, local communities, the Parties, and other relevant actors. This space should promote the exchange of traditional and scientific knowledge and foster mutual understanding of knowledge systems.

D. Secretariat

Procedural matters

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

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

The Subsidiary Body on Article 8(j) and Other Provisions should undertake any tasks that fall within the scope of its programme of work and those that are referred to it by the Conference of the Parties

or the Conference of the Parties serving as the meeting of the Parties to the respective Protocol and should report on its work to those bodies.

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

The Subsidiary Body will have two co-chairs elected by the Conference of the Parties, one nominated by Parties of the regional group that exercises its turn, in a rotation among United Nations regional groups,⁵ and the other nominated by representatives of indigenous peoples and local communities. The co-chairs shall take office from the end of the meeting of the Conference of the Parties at which they have been elected and remain in office until their successors take office at the end of the following ordinary meeting of the Conference of the Parties. The number and length of the meetings and activities of the Subsidiary Body should be reflected in the budget adopted by the Conference of the Parties or other sources of extrabudgetary funding.

Candidates for the co-chairing of the Subsidiary Body should have experience in the processes of the Convention and competence in matters related to indigenous peoples and local communities in the context of the Convention. The co-chairs of the Subsidiary Body will be ex officio members of the Bureau of the Conference of the Parties. The President of the Conference of the Parties will invite the co-chairs of the Subsidiary Body to the sessions of the Bureau on matters related to the Subsidiary Body.

Further to the established and effective practice of the Ad Hoc Working Group on Article 8(j) and Related Provisions of the Convention, the Bureau of the Conference of the Parties serving as the Bureau of the Subsidiary Body will continue to invite representatives of indigenous peoples and local communities to designate at the beginning of each meeting of the Subsidiary Body one representative each from the seven sociocultural regions identified by the Permanent Forum on Indigenous Issues to participate in the work of the Subsidiary Body, as friends of the Bureau while ensuring inclusivity and the fair and equitable representation of indigenous peoples and local communities taking into consideration UNEP/CBD/COP/DEC/XI/14 paragraph 16.

D. Focal points

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

E. Documentation

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

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

⁵ Following the practice of rotation in the chairing of the Subsidiary Body on Scientific, Technical and Technological Advice and the Subsidiary Body on Implementation, and with a view to avoiding that, at any one time, a regional group provides the chairs of more than one subsidiary body, the order of the regions from which the Chair of the Subsidiary Body on Article 8(j) and Other Provisions of the Convention is elected shall be as follows: African States, Western European and other States, Asia-Pacific States, Latin America and Caribbean States and Eastern European States.

II. Submissions from indigenous peoples and local communities

Assembly of First Nations

[27 May 2025]

We are in general agreement with the proposed modus operandi of the SB8J within COP Decision 16/2/Rev.1 (p.147-150). However, as noted by COP Decision 16/5, the proposed modus operandi must take into consideration the following:

- I. Need for full and effective participation of indigenous peoples and local communities
- II. The cost efficiency of its operations and management compared with those of the Ad Hoc Open-ended Working Group on Article 8j
- III. Full recognition of its operation as a Party-led process
- IV. Criteria and process for selection of representatives of indigenous peoples and local communities to be designated at the beginning of each of its meetings from the seven socio-cultural regions to participate in its work as friends of the Bureau, and role of Parties and Bureau in those modalities; and
- V. Interaction with the other subsidiary bodies, while enhancing synergies.

Many of these items for consideration have already been considered by the Parties while developing the proposed modus operandi, including at the 12th meeting of the Ad-Hoc Working Group on Article 8(j) and related provisions. Nonetheless, we welcome the inclusion of criteria and process for selection of representatives of Indigenous Peoples as well as local communities from the seven socio-cultural regions to participate in the SB8J in its work as Friends of the Bureau.

The AFN currently participates at the CBD to advocate for the priorities of First Nations, based on decisions through Resolutions from the First Nations-in-Assembly (i.e. elected Chiefs and proxies). We recall [COP Decision V/16 on Article 8j and Related Provisions](#), which invites Parties to support the participation of the International Indigenous Forum on Biodiversity (IIFB), *as well as relevant organizations representing indigenous and local communities* [emphasis added], in advising the Conference of the Parties on the implementation of Article 8(j) and related provisions.

The IIFB provides a needed forum/space for Indigenous Peoples as well as local communities participating at the CBD to dialogue and coordinate participation and engagement at the CBD. While the IIFB has been the de facto point of contact for Indigenous Peoples and local communities within the CBD, we stress that First Nations have determined their own process of governance and advocacy representation within Canada, as well as on international issues.

The AFN also works with other Indigenous Peoples organizations participating at the CBD within the North America socio-cultural region, one of the seven identified by the UN Permanent Forum on Indigenous Issues (UNPFII) to give broad representation to the world's Indigenous Peoples. Amongst the Indigenous Peoples organizations in the North American Region that participate at the CBD, we have adopted our own process for selecting and nominating our representative that participates as a Regional Coordinator at the IIFB.

