

Agenda items 5 (a) and (b)

Implementation of 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: (a) Guidelines to strengthen the legal and policy framework for the implementation of Targets 2 and 3 of the Kunming-Montreal Global Biodiversity Framework, including on indigenous and traditional territories, to support the protection and restoration practices led by indigenous peoples and local communities (Task 1.1); and (b) Guidelines for the inclusion and consideration of traditional lands and of resource use in spatial planning processes and environmental impact assessments (Task 1.2)

Proposed elements for the guidelines related to Tasks 1.1 and 1.2 of 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

Draft recommendation submitted by the Chair

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

Recommends that, at its seventeenth meeting, the Conference of the Parties adopt a decision along the following line:

The Conference of the Parties,

Recalling its decision [16/4](#) of 30 October 2024, by which it adopted the programme of work on Article 8(j) and other provisions of the Convention on Biological Diversity¹ related to indigenous peoples and local communities to 2030, and in particular Tasks 1.1 and 1.2, directed to the Subsidiary Body on Article 8(j) and Other Provisions of the Convention on Biological Diversity Related to Indigenous Peoples and Local Communities, to develop guidelines to strengthen the legal and policy framework for the implementation of Targets 2 and 3 of the Kunming-Montreal Global Biodiversity Framework,² including on indigenous and traditional territories, and guidelines for the inclusion and consideration of traditional lands and of resource use in spatial planning processes and environmental impact assessments, Targets 1 and 14 of the Kunming-Montreal Global Biodiversity Framework, respectively, and recognizing the alignment of the programme of work with the Framework,

Recalling decision 16/6,

Acknowledging the specific challenges faced by developing countries and the need to address the under-representation of indigenous peoples and local communities from developing countries in the work of the Convention,

Taking note of the output of the expert workshop to support the implementation of Tasks 1.1 and 1.2 of the programme of work on Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities, including draft guidelines,³

¹ United Nations, *Treaty Series*, vol. 1760, No. 30619.

² Decision [15/4](#), annex.

³ CBD/A8J/WS/2025/2/3.

1. [Adopts] the [voluntary] guidelines⁴ to strengthen the legal and policy framework for [the recognition of the role of indigenous and traditional territories of indigenous peoples and local communities in spatial planning, ecosystem restoration and conservation, and environmental impact assessments] [implementation of Targets 1, 2, 3 and 14 of the Framework to support the protection and restoration practices led by indigenous peoples and local communities and for the inclusion and consideration of traditional lands and of resource use in spatial planning processes and environmental impact assessments] contained in the annex to the present decision;

2. *Encourages* Parties, and invites other Governments, to integrate and apply the guidelines, as appropriate and in accordance with national legal frameworks, in spatial planning processes, biodiversity strategies and action plans and environmental impact assessment procedures, consistent with the rights of indigenous peoples and local communities arising under international human rights law and instruments;

3. *Also encourages* Parties, and invites other Governments and relevant actors in a position to do so, to support the dissemination of the guidelines, including through their translation into indigenous languages, in accordance with national priorities and circumstances;

3bis. *Requests* Parties to establish mechanisms for the full achievement of Task 1.2 of the programme of work on Article 8 (j), which refers to identifying and promoting best practices to ensure land tenure and governance by indigenous peoples and local communities;

[4. *Also requests* the Executive Secretary of the Convention on Biological Diversity, subject to the availability of resources, to facilitate capacity-building, technical cooperation and the exchange of information to assist Parties and indigenous peoples and local communities and other relevant stakeholders in implementing the guidelines;]

4 bis. *Invites* Parties and other Governments, in partnership with indigenous peoples and local communities, women, youth and relevant stakeholders, to identify and share their capacity-building and development needs for implementing the guidelines, and invites Parties, other Governments and relevant organizations to offer support to address the capacity needs thus identified;

5. *Encourages* Parties, indigenous peoples and local communities and relevant stakeholders, as appropriate, to monitor and evaluate the use and effectiveness of the guidelines and report thereon in national reports, including through the clearing-house mechanism of the Convention, and by means of other appropriate mechanisms, such as community-based monitoring and information systems, which should be recognized as relevant data sources, in accordance with national circumstances;

6. *Also encourages* Parties to strengthen the effective participation and co-leadership of indigenous peoples and local communities, including people of African descent, in the design, implementation and monitoring of biodiversity policies and programmes, as well as in biodiversity assessments and reporting, ensuring their full and effective participation and incorporating community-based monitoring indicators and traditional knowledge systems as complementary to other data sources.

