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AD HOC OPEN-ENDED INTER-SESSIONAL  
WORKING GROUP ON ARTICLE 8(j) AND  
RELATED PROVISIONS OF THE CONVENTION  
ON BIOLOGICAL DIVERSITY

Eleventh meeting  
Montreal, Canada, 20-22 November 2019  
Agenda item 9

### REPORT OF THE AD HOC OPEN-ENDED INTER-SESSIONAL WORKING GROUP ON ARTICLE 8(J) AND RELATED PROVISIONS OF THE CONVENTION ON BIOLOGICAL DIVERSITY ON ITS ELEVENTH MEETING

*Rapporteur:* Mr. Vinod B. Mathur (India)

#### I. ACCOUNT OF PROCEEDINGS

##### Introduction

##### 1. Background

1. The eleventh meeting of the Ad Hoc Open-ended Inter-Sessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity was held in Montreal, Canada, at the Headquarters of the International Civil Aviation Organization, from 20 to 22 November 2019, concurrently with the twenty-third meeting of the Subsidiary Body on Scientific, Technical and Technological Advice.

##### 2. Attendance

2. The meeting was attended by representatives of the following Parties and other Governments: [*to be completed*]

3. Observers from the following United Nations bodies, specialized agencies, convention secretariats and other bodies also attended: [*to be completed*].

4. The following organizations were also represented by observers: [*to be completed*]

#### ITEM 1. OPENING OF THE MEETING

5. The meeting was opened at 10.15 a.m. on Wednesday, 20 November 2019, by Mr. Hamdalla Zedan (Egypt) on behalf of Ms. Yasmine Fouad, President of the fourteenth meeting of the Conference of the Parties to the Convention on Biological Diversity. He invited Mr. Charlie Patton, Elder of the Mohawk Community from Kahnawake, Canada, to give a traditional blessing. Mr. Patton, accompanied by Mr. Kenneth Deer and Ms. Lynn Jacobs, welcomed the representatives to the traditional territory of his people and performed a ceremonial prayer of welcome during which he spoke “the words that come before all things” and said that it was important to respect Mother Earth and not to abuse her blessings.

6. The Chair thanked Mr. Charlie Patton, Mr. Kenneth Deer and Ms. Lynn Jacobs, Elders of the Mohawk Community, for their welcome and their blessing and said that he was honoured to be the representative of the Presidency of the Conference of the Parties, Egypt, the host country of the fourteenth

meeting of the Conference of the Parties, a leader of the African continent and a country that held a large cultural and biological patrimony. Since his tenure as Executive Secretary of the Convention, much had been accomplished, but much more needed to be done. Despite the current best efforts, conservation was still failing globally and biodiversity had continued its rapid decline. Climate change and the 6th extinction crisis required major shifts and transformations in politics, the economy, and the environment, in which indigenous peoples and local communities could and should make a major and vital contribution.

7. The work being carried out at the current meeting provided an opportunity to help shape the international commitments that would form the post-2020 global biodiversity framework and help achieve the vision of living in harmony with nature by 2050. He said that the best guarantee for the survival of nature and humanity, and the best possible knowledge base for managing local ecosystems, was science and the local and traditional knowledge, innovations and practices of the world's indigenous peoples and local communities. Recognizing, valuing and supporting the collective and local actions of indigenous peoples and local communities, and building bridges between cultures and knowledge systems, would be central to reaching the 2050 vision of living in harmony with nature.

8. The road was not long and was, in fact, shorter than many would like if a global biodiversity framework was to be developed and agreed upon by the fifteenth meeting of the Conference of the Parties in Kunming, China. However, in a world that was rapidly changing the biggest risk was avoiding the taking of risks for that would only guarantee failure. He highlighted the centrality of the collective and local actions of indigenous peoples and local communities to the great endeavour before the Working Group and he urged the meeting to be ambitious, inclusive, unflinching and optimistic in its work.

9. Opening statements were made by the Executive Director of the United Nations Environment Programme and the Officer-in-charge of the Secretariat of the Convention on Biological Diversity.

