

Agenda item 14

Implementation of Article 8(j) and related provisions

Scenario note for the contact group on Article 8(j) and related provisions

1. The Conference of Parties, at its meeting, is expected to decide on the adoption of a new programme of work on Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities, aligned with the Kunming-Montreal Global Biodiversity Framework, with the full and effective participation of indigenous peoples and local communities.
2. A contact group was established by Working Group I under its agenda item 14, specifically on subsection on the development of a new programme of work and institutional arrangements on Article 8(j) and other provisions of the Convention.
3. Pernilla Malmer from Sweden and Lucy Mulenkei from indigenous peoples and local communities have been asked to Co-Chair this contact group.
4. The mandate of the contact group is to prepare a consensus text on the basis of the draft decision contained in recommendation 12/2 of the Twelfth meeting of the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions of the Convention and reproduced in the compilation of draft decisions (CBD/COP/16/2/Rev.1). The Co-Chairs may prepare non-papers and establish friends of the co-chairs, as appropriate, to facilitate the negotiations in the group.
5. The draft decision is divided into two sections:
 - (a) Section A on the proposed programme of work on Article 8(j) and other provisions of the Convention;
 - (b) Section B on institutional arrangements for the full and effective participation of indigenous peoples and local communities in the work undertaken under the Convention.
6. In the context of discussions on the proposed programme of work, the following information documents were prepared:
 - (a) Summary report on the informal dialogue on the new programme of work and institutional arrangements on Article 8(j) and other provisions (CBD/COP/16/INF/30);
 - (b) Submission from Brazil and Colombia in relation to item 14 of the provisional agenda of the sixteenth meeting of the Conference of the Parties (CBD/COP/16/INF/35);
 - (c) Preparatory events which are of relevance to the proposed new programme of work and institutional arrangements for Article 8(j) and other provisions of the Convention (CBD/COP/16/INF/37).
7. In the context of discussions on institutional arrangements, an information document on the budget estimates for possible scenarios and cost implications concerning institutional arrangements on Article 8(j) and other provisions (CBD/COP/16/INF/36) was prepared.
8. The present non-paper sets out the plans of the Co-Chairs regarding the modalities of work of the contact group sessions. It is expected that there will be four sessions of the contact group. The Co-Chairs propose the following plan on how discussions will be structured during these sessions. The plan is subject to adjustment in light of progress made with a view to ensure the most efficient use of time.
9. At the first session, scheduled for 7:30 to 10:30 pm, on Monday, 21 October, the Co-Chairs propose to first provide a brief summary of the scenario for the four contact group sessions. It is proposed to dedicate the first and second sessions to focus on reviewing the proposed programme of work, including draft decision and the tasks proposed in the programme of work. The Co-Chairs propose to review the tasks by identifying the level of priorities and main actors responsible for implementing the proposed tasks.

10. The third session will be dedicated to addressing section B of the proposed draft decision on institutional arrangements. The Co-Chairs will invite the Secretariat to briefly present background information of the options for institutional arrangements and cost implications in relation to different scenarios for institutional arrangements.
11. For the fourth session, it is proposed to finalize any pending issues related to the proposed programme of work and institutional arrangements.
12. It is expected that the negotiations will be conducted as text-based discussions.