⁴ For the purpose of the present guidelines, “guidelines” refers to voluntary guidelines.

Annex

[[Voluntary] guidelines to strengthen the legal and policy framework for the [restoration practices led by] [recognition of the role of indigenous and traditional territories of] indigenous peoples and local communities [and for the inclusion and consideration of traditional lands and of resource use] in spatial planning, ecosystem restoration, protected areas and environment impact assessments]⁵

I. Rationale

1. By its decision [16/5](#), the Conference of the Parties to the Convention on Biological Diversity⁶ established the Subsidiary Body on Article 8(j) and Other Provisions of the Convention on Biological Diversity Related to Indigenous Peoples and Local Communities. The Subsidiary Body is mandated to provide advice to the Conference of the Parties, other subsidiary bodies and, upon request, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety⁷ 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,⁸ on matters concerning indigenous peoples and local communities.

2. By its decision [16/4](#), the Conference of the Parties adopted 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. The objective of the programme of work is to promote the implementation of Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities, as well as of the Kunming-Montreal Global Biodiversity Framework.⁹ In the programme of work, the Conference of the Parties affirmed the importance of promoting the full and effective participation of indigenous peoples and local communities at all stages and levels of implementation, in recognition of the close connection that indigenous peoples and local communities have with biological diversity and the Convention and its Protocols.

3. Element 1 of the programme of work, on conservation and restoration, includes two tasks for the Subsidiary Body:

Task 1.1. Develop guidelines,¹⁰ with the full and effective participation of indigenous peoples and local communities, to strengthen the legal and policy framework for the implementation of Targets 2 and 3 of the Framework, including on indigenous and traditional territories, to support the protection and restoration practices led by indigenous peoples and local communities.

Task 1.2. Identify and promote best practices to secure land tenure and governance by indigenous peoples and local communities and develop guidelines for the inclusion and consideration of traditional lands and of resource use in spatial planning processes and environmental impact assessments, in accordance with national legislation and international obligations.

4. The present guidelines have been developed by the Subsidiary Body on Article 8(j) and Other Provisions of the Convention on Biological Diversity Related to Indigenous Peoples and Local Communities pursuant to Tasks 1.1 and 1.2 of the programme of work on Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities. The guidelines

⁵ The present annex contains draft guidelines prepared by participants in the expert workshop on Tasks 1.1 and 1.2 of the programme of work on Article 8(j) and other provisions, held from 22 to 24 July 2025. The content of the annex reflects the outputs of the expert workshop and was informed by the views and information submitted in response to notification No. [2025-061](#).

⁶ United Nations, *Treaty Series*, vol. 1760, No. 30619.

⁷ *Ibid.*, vol. 2226, No. 30619.

⁸ *Ibid.*, vol. 3008, No. 30619.

⁹ Decision [15/4](#), annex.

¹⁰ For the purpose of the present guidelines, “guidelines” refers to voluntary guidelines.

are aimed at Parties, indigenous peoples and local communities and other relevant actors, including, conservation and restoration relevant organizations, academia and research institutions, the private sector and other entities that will implement all elements of the guidelines.

5. The guidelines build on the intrinsic relationship that indigenous peoples and local communities have with nature, their lands, waters and territories, encompassing diverse values and concepts, such as nature's gift, biodiversity, ecosystems services, Mother Earth and systems of life, where the concepts are relevant. The relationship is reflected in their cultures, spiritual values, ceremonies, governance systems, histories, oral traditions, indigenous languages, traditional knowledge systems and customary laws and procedures. Those elements contribute to the integration of biocultural diversity into conservation, restoration, customary sustainable use and spatial planning, in accordance with national circumstances and in a manner consistent with section C of the Kunming-Montreal Global Biodiversity Framework.¹¹

5bis. These guidelines recognize and emphasize the need for comprehensive and differentiated protection of indigenous peoples in isolation and initial contact as part of the planet's cultural and biological diversity in line with the internationally recognized principles of noncontact, precaution and intangibility, in order to assist Parties in adopting coordinated national and regional measures that safeguard their lives, territories, self-determination and integrity, avoiding any activity that may put them at risk.