10. The Officer-in-charge of the Secretariat thanked Mr. Patton for his blessing and for reminding the Working Group of the important connection between nature and culture. She commended the tradition of opening the meetings of the Working Group by respectfully listening to the advice of the local Mohawk community, Kanien'kehá:ka, or the "People of the Flint". Mr. Patton had pointed the way to making a difference through living in harmony with nature and she applauded the Mohawk for their continuing efforts to reintroduce and reinvigorate their traditional languages through culturally appropriate education, which strengthened the intergenerational transfer of traditional knowledge. Mr. Patton was a Mohawk teacher who had devoted much of his life to the restoration of indigenous language and knowledge, which was one of the four indicators for traditional knowledge and Aichi Target 18. She also expressed her thanks to the Governments of Australia, Germany, New Zealand, Norway, Spain, Sweden and Switzerland for their generous support for the participation of a large number of representatives of developing countries and Parties with economies in transition, as well as the representatives of indigenous peoples and local communities, in the current meeting. She looked forward to hearing the contributions of the representatives of indigenous peoples and local communities, who had been discussing issues relevant to the post-2020 process during the Global Thematic Dialogue for Indigenous Peoples and Local Communities on the Post-2020 Global Biodiversity Framework, held on 17 and 18 November 2019, and which had taken place as a result of the generous contributions of the Government of Canada.

11. Reflecting on the traditional blessing that had taken place, the focus of the current meeting, and the current International Year of Indigenous Languages, she recalled the words of Pope Francis, who, in his Encyclical on Care for Our Common Home, had called for respect to be shown for "the various cultural riches of different peoples, their art and poetry, their interior life and spirituality" and had advised that, "if we are truly concerned to develop an ecology capable of remedying the damage we have done, no branch of the sciences and no form of wisdom can be left out". The recent *Global Assessment* of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) was a reminder that the traditional territories of indigenous peoples and local communities were the last bastions of biological and cultural diversity. Much of the world's terrestrial wild and domesticated biodiversity was contained in areas traditionally managed, owned, used or occupied by indigenous peoples and local communities. Over a quarter of global land area was under such management, 35 per cent of it being

formally protected and 35 per cent of that remaining being terrestrial areas with very low human activity. It was therefore necessary to listen to the indigenous peoples and local communities, and their ambition to be seen as “partners” in the implementation of the Convention, if the vision of living in harmony with nature by 2050 was to be achieved. That was why the post-2020 agenda for the Convention must ensure that indigenous peoples and local communities were valued partners in the global arrangements to address biodiversity loss.

12. The Executive Director began by recalling that the first meeting of the Open-Ended Working Group on the Post-2020 Global Biodiversity Framework, held a few months earlier, had underscored the need for: greater ambition in the post-2020 global biodiversity framework; appropriate baselines, targets and indicators; a focus on the quality of protected areas in addition to quantity; and buy-in of sectors that affected the land, such as agriculture and infrastructure. Indigenous peoples and local communities could make important contributions to preserving biodiversity and ecosystems. As shown in the IPBES assessment and other studies, indigenous territories and waters were better managed from an ecological and biodiversity perspective than other areas. Yet such territories were under threat, and those who defended them, often indigenous peoples, were murdered every week. Indigenous peoples and local communities needed to be assigned a greater role by the global community. It was therefore vital, for the development of the post-2020 global biodiversity framework, to fully capture the collective and local contributions of indigenous peoples and local communities in the recommendations to be formulated at the current meeting. Indigenous peoples and local communities had made attractive proposals, such as the concept of indigenous protected areas and *in situ* conservation of traditional crops and animals for local food systems and food security, but needed to be given the appropriate tools, such as secure land tenure, access to natural resources and the ability to manage the lands, waters and resources in sustainable ways. That could be done through the Convention. As indicated in the sixth national reports, however, many Parties, with some notable exceptions, had yet to recognize and encourage local and collective actions by indigenous peoples and local communities.

13. To give further prominence to indigenous peoples and local communities, Parties needed to bring biological and cultural diversity closer together. Unlike urban societies, traditional communities and indigenous peoples could not separate nature and culture, as their histories and values had developed in an intricate relationship with nature over millennia. The proposed international alliance for nature and culture was one way to help close the distance between culture and nature. Fundamentally, though, the Alliance and any arrangements the Working Group decided upon were only tools for identifying and applying solutions to biodiversity loss. The Executive Director urged the Working Group to take the opportunity to give indigenous peoples and local communities, as the keepers of many of those solutions, the power they deserved.