Selected by consensus within the Region, this individual must be a representative of an Indigenous Peoples organization and is appointed for a two-year term that is aligned with the timeline of the CBD Conference of the Parties. The North American Region has also identified an alternate to ensure geographical balance within the Region (one North and South of the Medicine Line), and since participation at the CBD is time and resource intensive. As such, our current Regional Coordinator for North America Region is Kuni Albert (AFN), and her alternate, Rochelle Diver (International Indian Treaty Council).

Our Region is also learning some best practices from AFN's participation in other multilateral environmental agreements (MEAs) such as that of the Facilitative Working Group of the Local Communities and Indigenous Peoples Platform under the UN Framework Convention on Climate

Change (UNFCCC), which have been helpful to reference. In line with our experience at the CBD and best practices from Indigenous Peoples participation at the UNFCCC, we think that it is important for Indigenous Peoples to self-select their representatives.

As such, we suggest the following criteria and process per each of the seven sociocultural regions:

- One primary representative from an Indigenous Peoples organization, with ability to select an alternate
- Two-year term, with no more than two consecutive terms
- Ensure geographical and gender balance to the extent possible
- Regional call for nominations against a set of qualifications determined by region; and
- Individuals to be selected by each region.

Association Tinhinan

[30 May 2025]

- *Full and Effective Participation*: Indigenous Peoples and Local Communities (IPLCs) should not only participate but co-lead processes, including agenda-setting, drafting of recommendations, and formal representation in deliberations.
- *Transparent and Inclusive Regional Representation*: IPLC representatives from the seven socio-cultural regions should be selected through Indigenous-led, transparent, and inclusive nomination mechanisms, ensuring gender balance and youth participation. For the same region representation, we should also promote balanced, equal and rotational representation.
- *Support Mechanisms for Participation*: Participation should be supported through:
 - Interpretation and translation services in Indigenous languages; and the UN languages
 - Travel and technical support for community delegates;
 - Virtual participation options to increase accessibility.
- *Planning intersessional activities in support of the work of the Subsidiary Body on article 8 (j)* (eg. Place-based Workshops, case studies, etc).
- *Transparent inclusive and equitable access to funding in support of Indigenous leadership and participation*
- *Institutionalized Cross-Body Collaboration*: Permanent liaisons from this Subsidiary Body should be embedded in the work of SBSTTA and SBI to ensure that Indigenous rights and knowledge systems are fully integrated across all CBD mechanisms.

Indigenous Peoples of Africa Co-ordinating Committee

[18 May 2025]

En tenant compte du projet de la recommandation 12/2 du Groupe de travail spécial intersessions sur l'article 8(j).

En s'inspirant des modes de fonctionnement de l'Organe subsidiaire chargé de fournir des avis scientifiques, techniques et technologiques (SBSTTA) et de l'Organe subsidiaire chargé de la mise en œuvre (SBI).

En considérant les procédures établies du Groupe de travail spécial intersessions sur l'article 8(j).

En portant une attention particulière aux éléments suivants :

La participation pleine et effective des peuples autochtones et communautés locales.

L'efficacité des coûts de son fonctionnement et de sa gestion par rapport à ceux du Groupe de travail spécial intersessions sur l'article 8(j).

La pleine reconnaissance de ses opérations comme des processus dirigés par les Parties.

Les critères et le processus de sélection des représentants des peuples autochtones et communautés locales (issus des sept régions socio culturelles) qui seront désignés au début de chaque réunion pour participer à ses travaux en tant qu'"amis du Bureau", ainsi que le rôle des Parties et du Bureau dans ces modalités.

L'interaction avec les autres organes subsidiaires, en vue de minimiser les doublons et toute charge supplémentaire pour ces organes, tout en renforçant les synergies. Le mode de fonctionnement proposé sera soumis à la COP17 pour adoption.

La création de la SB8J est une étape décisive dans l'application des recommandations du groupe de travail sur l'article 8J ainsi que la bonne voie de la réalisation du cadre mondial sur la biodiversité. Cette création montre l'importance du rôle des peuples autochtones comme des gardiens de la biodiversité.

- Suite à cette évolution remarquable il est indispensable de doubler le soutien financier pour faciliter la participation des peuples autochtones dans les réunions intersessionnelles et dans les COPs.
- Le budget de l'organe subsidiaire de l'article 8J doit être de même que les autres organes subsidiaires de la SBD.
- Les Etats partis ont la responsabilité morale de contribuer à la valorisation du nouveau travail et la contribution à l'application et le renforcement des synergies entre ces trois organes.