II. Objectives

6. The objectives of the guidelines are to:

[(a) Provide guidance [that guarantee] [on] the inclusion and consideration of traditional lands, waters, territories and resource use systems of indigenous peoples and local communities in spatial planning processes and environmental impact assessments to support the implementation of Targets 1 and 14 of the Framework;]

[(b) [Strengthen the] [Provide] legal and policy [guidance][framework] to support the full and effective participation of indigenous peoples and local communities in decision-making processes and implementation of ecosystem restoration activities, recognizing their contribution to the implementation of Target 2 of the Framework through their traditional knowledge, innovations and practices, and indigenous and traditional governance systems;]

[(c) Provide legal and policy [guidance] [guidelines] for the identification, recognition, protection, promotion, respect of and support for the indigenous and traditional territories of indigenous peoples and local communities to support the implementation of Target 3 of the Framework;]

(d) Provide legal and policy guidance in accordance with the Akwe: Kon Voluntary Guidelines for conducting cultural, environmental and social impact assessments in relation to development projects proposed to be carried out in, or that may affect, sacred sites and lands, waters and territories traditionally occupied or used by indigenous peoples and local communities, in order to support the implementation of Target 14 of the Framework.

III. Guiding principles

7. The present guidelines should be applied in accordance with national legislation and circumstances, international law and instruments and in a manner that is consistent with section C of the Framework and the general principles outlined in the programme of work.

¹¹ Decision [15/4](#), annex.

A. Spiritual and cultural relationships

8. Conservation and restoration measures, as well as spatial planning and effective management processes addressing land- and sea-use change and environmental impact assessments, should be designed in a manner that recognizes and respects the spiritual and biocultural relationships that indigenous peoples and local communities have with biodiversity in their lands, territories and waters.

B. Recognition of and respect for customary land and water tenure and governance systems

9. The customary tenure over land, water and territories, governance systems, customary law and procedures of indigenous peoples and local communities should be recognized and respected.

C. Human rights-based approach

10. Conservation and restoration efforts, spatial planning and environmental impact assessments should follow a human rights-based approach respecting, protecting and promoting the rights of indigenous peoples and local communities, [including the right to participate in decision-making matters which would impact them, and to just and fair resolution of disputes, in accordance with the United Nations Declaration on the Rights of Indigenous Peoples¹² and international human rights law] [The UN Declaration on the Rights of Indigenous Peoples provides the minimum standards for the survival, dignity and well-being of indigenous peoples, including promoting their full and effective participation, promoting their full and effective participation in all matters of concern, including in relation to lands, waters, and territories, health, culture, spirituality, governance, and self-determination. In this regard, nothing in these guidelines may be construed as diminishing or extinguishing the rights that indigenous peoples currently have or may acquire into the future.] The rights of individuals arising under human rights law, including the rights to a clean, healthy and sustainable environment¹³ and the rule of law, should also be acknowledged.

D. Free, prior and informed consent

11. The free, prior and informed consent¹⁴ of indigenous peoples and local communities should be respected in the design and implementation of spatial planning and environmental impact assessment activities, as appropriate, including those related to the designation and management of conservation and restoration areas that may have an impact on their lands, territories, waters, resources and cultural heritage, in accordance with national circumstances.

E. Traditional knowledge, innovations and practices

12. The traditional knowledge, innovations and practices of indigenous peoples and local communities provide valuable cultural guidance and information to enhance and support the implementation of conservation and restoration measures, spatial planning and effective management processes addressing land- and sea-use change and environmental impact assessments, in addition to other knowledge systems. Traditional knowledge and systems should therefore be recognized, respected, valued and protected, including through the respect of free, prior and informed consent of traditional knowledge holders.

F. Gender equality and intergenerational equity

13. The critical roles of women and girls, children and youth, knowledge holders and elders from indigenous peoples and local communities in conservation and restoration efforts, spatial planning and environmental impact assessments should be recognized. Women and girls among them play an important role in the preservation and transmission of traditional knowledge. Gender-responsive

¹² General Assembly resolution 61/295, annex.

¹³ General Assembly resolution 76/75.