## **ITEM 2. ORGANIZATIONAL MATTERS**

### **2.1. Election of officers**

14. In accordance with established practice, the Bureau of the Conference of the Parties acted as the Bureau of the Working Group. The Bureau designated Mr. Vinod B. Mathur, the Bureau member from India, to act as Rapporteur.

15. In keeping with past practice, representatives of indigenous peoples and local communities were also invited to designate seven “Friends of the Bureau” to participate in Bureau meetings and to act as co-chairs of possible contact groups. The following were elected by acclamation, from the seven regional groupings recognized by the United Nations Permanent Forum on Indigenous Issues, as “Friends of the Bureau”:

Africa:

Ms. Lucy Mulenkei

Arctic:

Mr. Aslak Holmberg

Asia:

Mr. Lakpa Nuri Sherpa

Central and Eastern Europe and the Caucasus:

Ms. Polina Shulbaeva

Latin America and the Caribbean:

Ms. Yolanda Teran

North America

Mr. Ken Paul

Pacific:

Ms. Christine Teresa Grant

16. At the same time, it was also agreed that Mr. Sherpa would serve as Co-Chair of the Working Group.

## **2.2. Adoption of the agenda**

17. At the 1st session of the meeting, on 20 November 2019, the Working Group adopted the following agenda on the basis of the provisional agenda (CBD/WG8J/11/1):

1. Opening of the meeting.
2. Organizational matters.
3. Progress towards Aichi Biodiversity Target 18 of the Strategic Plan for Biodiversity 2011-2020.
4. In-depth dialogue: “The contributions of the traditional knowledge, innovations and practices of indigenous peoples and local communities, and cultural diversity to the post-2020 global biodiversity framework”.
5. Indigenous peoples and local communities and the post-2020 global biodiversity framework.
6. Possible elements of work on the links between nature and culture in the post-2020 global biodiversity framework.
7. Recommendations of the United Nations Permanent Forum on Indigenous Issues.
8. Other matters.
9. Adoption of the report.
10. Closure of the meeting.

## **2.3. Organization of work**

18. At the 1st session of the meeting, the Working Group approved the organization of work for the meeting on the basis of the proposal contained in annex I to the annotated provisional agenda (CBD/WG8J/11/1/Add.1/Rev.1).

19. It was agreed that the Working Group would work in plenary and, in order to ensure a more coherent draft recommendation on future work, would consider agenda item 4 before considering agenda item 3.

## **2.4. Regional statements**

20. Speaking on behalf of the African group, the representative of Egypt began by noting Africa’s broad biological and cultural diversity. Indigenous traditional knowledge had to be properly recognized,

valued and respected so that it could be better used in conservation. African traditional knowledge had contributed greatly to global scientific knowledge, but indigenous peoples and local communities had not benefited as anticipated. As a result of the hard work of the Secretariat and others, certain desirable outcomes had been achieved across Parties, such as legislation on protection of non-material heritage, rights on the use of traditional knowledge, protection of traditional medicines and national strategies on the protection of traditional knowledge and the creation of national repositories of traditional knowledge, but more remained to be done to incorporate indigenous traditional knowledge into the post-2020 global biodiversity framework and benefit the guardians of that knowledge. At the current meeting, Parties would assess progress towards Aichi Biodiversity Target 18 and how the contribution of the traditional knowledge, innovations and practices of indigenous peoples and local communities and cultural diversity would be provided for in the post-2020 global biodiversity framework. Concerted international efforts were required to combat the use of indigenous traditional knowledge without benefit-sharing; Parties needed to establish or improve legal protections at the national and regional levels while enhancing the participation of indigenous peoples and local communities in decision-making.