International Indigenous Forum on Biodiversity

[2 June 2025]

(a) The need for the full and effective participation of indigenous peoples and local communities

1. The Convention on Biological Diversity adopted, through decision 15/4 (2022), the landmark Kunming-Montreal Global Biodiversity Framework (KMGBF), which recognizes the important roles and contributions of Indigenous Peoples and local communities as right holders and custodians of biodiversity and as partners in its conservation, restoration and sustainable use. It also recognizes Indigenous Peoples and local communities as key actors in reversing biodiversity loss. This recognition of Indigenous Peoples and local communities is reflected throughout the KMGBF document, specifically in Sections C, Goal C and Targets 1, 2, 3, 4, 5, 9, 13, 14, 15, 19(f), 21 and 22, which Parties have committed to implement promoting the full and effective participation of Indigenous Peoples and local communities.

2. The Convention also adopted decision 16/4 on the Programme of Work on Article 8(J) and other Provisions of the Convention on Biological Diversity related to Indigenous Peoples and Local Communities to 2030 (new Programme of Work on Article 8(J)) which state as one of the general principles "*The full, equitable, inclusive, effective and gender-responsive participation of indigenous peoples and local communities, in particular women, girls and youth among them, should be ensured, from the local to the global level, at all stages of the identification, implementation and monitoring of the elements of the programme of work. Partnerships with indigenous peoples and local communities should be ethical, equitable and based on mutual respect and good faith.*"

3. The International Indigenous Forum on Biodiversity (IIFB) suggests applying the practices and procedures to promote the full and effective participation of Indigenous Peoples and local communities of the Ad Hoc Open-ended Working Group on Article 8(j) (Working Group on Article 8(j), mutatis mutandis to the Subsidiary Body on Article 8(j) and other provisions of the convention

on biological diversity related to indigenous peoples and local communities (Subsidiary Body on Article 8(j)).

4. These practices and procedures of the Working Group on Article 8(j) include but not limited to the following:

- (a) The nomination of an Indigenous Peoples and local communities' Co-chair to assist the Chairperson of the meeting, as well as Indigenous Peoples and local communities' co-chairs for sub-working groups and contact groups;
- (b) The nomination of one representative from each of the seven (7) sociocultural regions nominated by their region, comprising a total of seven (7) representatives of Indigenous Peoples and local communities as an Indigenous Peoples and local communities' Bureau, to work as friends of the Government Bureau (of the meeting);
- (c) Enhanced opportunities to make interventions first on all agenda items;
- (d) Inclusion of Indigenous Peoples and local communities' spiritual guide, preferably from the host region, for the opening of the meeting; and
- (e) Indigenous Peoples and local communities' participation at the High-Level Segment of the Conference of the Parties.

5. Additionally, to further enable the effective participation of Indigenous Peoples and local communities in the work of the Convention, the Conference of the Parties adopted the following mechanisms, which should be enhanced and strengthened:

- (a) A voluntary funding mechanism to facilitate the participation of Indigenous Peoples and local communities in meetings under the Convention (decision VII/16 G, para. 10);
- (b) A Traditional Knowledge Portal, which includes specific web pages and web-based tools;
- (c) Capacity-building Development Programmes for Indigenous Peoples and local communities

6. Furthermore, the Secretariat of the Convention on Biological Diversity should maintain at least the four (4) full-time dedicated staff members to assist and provide support for the participation of Indigenous Peoples and local communities in the work of the Convention particularly for the work of the Subsidiary Body on Article 8(J), including the implementation of capacity development programmes and management of the *Voluntary Trust Fund to Facilitate the Participation of Indigenous and Local Communities in the Work of the Convention on Biological Diversity*⁶ (Voluntary Fund).

7. This approach will allow a smooth transition, inclusivity and continuity for the full and effective participation of Indigenous Peoples and local communities in the Subsidiary Body on Article 8(j).

(b) The cost efficiency of its operations and management compared with those of the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provision

8. The IIFB considers that the Subsidiary Body on Article 8(j) operates with cost efficiency by facilitating focused, deeper and more sustained engagement of Indigenous Peoples and local communities through a focused agenda, extended deliberation time, and contributing to other Convention processes. This streamlined structure minimizes duplicative expenditures, costs and logistical burdens, thereby maximizing human and financial resources and substantive outcomes in advancing the objectives of the Convention and its protocols.

9. The IIFB considers that the cost efficiency of the Subsidiary Body on Article 8(j) allows, particularly for Indigenous Peoples and local communities and Parties, to have in-depth discussions

⁶ More information at <https://www.cbd.int/traditional/fund.shtml>.

on matters related to the implementation of the new Programme of work on Article 8(j) and, to achieve its tasks more effectively.