¹⁴ Free, prior and informed consent refers to the tripartite terminology of “prior and informed consent” or “free, prior and informed consent” or “approval and involvement”.

approaches should address barriers to the participation, leadership and benefit-sharing of women and girls, and children and youth from indigenous peoples and local communities and should safeguard the transmission of gender-specific knowledge.

14. The implementation of the present guidelines should be guided by the principles of intergenerational equity to ensure that the needs of the present generation are met without compromising the ability of future generations to meet their own needs and that younger generations can participate meaningfully in decision-making at all levels.

G. Recognition of diverse value systems

15. Conservation and restoration efforts, spatial planning and environmental impact assessments should be undertaken in a manner that respects the diverse value systems of indigenous peoples and local communities. Such concepts as Mother Earth, spirituality and nature's gifts and the rights of nature should be acknowledged and respected in accordance with the Section C of the Framework and national circumstances. The cultural, spiritual and holistic relationships of indigenous peoples and local communities with their lands, waters and territories and their distinct knowledge systems and governance institutions should also be acknowledged and respected

IV. [Recognition of spatial planning and effective management processes addressing land- and sea-use change led by indigenous peoples and local communities] [Inclusion and consideration of traditional lands and of resource use in spatial planning processes]

16. National laws and policy frameworks should, as appropriate, ensure recognition of traditional lands and resource use in spatial planning and effective management processes, that address land- and sea-use change, including those led by or jointly developed with indigenous peoples and local communities in their lands, territories, waters and resources, including marine and coastal areas. Those efforts should also be reflected in the revision or updating of national biodiversity strategies and action plans, as well as in broader land-use planning and marine spatial planning with the full and effective participation of indigenous peoples and local communities.

17. Spatial planning and effective management measures that address land- and sea-use change led by indigenous peoples and local communities should be recognized and reflected, as appropriate, in the development, revision or updating of national biodiversity strategies and action plans, as well as in land-use planning and marine spatial planning.

18. Spatial planning and land-use-related frameworks and processes should, as appropriate, recognize land- and sea-use mapping and description of toponyms led by indigenous peoples and local communities, developed in accordance with their cultural, governance and spiritual dimensions.

19. Decision-making in spatial planning and effective management processes addressing land- and sea-use change should promote cooperation and collaboration with indigenous peoples and local communities, through the recognition, as appropriate, of indigenous and traditional governance systems.

V. Contributions to the effective restoration of degraded ecosystems¹⁵

20. The rights and practices of indigenous peoples and local communities in ecosystem restoration activities, which are grounded in their holistic relationships with their lands, waters and territories should be recognized and promoted by, inter alia, supporting biocultural approaches, customary sustainable use of biodiversity, traditional knowledge systems and other forms of stewardship, such

¹⁵ The territories, lands and waters of indigenous peoples and local communities should not be considered as inherently in need of restoration.

as those related to the governance and land tenure rights of indigenous peoples and local communities.

21. Restoration efforts should be focused on degraded ecosystems, recognizing that the territories of indigenous peoples and local communities may not be necessarily degraded and may not always require restoration. Where necessary, restoration efforts should be focused on degraded ecosystems, recognizing that these efforts should be carried out based on traditional knowledge systems of indigenous peoples and local communities, taking into account the principles of free, prior and informed consent. In accordance with indigenous and traditional governance systems, the roles of elders, knowledge holders, women and girls, and children and youth from indigenous peoples and local communities should be recognized and strengthened in all aspects of restoration.

22. Legislative, administrative and policy measures related to ecosystem restoration should be developed in line with Target 2 of the Framework and in a manner that recognizes and safeguards the contributions of indigenous peoples and local communities. Measures should be developed with the full and effective participation of indigenous peoples and local communities at all stages and in all processes related to planning, development, implementation and monitoring. Assessments of degraded ecosystems should draw upon diverse knowledge systems, including scientific assessments and the traditional knowledge systems of indigenous peoples and local communities.

23. Restoration efforts should be co-designed and co-developed with indigenous peoples and local communities and relevant government authorities and reflected in the development, revision or updating of national biodiversity strategies and action plans, national restoration plans and national reporting, ensuring that the contributions of indigenous peoples and local communities are visible, supported and tracked through the use of appropriate indicators.

23bis Restoration efforts in indigenous and traditional territories should, where possible, contribute to food and water security, climate and community resilience, income generation, and the cultural and lifestyle strengthening of indigenous peoples and local communities.