21. The representative of the European Union and its member States opened her statement by acknowledging that the site of the meeting was in the traditional territory of the Kanien'kehá:ka and had long served as a site of meeting and exchange among nations. She reaffirmed the view that full and effective participation of indigenous peoples and local communities, as holders of traditional knowledge, was crucial for the effective work of the Convention, and that indigenous peoples and local communities played a significant role in the achievement of sustainable development at all levels, including decision-making and planning, implementation and monitoring of policies and programmes. At the current meeting, the Working Group was to consider the development of a fully integrated programme of work on Article 8(j) and related provisions within the post-2020 global biodiversity framework to allow for the full and effective participation of indigenous peoples and local communities in the work of the Convention, in the light of achievements to date and taking into account the 2030 Agenda for Sustainable Development and its goals, the Paris Agreement and the gaps identified. It was also important to consider ways to effectively integrate matters of direct relevance to indigenous peoples and local communities and possible elements of a programme of work for Article 8(j) and related provisions into the work of the subsidiary bodies of the Convention and the institutional arrangements for indigenous peoples and local communities as part of the post-2020 global biodiversity framework. The European Union and its member States looked forward to making progress on all the matters on the agenda of the meeting.

22. The representative of New Zealand spoke on behalf of Australia, Canada, Norway and Switzerland as members of the JUSCANZ group, which formed part of the Western European and Others Group. She acknowledged the hospitality of the Mohawk Nation and the communities of Kahnawake, Kanesatake and Akwesasne, which continued to welcome the participants, and spoke of her appreciation for the hard work of the Secretariat in organizing the meeting. She said that the participants stood at an important crossroads for the protection of nature and could carry on as usual, and fail to halt the loss of biodiversity, or could take a more difficult path and, by making significant changes, make a real difference. To take that latter path, the Parties needed to move forward together with indigenous peoples and local communities, something that the Convention itself envisaged. The challenge at the current meeting was to look ahead to the goal to be achieved, the full integration of Article 8(j) and related provisions by incorporating indigenous peoples and local communities into the work of the Convention and its Protocols, and plot the best path towards it. It might not be an easy path, but JUSCANZ stood ready to work hard with all those at the current meeting, and at subsequent meetings, to make progress on both a meaningful work programme and institutional arrangements. The firm bedrock of the current work plan would support such progress, and she took the opportunity to thank those who had been instrumental in that work. She said that, if one wanted to go fast, one went alone; but if one wanted to go far, one went together with others.

23. The representative of Argentina, speaking on behalf of the Latin American and Caribbean Group (GRULAC) welcomed the appointment of the Officer-in-Charge of the Secretariat and thanked the Secretariat for its hard work in producing the many working and information documents and the Government of Canada for hosting the present meeting. Indigenous peoples and local communities were

important for his region with its great biological and cultural diversity, which had been recognized in the *IPBES Regional Assessment Report for the Americas*. Indigenous and local knowledge systems had shown their capacity to protect and sustainably use biodiversity in the region. The contribution of the traditional knowledge, innovations and practices of indigenous peoples and local communities, and their cultural diversity, would be critical to the success of the post-2020 global biodiversity framework. The holistic and systematic approach of the indigenous peoples and local communities, which was based on culturally grounded planning for nature conservation and the sustainable use of biodiversity in landscapes and seascapes, was also integral to that process. GRULAC noted the progress towards Aichi Biodiversity Target 18 that had been made by the Parties, and encouraged them to significantly increase the role of indigenous peoples and local communities in terms of full and effective participation in their national biodiversity strategies and action plans, including promoting the documentation of traditional knowledge relevant to the objectives of the Convention and working on better indicators to measure that progress. Advantage should be taken of the lessons learned and GRULAC was supportive of the Joint Programme of Work on the Links between Biological and Cultural Diversity between the Secretariat of the Convention and the United Nations Educational, Scientific and Cultural Organization (UNESCO). GRULAC also supported the development of a fully integrated programme of work on Article 8(j) and related provisions within the post-2020 global biodiversity framework, on the basis of achievements to date, taking into account the ongoing and postponed tasks of Parties, and also taking into account the 2030 Agenda for Sustainable Development and its goals, and the Paris Agreement under the United Nations Framework Convention on Climate Change.