10. The following action could be taken to achieve the cost efficiency:
- (a) The Subsidiary Body on Article 8(j) meetings could be held consecutively with other subsidiary bodies of the Convention. This not only optimizes resources but also facilitates greater participation from Parties and Indigenous Peoples and local communities by reducing travel and logistics costs.
 - (b) Increase contributions to the Voluntary Fund to ensure the full and effective participation of Indigenous Peoples and local communities, enabling their representatives from the seven (7) sociocultural regions to attend the Subsidiary Body on Article 8(j) meetings and other subsidiary bodies of the CBD, without financial constraints.
 - (c) Develop long-term funding strategies that support meetings and work of the Subsidiary Body on Article 8(j) and ensures the full and effective participation of Indigenous Peoples and local communities. This can include collaborations with international organizations, trust funds, donors, and partnerships with private entities committed to biodiversity conservation and the recognition and protection of the rights of Indigenous Peoples and local communities. These strategies should be articulated around clear goals and demonstrate the benefits of supporting the work of the Subsidiary Body on Article 8(j).
 - (d) The Subsidiary Body on Article 8(j) should have ongoing support from the Secretariat of the CBD to access the financial mechanisms of the Convention or its Protocols. This means that the Secretariat could seek out additional funding sources for meetings and work of the Subsidiary Body on Article 8(j).
 - (e) Provide capacity-building for Indigenous Peoples and local communities' representatives in management and resource mobilization enabling them to actively engage in securing and managing funds, both for their participation in meetings particularly Subsidiary Body on Article 8(j) meetings and for the implementation of the new Programme of Work on Article 8(J).

(c) The full recognition of its operations as Party-led processes

11. Recognizing that the operational procedures and practices of the Working Group on Article 8(j) and Related Provisions were Party-led processes, with the establishment of mechanism that promoted and enhanced the full and effective participation of Indigenous Peoples and local communities in its work, the IIFB considers that the same approach should be maintained for the Subsidiary Body on Article 8(j).

12. As a result of this approach, the Working Group on Article 8(j), promoted constructive dialogue on the implementation of Article 8(j) and related provisions and raised the profile of issues related to Indigenous Peoples and local communities throughout the Convention and its Protocols. It successfully developed and monitored the implementation of the programme of work on Article 8(j) and related provisions and delivered several principles and guidelines.

13. The following action could be taken:
- a) Parties could promote the implementation of the Programme of Work on Article 8(j) to ensure the protection of traditional knowledge, innovations,
 - b) Parties could ensure the full and effective participation of Indigenous Peoples and local communities at all stages of the implementation of Article 8(j) and other related provisions, through inclusive procedures that support the effective realization of the implementation on matters of relevance to Indigenous Peoples and local communities,
 - c) Parties could provide financial support for the participation of Indigenous Peoples and local communities in the Subsidiary Body on Article 8(j) meetings.

(d) The criteria and process for the selection of representatives of indigenous peoples and local communities to be designated at the beginning of each of its meetings from the seven socio-cultural regions to participate in its work as friends of the Bureau, and the role of Parties and the Bureau in those modalities

14. The IIFB suggests applying the procedures and practices to promote the full and effective participation of Indigenous Peoples and local communities of the Working Group on Article 8(j) mutatis mutandis to the Subsidiary Body on Article 8(j). These practices include that Indigenous Peoples and local communities, based on their practices and criteria, nominate the co-chairs for the meeting and the co-chairs for contact groups or friends of the chair, as well as friends of the Bureau, following their internal global and regional consultations. These processes and practices have been in place and have worked effectively since 2000.

15. Regarding the criteria, the candidates should have extensive experience in the processes of the Convention on Biological Diversity (CBD) and its protocols, and be knowledgeable about issues related to traditional knowledge, innovations and practices and, Indigenous Peoples and local communities.

(e) Interaction with the other subsidiary bodies, with a view to minimizing duplication and any additional burden to those subsidiary bodies, while enhancing synergies.

16. The IIFB considers that the interaction, articulation, coordination, synergies, and complementarity of the Subsidiary Body on Article 8(j) with other CBD subsidiary bodies such as the Subsidiary Body on Scientific, Technical, and Technological Advice (SBSTTA) and the Subsidiary Body on Implementation (SBI) is important. In this regard, the Subsidiary Body on Article 8(j) will address in-depth topics not covered by other bodies, such as the implementation of the Programme of Work on Article 8(j) to prevent work duplication and ensure elements related to Indigenous Peoples and local communities are addressed in depth.

17. The IIFB considers that, based on the experience of the Working Group on Article 8(j), the Subsidiary Body on Article 8(j) could share experiences to other bodies on matters related to Indigenous Peoples and local communities.

18. The IIFB highlights that Indigenous Peoples and local communities also contribute effectively in other CBD subsidiary bodies such as the Subsidiary Body on Scientific, Technical, and Technological Advice (SBSTTA) and the Subsidiary Body on Implementation (SBI) on matters that are considered by these bodies, without any duplication.

19. The IIFB also calls the attention to the importance of the enhanced collaboration, coordination and dialogue with other international organizations and processes working on traditional knowledge, such as the World Intellectual Property Organization (WIPO), Food and Agriculture Organization of the United Nations (FAO), United Nations Educational, Scientific and Cultural Organization (UNESCO), Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), United Nations Convention to Combat Desertification (UNCCD) and United Nations Framework Convention on Climate Change (UNFCCC), among others and suggests that the Subsidiary Body Article 8(j) acts as a bridging entity between international organizations working on traditional knowledge issues, like FAO, WIPO and IPBES, fostering more effective synergies and strengthening policies for the protection of traditional knowledge.