VI. Recognition of and respect for indigenous and traditional territories in the implementation of Target 3 of the Framework

24. Legal, administrative and policy measures for the national identification, recognition of and respect for indigenous and traditional territories should be adopted and implemented in line with national priorities and circumstances. Those measures should recognize, as appropriate, the customary tenure systems, governance institutions, cultural significance, sacred sites, conservation roles, traditional economies and rights over lands, waters and territories, and resources of indigenous peoples and local communities.

25. The contributions made by indigenous peoples and local communities to the conservation and management of biodiversity in their indigenous and traditional territories should be recognized in biodiversity-related legislation and policy frameworks, including national biodiversity strategies and action plans, national targets and national reports, as appropriate, including in situations when customary sustainable use is practiced.

[26. The recognition of indigenous and traditional territories should, [as appropriate,] [be considered a distinct system that contributes to the conservation and sustainable use of biodiversity, complementary to and different from protected areas and other effective area-based conservation measures] and, therefore, it does not require a classification under the category of protected areas or other effective area-based conservation measures] [where indigenous and traditional territories are already classified as protected areas or other effective area-based conservation, measures zoning should apply with clear identification of zones with access for indigenous peoples and local communities to practice their traditional sustainable use and cultural practices].

VII. Environmental impact assessments

27. The Akwé: Kon Voluntary Guidelines for the Conduct of Cultural, Environmental and Social Impact Assessments Regarding Developments Proposed to Take Place on, or Which Are Likely to Impact on, Sacred Sites and on Lands and Waters Traditionally Occupied or Used by Indigenous and Local Communities¹⁶ provide a culturally appropriate framework for the conduct of environmental, cultural and social impact assessments related to developments proposed on or near sacred sites, or on lands, waters and territories traditionally occupied or used by indigenous and local communities.¹⁷

28. The Akwé: Kon Voluntary Guidelines remain valid and [applicable][complimentary] to environmental impact assessments, as applicable, in particular in the context of the implementation of the Framework and Task 1.2 of the programme of work.

29. The Akwé: Kon Voluntary Guidelines include cultural and social dimensions in environmental impact assessments, including evaluating impacts on spiritual values, cultural practices, customary governance systems, traditional livelihoods and intergenerational knowledge transmission.

29bis. Parties, other Governments, the private sector and organizations of indigenous peoples and local communities may develop and apply other recognized, applicable and effective principles, standards, agreements and protocols for environmental, cultural and social impact assessments.

VIII. Institutional and administrative mechanisms

A. Recognition of customary governance systems

30. The governance systems of indigenous peoples and local communities, including traditional and customary governance systems, should be recognized and supported as unique and legitimate frameworks for the stewardship, conservation and restoration of biodiversity, in accordance with national legislation and circumstances, as well as international law and instruments. This recognition should extend to customary laws, community protocols, norms, values and rules related to land, water and marine management, as well as the protection of sacred sites.

31. Enabling conditions should be created to ensure support for indigenous peoples and local communities in strengthening and exercising their governance systems for stewardship, conservation and restoration of biodiversity, for example, through the recognition of and support for community mapping, the participatory demarcation of their territories and the development of community-led monitoring systems, in accordance with national legislation and circumstances.

32. The autonomy of indigenous peoples and local communities in the management and governance of their lands, territories and waters, including marine and coastal areas, should be respected through the recognition of their justice and governance systems and the provision of financial and technical support.

[33. Strengthening the customary governance systems of indigenous peoples and local communities for stewardship, conservation and restoration of biodiversity supports more effective spatial planning and sustainable management.]

B. Free, prior and informed consent¹⁸

34. Mechanisms, legislation, administrative and policy measures or protocols should be developed and implemented to ensure that indigenous peoples and local communities are able, as appropriate

¹⁶ Decision [VII/16 F](#), annex.

¹⁷ The Conference of the Parties decided to use “indigenous peoples and local communities” in decision [XII/12](#) and “prior and informed consent”, “free, prior and informed consent” or “approval and involvement” depending on national circumstances, in the Mo’otz Kuxtal Voluntary Guidelines in decision [XIII/18](#).