24. The representative of Kuwait, speaking on behalf of the Asia-Pacific region, said that the review of progress towards the achievement of Aichi Biodiversity Target 18 at the current meeting would contribute to the formulation of the post-2020 global biodiversity framework. The new framework should be built on bold commitments to address the challenges faced by Parties in implementing Target 18 and to achieve transformational change in order to improve global biodiversity for the sustainability of the planet. People had lived and interacted with their environment for millennia, adapting to their surroundings in ways that preserved ecosystems and biodiversity, used resources sustainably and eventually became part of their culture and heritage. Some of those practices were still being used around the world. In discussing cultural diversity and the contributions of the traditional knowledge, innovations and practices of indigenous peoples and local communities to the post-2020 global biodiversity framework at the current meeting, it was vital to explore possible elements of work on the links between nature and culture. The countries of Asia and the Pacific were ready to work with all Parties to explore ways to integrate and enhance the role of indigenous peoples and local communities and preserve their knowledge in the post-2020 global biodiversity framework.

25. The representative of Turkmenistan, speaking on behalf of the Central and Eastern European (CEE) countries, expressed her gratitude to the Secretariat and those countries that had helped facilitate her region's participation in the current meeting. Traditional and local knowledge of the sustainable use of biodiversity was one of the assets of the region, but her region was unfortunately witnessing the disappearance of that knowledge, which was happening along with all the other transitional changes that the region was experiencing. The countries of the region were becoming increasingly aware of the value and role of traditional knowledge in achieving sustainable development, and, in that regard, she emphasized that a number of countries in the region had undertaken activities to achieve Aichi Target 18, as had been reported in the sixth national reports. Significant actions had been taken to document and map traditional knowledge across the region. Those activities were the result of the programme of work of the Convention, the increasing inclusion of traditional knowledge in the IPBES assessments and other international efforts. The need for a joint work programme between the Convention and UNESCO was increasingly recognized in the region, which needed to be further developed and include effective common mechanisms. The countries in the region were aware of the need to engage traditional and local knowledge in the post-2020 global biodiversity framework in order to achieve the 2050 vision of the Strategic Plan, and she expressed the hope that the in-depth dialogue on the role of the knowledge, innovations and practices of indigenous peoples and local communities in the further development of the post-2020 global

biodiversity framework would contribute to integrated conservation of biological and cultural diversity at the global, regional and national levels.

26. The representative of the International Indigenous Forum on Biodiversity (IIFB) said that, while the IIFB had proposed the establishment of a new permanent body, it was mindful of the challenges that existed at a time when the focus was on the post-2020 global biodiversity framework and, consequently, it was seeking, with the support of the Parties, to start that process at the fifteenth meeting of the Conference of the Parties with a view to finalizing the process at the sixteenth meeting of the Conference of the Parties. Climate change posed threats and dangers to the survival of indigenous communities worldwide, even though indigenous peoples contributed the least to greenhouse emissions. Indigenous peoples were vital to, and active in, the many ecosystems on their lands, waters and territories and helped to enhance the resilience of those ecosystems. IIFB was recommending that Article 8(j) and related provisions be enhanced in order to achieve the objectives related to the post-2020 global biodiversity framework, the Paris Agreement on Climate Change and the Sustainable Development Goals. Adequate time needed to be given for the statements by indigenous peoples and local communities to be read out in full and, when textual proposals were made, the Chairs should explicitly call for Parties to support them. The IIFB thanked the donors for their financial contributions, which had enabled participation in the meetings, and thanked Canada for supporting participation by indigenous peoples and local communities at the Global Thematic Dialogue for Indigenous Peoples and Local Communities on the Post-2020 Global Biodiversity Framework. However, IIFB viewed with concern the recent reports that documented an alarming increase in violent attacks against and the criminalization of indigenous peoples, women and youth defending their rights to their traditional lands, waters and natural resources.