Nacionalidad Waorani del Ecuador

[26 May 2025]

It is essential that the modalities and working methods of the Subsidiary Body on Article 8(j) fully consider the diversity and specific circumstances of Indigenous Peoples, including those in Voluntary Isolation and Recent Contact. In particular, we recommend that the Modus Operandi ensure the following:

- The composition and engagement mechanisms of the Subsidiary Body must ensure the equitable representation of Indigenous Peoples in Recent Contact. This includes guaranteeing that their perspectives are not only acknowledged but meaningfully integrated into the deliberations and outputs of the Body.
- A dedicated mechanism should be established to regularly consult with Indigenous Peoples in Recent Contact, respecting their specific conditions. These consultations must be conducted in accordance with existing human rights standards and protocols for the protection of Peoples in Voluntary Isolation and Recent Contact.
- The Subsidiary Body must include, or have access to, specialized expertise on Indigenous Peoples in Voluntary Isolation and Recent Contact. This should encompass legal, anthropological, cultural, and human rights expertise, including individuals or organizations with deep understanding of their territories, the threats they face, and the legal frameworks that protect them.

These elements are necessary to uphold the integrity, safety, and rights of Indigenous Peoples in Voluntary Isolation and Recent Contact, and to ensure that the Subsidiary Body operates in a manner consistent with international human rights standards, as well as Section C of the Framework.

[Spanish version]

Es fundamental que las modalidades y métodos de trabajo del Órgano Subsidiario sobre el Artículo 8(j) consideren plenamente la diversidad y las circunstancias específicas de los Pueblos Indígenas, incluidos aquellos en Aislamiento Voluntario y Contacto Reciente. En particular, recomendamos que el Modus Operandi garantice lo siguiente:

- La composición y los mecanismos de participación del Órgano Subsidiario deben asegurar la representación equitativa de los Pueblos Indígenas en Contacto Reciente. Esto incluye garantizar que sus perspectivas no solo sean reconocidas, sino que se integren de manera significativa en las deliberaciones y resultados del Órgano.
- Se debe establecer un mecanismo específico para consultar de forma periódica a los Pueblos Indígenas en Contacto Reciente, respetando sus condiciones particulares. Estas consultas deben llevarse a cabo conforme a los estándares y protocolos de derechos humanos existentes para la protección de los PIAV y PIACR.
- El Órgano Subsidiario debe incluir, o tener acceso a, conocimientos especializados sobre los Pueblos Indígenas en Aislamiento Voluntario y Contacto Reciente. Esto debe abarcar conocimientos jurídicos, antropológicos, culturales y en derechos humanos, incluyendo a personas u organizaciones con profundo entendimiento de sus territorios, amenazas y marcos jurídicos de protección.

Estos elementos son necesarios para garantizar la integridad, seguridad y derechos de los Pueblos Indígenas en Aislamiento Voluntario y Contacto Reciente, y para asegurar que el Órgano Subsidiario opere de conformidad con los estándares internacionales de derechos humanos, así como con la Sección C del Marco Mundial.

Pastoral Communities Empowerment Programme

[28 May 2025]

As per the Gender Plan of Action, it is crucial to enable women's meaningful, informed and effective participation in the new programme of work on Article 8(j) and analyse gender considerations to be addressed in this work programme. It is therefore essential that the Bureau and Co-Chair and friends of the Bureau as well as open-ended working groups nominations have at least one woman holding 'gender expertise' from and on Indigenous Peoples and local communities to be nominated to ensure that Objective 2.2 indicative action 2.2.2 of the Gender Plan of Action is taken into consideration.

Union of Indigenous Peoples

[30 May 2025]

- (a) **The need for the full and effective participation of indigenous peoples and local communities;**
- (b) **The cost efficiency of its operations and management compared with those of the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions of the Convention;**
- (c) **The full recognition of its operations as Party-led processes;**
- (d) **The criteria and process for the selection of representatives of indigenous peoples and local communities to be designated at the beginning of each of its meetings from the seven socio-cultural regions to participate in its work as friends of the Bureau, and the role of Parties and the Bureau in those modalities;**
- (e) **Interaction with the other subsidiary bodies, with a view to minimizing duplication and any additional burden to those subsidiary bodies, while enhancing synergies.**

Indigenous Peoples of Russia support the full and effective participation of Indigenous Peoples in the work of the Subsidiary body on Article 8(j). The process for the selection of Indigenous Peoples from the seven sociocultural regions should reflect regional customs, representative bodies and decision-making procedures of Indigenous Peoples. The selection of Indigenous representatives from each sociocultural region to serve in any official capacity in the Subsidiary body should be done as a result of broad and legitimate consultations of regional Indigenous Peoples’ representative bodies, taking into account grassroot level decision-making processes.