¹⁸ In the implementation of Tasks 1.1 and 1.2 of the programme of work on Article 8(j) and other provisions of the Convention, the term “free, prior and informed consent” should be understood as follow:

- “Free” ensures that indigenous peoples and local communities are able to make decisions without coercion, pressure, manipulation or undue influence. Participation must be voluntary and based on their own decision-making processes.

and in accordance with national legislation and circumstances, with a view to obtaining their free, prior and informed consent¹⁹ before the establishment, expansion or change of any protected area or any other effective area-based conservation measures affecting their lands, waters and territories, including marine and coastal areas, or their cultural values and heritage. Free, prior and informed consent should be obtained through good faith consultations conducted as part of environmental impact assessments in accordance with national legislation and the Akwé: Kon Voluntary Guidelines.

35. Free, prior and informed consent should be understood as an ongoing process, allowing communities to determine what information should be shared or withheld, in particular with regard to sacred sites and culturally sensitive information.

36. Traditional knowledge, innovations and practices should only be accessed and used with the free, prior and informed consent of indigenous peoples and local communities, [in line with customary protocols, national legislation] [consistent with community protocols and national access and benefit sharing legislation, administrative or policy measures] and [in line with] international obligations.

[36 *bis* Ensure compliance of data users and databases with relevant ABS legislation related to access to traditional knowledge, to prevent the misuse and the misappropriation of traditional knowledge.]

C. Administrative arrangements

37. Indigenous and traditional mechanisms, including autonomous governance frameworks or advisory councils, in accordance with indigenous and traditional governance systems, and in line with national legislation and circumstances, should be established, strengthened and maintained, as appropriate.

38. Co-management bodies should be established or strengthened under national legislation, as appropriate, to guide the planning, implementation and monitoring of conservation and restoration efforts, spatial planning and environmental impact assessments. Co-management bodies should ensure an equitable representation of government and indigenous peoples and local communities.

39. Areas that are governed and managed by indigenous peoples and local communities, in accordance with their customary laws and practices, governance systems and institutional frameworks, should be recognized in the context of conservation and restoration efforts, spatial planning and environmental impact assessments, in line with national legislation and circumstances.

40. The customary law, procedures and governance systems of indigenous peoples and local communities should be recognized and respected in the design, management and monitoring of protected areas, as appropriate. Such recognition should also be reflected in other effective area-based conservation measures, spatial planning and environmental impact assessments.

41. Consultative and collaborative mechanisms should be established and strengthened, as appropriate, between governments and legitimate representative bodies and organizations of indigenous peoples and local communities in relation to community mapping initiatives and monitoring systems.

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- “Prior” requires that consent must be sought well in advance of the approval of any restoration project, spatial planning initiative, land- or sea-use change or environmental impact assessment, and by respecting the customary governance systems and timelines established by indigenous peoples and local communities.
 - “Informed” means that complete, accessible and culturally appropriate information, including in indigenous languages, must be provided, covering the purpose, scope, duration and potential impacts of any proposed activity. The information provided must include expected outcomes, risks, implementing actors, procedural steps and benefit-sharing arrangements.
 - “Consent” implies the right of indigenous peoples and local communities, or their competent authorities, to give or withhold consent on matters affecting their rights, lands or knowledge.]
- 18alt: Free, prior and informed consent refers to the tripartite terminology of “prior and informed consent” or “free, prior and informed consent” or “approval and involvement”.

¹⁹ ‘Free, prior and informed consent refers to the tripartite terminology of “prior and informed consent”, “free, prior and informed consent” or “approval and involvement”. All references to “free, prior and informed consent” in the guidelines refer to the tripartite terminology.’

42. Mechanisms, legislation, administrative and policy measures, including safeguards, grievance mechanisms and monitoring systems, should be developed and implemented to prevent marginalization, displacement or cultural harm in connection with conservation, restoration and sustainable use efforts, spatial planning and environmental impact assessments.

D. Mechanisms for conflict resolution

43. Mechanisms, legislation, administrative and policy measures or protocols for conflict prevention, resolution, and grievance redress should be established or strengthened, as appropriate. Those systems should recognize and respect customary dispute resolution practices and safeguard the rights of indigenous peoples and local communities in relation to protected areas, and ecosystem restoration efforts, spatial planning and environmental impact assessments.

IX. Full and effective participation

44. Within the aforementioned consultative and collaborative mechanism, indigenous peoples and local communities should be accorded the right to full, equitable, inclusive, effective and gender-responsive participation in all decision-making processes that may affect their rights, lands, territories, waters and resources.