27. The representative of the Global Biodiversity Youth Network (GBYN) expressed her organization's support for indigenous peoples and local communities and their special role in achieving the collective vision of living in harmony with nature. She expressed the hope that significant progress would be made in ensuring that their role would continue to be enhanced in the work of the Convention through 2020 and beyond. More effort was also required to enhance the participation of indigenous youth, in particular, young women and girls, to build their capacity to participate. Indigenous youth were the inheritors of the important stewardship and custodianship roles of safeguarding the planet's most biodiverse areas. They were also the inheritors of indigenous knowledge systems and practices which were relied on to achieve the 2050 vision, all the while having great potential to innovate culturally appropriate solutions to emerging environmental problems; the voices of indigenous youth needed to be amplified. She called on all relevant actors to support young members of indigenous peoples and local communities and their potential for environmental governance based on their customary laws and practices. In the development of the post-2020 global biodiversity framework, it was crucial to support intergenerational learning and knowledge transfer and intergenerational equity in decision-making. Steps had to be taken to address the key challenges affecting indigenous and local youth to the detriment of biodiversity, such as (a) the increasing trend in the migration of indigenous youth from their ancestral lands to urban areas, driven by economic need, lack of opportunities, or insufficient provision of services by governments; (b) the culturally inappropriate modernization of education; (c) the lack of incentives to continue to practice traditional systems of agriculture and resource management, leading to knowledge loss on sustainable practices; and (d) the erosion of indigenous and local languages.

28. The representative of the International Indian Treaty Council, speaking on behalf of the International Planning Committee for Food Sovereignty (IPC), said that IPC was an autonomous and self-organized global platform of 6,000 organizations and 300 million small-scale food producers, rural workers, indigenous peoples and grass-roots social and community movements whose mission was to advance the food sovereignty agenda. She agreed with and supported the statement delivered by IIFB. The traditional lands of indigenous peoples held approximately 80 per cent of the world's biodiversity, and small-scale producers produced at least 75 per cent of the world's food supply, and, consequently, there was an urgent need to recognize and affirm the United Nations Declaration on the Rights of Indigenous Peoples and the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas as a lens through which the Convention on Biodiversity should be viewed and implemented.

29. The Co-Chairs of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework said that progress had been made since the first meeting of the Working Group, which had been held in Nairobi in August 2019. Two thematic workshops had been held and further thematic workshops — on implementation, monitoring and reporting, on capacity-building and technology transfer, on sustainable use, and on access and benefit sharing — were planned to be held from February to April 2020. They had also started work on an initial draft of the post-2020 global biodiversity framework which would be available by 13 January 2020.

30. The Co-Chairs also reported that the Government of Canada had supported the Global Thematic Dialogue for Indigenous Peoples and Local Communities on the Post-2020 Global Biodiversity Framework which had been held in Montreal on 17 and 18 November and had provided an initial opportunity for indigenous peoples and local communities to discuss their possible contributions to the post-2020 global biodiversity framework. That dialogue had been very useful and had been a timely opportunity for indigenous peoples and local communities to come together to advance their views on issues for inclusion in the post-2020 global biodiversity framework. The report on that meeting would be made available to participants in the current meeting and would be an important input in the drafting of the post-2020 global biodiversity framework, which should balance the three objectives of the Convention, addressing how nature met human needs and how its benefits would be shared by all. They asked for the support of the Working Group in explaining the importance of the socio-economic development of indigenous peoples and local communities and the role that they could play in the stewardship of nature.

### **ITEM 3. PROGRESS TOWARDS AICHI BIODIVERSITY TARGET 18 OF THE STRATEGIC PLAN FOR BIODIVERSITY 2011–2020**

31. The Working Group took up item 3 at the 2nd session of the meeting, on 20 November 2019. In considering the item, the Working Group had before it a progress report issued by the Executive Secretary based on information received and an analysis of the sixth national reports, covering (a) progress made by Parties towards Aichi Target 18, (b) progress in mainstreaming Article 8(j) and related provisions across the areas of work of the Convention and (c) the participation of indigenous peoples and local communities in the work of the Convention (CBD/WG8J/11/2). It also had before it, as an information document, a note by the Executive Secretary containing a compilation of views on progress in the implementation of the programme of work on Article 8(j) and related provisions (CBD/WG8J/11/INF/3).

32. The Chair said that the Secretariat was preparing the fifth edition of the *Global Biodiversity Outlook* together with an accompanying guide to the local and collective actions of indigenous peoples and local communities, referred to as the second edition of the *Local Biodiversity Outlook*. In the preparation of the second edition of the *Local Biodiversity Outlook*, the Forest Peoples Programme had analysed the national reports received from the perspective of the indigenous peoples and local communities and he asked one of the authors, Ms. Joji Carino-Nettleton, to make a short presentation of that analysis.