Indigenous Peoples of Russia will convene a nationwide consultation and expert seminar on June 23 and 24, 2025 in Moscow, in order to discuss and make collective analysis regarding the entire agenda of the first meeting of the Subsidiary body on Article 8j, including modus operandi. This meeting is considered by Indigenous Peoples of Russia as a regional preparatory meeting for the first meeting of the Subsidiary body. It will result in an outcome document that will guide regional representatives during the meetings in Panama.

Therefore, more information in response to this notification can be shared at a later date.

III. Submissions from relevant organizations

African Wildlife Foundation

[30 May 2025]

Draft Modus Operandi of Article 8j	Comments
<p>I. Functions</p> <p>1. The [Subsidiary Body] on Article 8(j) and Other Provisions of the Convention on Biological Diversity will perform its functions under the guidance of the Conference of the Parties to the Convention and the Conference of the Parties serving as the meetings of the Parties to the Cartagena Protocol on Biodiversity and the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity for items referred to it by them[, in a manner consistent with the mandates of Subsidiary Body on Scientific, Technical and Technological Advice and the Subsidiary Body on Implementation][, in collaboration with the Subsidiary Body on Scientific, Technical and</p>	<p>"In a manner consistent with the mandates of SBSTTA and SBI"</p> <p>This phrase indicates that actions or initiatives should align with the established roles, responsibilities, and guidelines of SBSTTA and SBI. It emphasizes adherence to their respective mandates without implying direct interaction or joint activities.</p> <p>The focus is on ensuring that any undertaken activities do not conflict with or duplicate the functions of these bodies. It promotes coherence and respect for their established frameworks.</p> <p>"In collaboration with SBSTTA and SBI"</p>

<p>Technological Advice and the Subsidiary Body on Implementation]. [The [Subsidiary Body] on Article 8(j) and Other Provisions shall carry out its functions taking into account the roles and functions of the Subsidiary Body on Scientific, Technical and Technological Advice and the Subsidiary Body on Implementation, with a view to ensuring complementarity with their work and avoiding overlaps.] The functions of the [Subsidiary Body] on Article 8(j) and Other Provisions are:</p> <p>(a) To [promote and support the implementation of the work undertaken under the Convention pertaining to Article 8(j) and related provisions][promote the implementation and review][review and promote the implementation] of the programme of work on Article 8(j) and other provisions, including Article 10(c) of the Convention related to indigenous peoples and local communities, as contained in the annex to decision 16/--;</p>	<p>This phrase denotes active partnership and direct cooperation with SBSTTA and SBI. It suggests joint planning, shared responsibilities, and mutual engagement in specific tasks or projects.</p> <p>It implies an expectation of interactive involvement, such as co-hosting events, jointly developing guidelines, or participating in shared working groups. It reflects a more integrated and participatory approach.</p> <p>Given the need for efficiency and not burdening SBSTTA and SBI, would prefer "in alignment with the mandates of Subsidiary Body on Scientific, Technical and Technological Advice and the Subsidiary Body on Implementation"</p> <p>*****</p> <p>"To promote and support the implementation of the work undertaken under the Convention pertaining to Article 8(j)..."</p> <p>This statement emphasizes both the encouragement (promote) and the provision of assistance (support) for implementing activities related to Article 8(j) across the Convention's various programs and initiatives.</p> <p>It suggests a proactive role in facilitating the integration of Article 8(j) considerations into broader CBD activities, ensuring that IPLC knowledge and practices are respected and maintained throughout the Convention's work.</p> <p>"To promote the implementation and review of the programme of work on Article 8(j)..."</p> <p>Here, the focus is on encouraging the execution (promote the implementation) of the specific Programme of Work dedicated to Article 8(j), as well as assessing its progress and effectiveness (review).</p> <p>This denotes a dual responsibility: facilitating the enactment of the Programme's tasks and periodically evaluating its outcomes to inform future actions.</p> <p>"To review and promote the implementation of the programme of work on Article 8(j)..."</p> <p>This phrase places initial emphasis on assessing (review) the Programme of Work's current status, followed by encouraging its execution (promote the implementation).</p> <p>It suggests a sequence where evaluation informs subsequent promotion efforts, ensuring that implementation strategies are based on informed assessments.</p> <p>The last two statements refer to the both review and promoting the work program on Article 8(j) but differ on the sequencing of reviewing and promoting. The first statement focus on promoting and supporting the implementation of the broad work undertaken by CBD pertaining to Article 8(j), but leaves out the aspect of review. We suggest alternative text that combines all the</p>
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<p>(b) To provide advice to the Conference of the Parties and, as appropriate, the Conference of the Parties serving as the meetings of the Parties to the Cartagena and Nagoya Protocols and other subsidiary bodies, on measures that enhance the implementation of Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities. This includes providing advice on the development and implementation of legal and other appropriate forms of measures to respect, preserve and maintain the knowledge, innovations and practices of indigenous peoples and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity.</p>	<p>elements in the 3 phrases as follows, noting that the program of work is already there and therefore needs to be promoted and supported and reviewed as implementation happens:</p> <p>"To promote, support, and review the implementation of the work undertaken under the Convention pertaining to Article 8(j), including the programme of work on Article 8(j) and other provisions, including Article 10(c) of the Convention related to indigenous peoples and local communities, as contained in the annex to decision 16/--;"</p>
<p>II. Operating principles</p>	
<p>2. In carrying out its functions, the [Subsidiary Body] on Article 8(j) and Other Provisions of the Convention shall align the elements of its programme of work with the relevant parts of the KunmingMontreal Global Biodiversity Framework, in particular its 2030 targets, and prioritize the tasks that need early action.</p> <p>3. In promoting the implementation of the programme of work contained in the annex to decision 16/--, the [Subsidiary Body] on Article 8(j) and Other Provisions of the Convention shall cooperate with and benefit from the "To promote, support, and review the implementation of the work undertaken under the Convention pertaining to Article 8(j), including the programme of work on Article 8(j) and other provisions, including Article 10(c) of the Convention related to indigenous peoples and local communities, as contained in the annex to decision 16/--;" assistance of United Nations agencies and other processes that have complimentary functions and work on matters related to indigenous peoples and local communities.</p>	
<p>III. Procedural matters</p>	
<p>4. In line with paragraph 5 of rule 26 of the rules of procedure for meetings of the Conference of the Parties, the rules of procedure for meetings of the Conference of the Parties apply, mutatis mutandis, to the meetings of the [Subsidiary Body] on Article 8(j) and Other Provisions, with the exception of rule 18.</p> <p>5. When the [Subsidiary Body] on Article 8(j) and Other Provisions serves a Protocol of the Convention, decisions under the Protocol shall be taken only by the Parties to the Protocol.</p> <p>6. The [Subsidiary Body] on Article 8(j) and Other Provisions should undertake any tasks that fall within the scope of its programme of work and those that are referred to it by the Conference of the Parties or the</p>	