45. The participation of indigenous peoples and local communities should be ensured throughout the processes of development, planning, implementation and monitoring in relation to protected areas and ecosystem restoration, spatial planning and environmental impact assessments that impacts them.

X. Enabling conditions

A. Capacity-building

46. The capacity of indigenous peoples and local communities, relevant government institutions and the private sector to implement the present guidelines should be strengthened. Capacity-building efforts should be culturally sensitive and include training for public authorities, stakeholders and the private sector to apply relevant legislation and policies respectfully and effectively.

47. Opportunities for training, technical cooperation and legal support, including where possible in indigenous languages, should be created and promoted through the development of appropriate materials and tools to allow for the sharing of experiences related to protected areas and ecosystem restoration of biodiversity, spatial planning and environmental impact assessments among indigenous peoples and local communities.

B. Awareness-raising

48. Awareness should be raised among government institutions, civil society, the private sector and the general public of the roles, contributions, rights and knowledge systems of indigenous peoples and local communities in the conservation and restoration of biodiversity.

C. Sustainable, inclusive and accessible financial mechanisms

49. Adequate sustainable and accessible financial mechanisms should be established to provide financial support for the design, implementation and monitoring of protected areas, ecosystem restoration efforts, spatial planning and environmental impact assessments led by or involving indigenous peoples and local communities, in line with decisions 16/4 and 16/34.

50. Direct funding programmes should be developed, established or strengthened, as appropriate, to support restoration and conservation efforts, spatial planning processes and environmental impact assessments led by indigenous peoples and local communities within their lands, waters and territories, in line with decisions 16/4 and 16/34. The programmes should also support their full and effective participation.

D. Monitoring and reporting

51. The development of Party-led and voluntary monitoring and reporting mechanisms, including the use of biocultural community protocols, should be supported.

52. Quantitative and qualitative indicators, including biocultural and traditional knowledge indicators, and community-based monitoring and information systems should be promoted, strengthened and, where appropriate, operationalized, taking into account national circumstances, without creating additional reporting burdens, to measure the effectiveness of conservation and restoration efforts led by or involving indigenous peoples and local communities, including for headline indicator 22.1 of the monitoring framework for the Kunming-Montreal Global Biodiversity Framework on land-use change and land tenure in the traditional territories of indigenous peoples and local communities.²⁰

[52.bis The need to ensure and enhance the transparency and inclusivity of community-based monitoring and information systems and to fully engage indigenous peoples and local communities in the management of those systems, including by promoting and implementing community-based monitoring and information systems in developing countries should be acknowledged and the importance of enhanced international cooperation to address the technical, financial, technological and capacity constraints that undermine developing countries' capacity to support community-based monitoring and information systems should be highlighted.

53. [National information systems on indigenous and traditional territories, at all levels, should be created and maintained, in accordance with national circumstances, legislation and needs, to monitor progress in the recognition and governance of those territories. The systems must ensure data sovereignty for those groups, allowing them to decide what information may be shared and how it may be used.

54. Information on the implementation of commitments related to indigenous and traditional territories, and the contributions of indigenous peoples and local communities to conservation and ecosystem restoration, should be integrated into national biodiversity strategies and action plans, national restoration plans and national reports produced under the Convention. The integration through existing national processes and formats should be undertaken with the free, prior and informed consent of indigenous peoples and local communities, as appropriate.

E. Access to information

55. Indigenous peoples and local communities should have timely and culturally appropriate access to information related to protected areas, ecosystem restoration, spatial planning and environmental impact assessments. Access includes the translation of relevant materials into language of indigenous peoples and local communities, as well as the use of culturally appropriate formats to facilitate the full and effective participation of indigenous peoples and local communities.

F. Technical cooperation and legal support

56. Technical and legal support should be provided to strengthen the capacity of indigenous peoples and local communities to undertake community mapping and monitoring related to protected areas, ecosystem restoration, spatial planning and environmental impact assessments.

57. Legal support should be provided to enhance awareness of collective land rights of indigenous peoples and local communities and the right for traditional lifestyle and assist indigenous peoples and local communities with processes related to protected areas, ecosystem restoration, national spatial planning [and environmental governance frameworks, as appropriate in line with national circumstances.

²⁰ See decision 16/31.