<p>Conference of the Parties serving as the meeting of the Parties to the respective Protocol and should report on its work to those bodies</p>	
<p>IV. Bureau and co-chairs</p>	
<p>7. The Bureau of the Conference of the Parties will serve as the Bureau of the [Subsidiary Body] on Article 8(j).</p> <p>8. The [Subsidiary Body] will have two co-chairs [elected by the Conference of the Parties], one nominated by Parties of the regional group that exercises its turn, in a rotation among United Nations regional groups, 21 and the other nominated by representatives of indigenous peoples and local communities. At least one of the co-chairs will be selected from a developing country, taking into account gender balance. [The co-chairs shall take office from the end of the meeting of the Conference of the Parties at which they have been elected and remain in office until their successors take office at the end of the following ordinary meeting of the Conference of the Parties.] [The number and length of the meetings and activities of the Subsidiary Body and its organs should be reflected in the budget adopted by the Conference of the Parties or other sources of extrabudgetary funding.]</p> <p>9. Candidates for the co-chairing of the [Subsidiary Body] should have experience in the processes of the Convention and competence in matters related to indigenous peoples and local communities in the context of the Convention. The regional groups, when identifying a candidate, should take into account the availability of time that the candidates have for the work of the [Subsidiary Body] on Article 8(j) and Other Provisions. In the event that the co-chair nominated by Parties and elected by the Conference of the Parties is from a country that is not a Party to one or both Protocols, a substitute would be assigned from among members of the Bureau representing a Party to the Protocol to chair items related to one or the other Protocol. The co-chairs of the [Subsidiary Body] will be ex officio members of the Bureau of the Conference of the Parties. The President of the Conference of the Parties will invite the co-chairs of the [Subsidiary Body] to the sessions of the Bureau on matters related to the [Subsidiary Body].</p> <p>10. Further to the established and effective practice of the Ad Hoc Working Group on Article 8(j) and Related Provisions of the Convention, the Bureau of the Conference of the Parties serving as the Bureau of the [Subsidiary Body] will continue to invite representatives of indigenous peoples and local communities to designate at the beginning of each meeting of the [Subsidiary Body] one representative each from the seven sociocultural regions identified by the Permanent Forum on Indigenous Issues to participate in the work of the [Subsidiary Body], as friends of the Bureau.</p>	

<p>V. Budgetary matters</p>	
<p>11. The [Subsidiary Body] should meet in each intersessional period, back-to-back with meetings of the other subsidiary bodies of the Convention, unless otherwise decided by the Conference of the Parties [, with due consideration to the importance of ensuring the full and effective participation of the developing country Parties [and indigenous peoples and local communities]].</p> <p>12. The [Subsidiary Body] on Article 8(j) and Other Provisions may, within the budgetary resources approved by the Conference of the Parties or the Conference of the Parties serving as the meetings of the Parties to the Cartagena or Nagoya Protocols in respect to a specific decision by those bodies within the mandate of the [Subsidiary Body], make requests to the Executive Secretary and use mechanisms under the Convention or its Protocols, as appropriate.</p> <p>13. The Executive Secretary should provide to the [Subsidiary Body] the support necessary to carry out its functions and mandate. The [Subsidiary Body], may, as appropriate, and subject to the availability of resources, use mechanisms that are established under the Convention. The meetings of the [Subsidiary Body] on Article 8(j) and Other Provisions will be conducted in plenary sessions or, where the necessary budgetary resources have been approved by the Conference of the Parties[, in open-ended sessional working groups, as appropriate. Up to two open-ended sessional working groups of the [Subsidiary Body] on Article 8(j) and Other Provisions could be established and operate simultaneously during meetings of the [Subsidiary Body]. The working groups would not meet in parallel to the plenary sessions. The working groups shall be established on the basis of well-defined terms of reference and will be open to all Parties and observers].</p> <p>14. Upon a decision of the Conference of the Parties considering it necessary to carry out its mandate, and subject to the availability of resources, ad hoc technical expert groups may be established in accordance with section H, paragraph 8, of the consolidated modus operandi of the Subsidiary Body on Scientific, Technical and Technological Advice, as contained in annex III to decision VIII/10 of 31 March 2006.</p>	<p>"[, with due consideration to the importance of ensuring the full and effective participation of the developing country Parties [and indigenous peoples and local communities]]."</p> <p>The bracketed text aims to ensure that developing countries and indigenous peoples and local communities, are not marginalized in global decision-making. It emphasizes equity, inclusiveness, and participatory governance. The statement recognises that developing country parties and IPLCs may have limited resources to be able to fully and effectively participate in back-to-back meetings and therefore some consideration has to be made in deciding the holding of these meetings.</p>
<p>VI. Focal points</p>	
<p>15. Parties should designate national focal points to follow up on the work of the [Subsidiary Body]. The existing national focal points for Article 8(j) and related provision may continue to be the focal points for the [Subsidiary Body] on Article 8(j) and Other Provisions</p>	
<p>VII. Documentation</p>	
<p>16. The Secretariat shall make the documentation for meetings of the [Subsidiary Body] on Article 8(j) and Other Provisions available at least six weeks before the</p>	

<p>opening of the meeting, in accordance with rule 10 of the rules of procedure for meetings of the Conference of the Parties.</p> <p>17. The number and length of documents, including information documents, should be kept to a minimum, and documentation should include proposed conclusions and recommendations for consideration by the [Subsidiary Body] on Article 8(j) and Other Provisions.</p>	
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Food and Agriculture Organization of the United Nations

[26 May 2025]

The item 16/7 “Programme of work on Article 8(j) and other provisions of the Convention on Biological Diversity related to indigenous peoples and local communities to 2030” adopted by COP16 of the CBD, includes 8 elements of implementation and actors involved.

While this current modus operandi includes as actors the Parties and the Subsidiary Body on Article 8(j), we would like to emphasize the important role that UN entities, including FAO, are playing in supporting the implementation of the Convention and the Global Biodiversity Framework. Although modifications to formally include IGOs may not be feasible at this stage, we encourage the reaffirming of the complementary role that UN Agencies can play in implementing Article 8(j), particularly regarding knowledge-sharing, technical support, and facilitating inclusive processes.

In this regard, FAO has been working on the following actions to support the implementation of the PoA on Article 8(j):

1. **Engagement with the International Indigenous Forum on Biodiversity (IIFB):** FAO Indigenous Peoples Unit and IIFB are working on a letter exchange to settle a joint workplan to support actions to work together topics such as Indigenous-led actions on biodiversity conservation and sustainable use, FPIC, joint actions to support the PoA on Article 8(j) as well as the works of the new SB on Article 8(J), in particular on the work on Indigenous Peoples’ food and knowledge systems.
2. **FAO’s participation in TRUA Summit:** FAO Indigenous Peoples Unit attended and supported as one of the rapporteurs for the conclusions of TRUA Summit, including the recommendations from the Indigenous Caucus to the CBD COP16 on the PoA on Article 8(J).
3. **FAO Indigenous Peoples Unit and the Secretary of the Commission on Genetic Resources for Food and Agriculture worked together with IIFB in the inclusion of Indigenous Peoples’ language and narrative** aligned with the outcomes of the CBD COP16 in the works of the Commission. Indigenous representatives provided a statement during the 20th session of the Commission and the narrative has been reflected 30 times in the report of the session. <https://openknowledge.fao.org/handle/20.500.14283/NR516EN>
4. **FAO Indigenous Peoples Unit attended GEF-9 Technical Advisory Groups:** including the relevance to support Indigenous-led actions, direct access to funds from Indigenous Peoples to support the work on Article 8(j), the relevance of the Indigenous Peoples' knowledge associated with the use of genetic resources and the role of Indigenous Peoples’ food and knowledge systems for both conservation and sustainable use of biodiversity.