33. Ms. Carino-Nettleton reviewed the role of Target 18 in actions that had been reported by the Parties for its implementation, which were also intimately linked to the implementation of Aichi Targets 6, 7, 11, 12, 13, 14, 15 and 16. She said that, while the reported actions taken by specific countries with respect to traditional knowledge had been grouped together, it had been difficult to make an analysis of those groupings owing to the limited information available on how the actions had been implemented. The same was true with respect to the indicators that the Convention had adopted for Target 18. For example, when analysing the available sixth national reports, only 19 had reported on the traditional knowledge and practices respected, 3 had reported on land tenure and land use, 3 had reported on indigenous languages and none had reported on traditional occupations.

34. She said that the key message was that, while there had been an increase in the recognition of the value of traditional knowledge and customary sustainable use, and while there had also been increased reporting about indigenous peoples and local communities in the sixth national reports, the Parties had not explicitly addressed the core elements or the globally agreed indicators for Target 18 in their national reports. That made the monitoring of progress both challenging and inconsistent despite the reports from indigenous peoples and local communities that showed an increase in collective actions on knowledge



transmission, language revitalization, customary sustainable use and defence of their lands, territories and resources. What was needed urgently was to address national and local implementation gaps with effective national laws, policies and programmes that were consistent with human rights obligations and recognized, respected and promoted traditional knowledge, innovations and customary sustainable use, and which had the full and effective participation of indigenous peoples and local communities.

35. The Working Group was reminded that it would not be considering a draft recommendation as the issue would be further considered at the third meeting of the Subsidiary Body on Implementation in the broader context of progress towards the Aichi Biodiversity Targets and in the light of the analysis of additional national reports received after 31 July 2019. Consequently, any issues to be taken into consideration in drafting a recommendation, which would be included in the revised progress report for consideration at that meeting, should be read out in the room and submitted in writing to the Secretariat.

36. Statements were made by representatives of Argentina, Costa Rica, Ecuador, Ethiopia, the European Union and its member States, Jordan, Malawi, Mexico, Nepal, South Africa, Sudan, the Syrian Arab Republic and Timor-Leste.

37. Statements were also made by representatives of IIFB and Via Campesina.

38. The statements gave rise to several issues for inclusion in the revised progress report: the inclusion of an analysis on better ways to report on the targets, the need for an analysis of the sixth national reports on the trends in the use of indicators, the development of indications that were measurable and could be reported on, the inclusion of representatives of indigenous peoples and local communities in national delegations and the creation of an focal points among the indigenous peoples and local communities to help the different Parties prepare for the fifteenth meeting of the Conference of the Parties in cooperation with the indigenous peoples and local communities.

**ITEM 4. IN-DEPTH DIALOGUE: “THE CONTRIBUTIONS OF THE TRADITIONAL KNOWLEDGE, INNOVATIONS AND PRACTICES OF INDIGENOUS PEOPLES AND LOCAL COMMUNITIES, AND CULTURAL DIVERSITY TO THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK”**

39. At the 1st session of the meeting, on 20 November 2019, the Working Group engaged in an in-depth dialogue on the contributions of the traditional knowledge, innovations and practices of indigenous peoples and local communities and cultural diversity to the post-2020 global biodiversity framework. To provide context for the dialogue, the Working Group had before it a note by the Executive Secretary on the topic (CBD/WG8J/11/3), together with a compilation of views that had been received (CBD/WG8J/11/INF/5).

40. Panel presentations were made by: (a) Ms. Alejandra Loria Martinez, Article 8(j) Focal Point, National Commission for the Management of Biodiversity, Ministry of Environment and Energy, Costa Rica; (b) Mr. Tim Badman, Director, Nature Culture Initiative, World Heritage Programme, International Union for Conservation of Nature (IUCN); (c) Ms. Eleanor Sterling, Jaffe Chief Conservation Scientist, Center for Biodiversity and Conservation, American Museum of Natural History; and (d) Ms. Josefa Isabel Tauli, Global Youth Biodiversity Network.

41. A summary of the panel presentations is contained in the annex to the present report.

42. The Chair asked the Working Group for its views on the proposal contained in the document that the next in-depth dialogue address: “The role of language in the intergenerational transmission of traditional knowledge”.

43. Statements were made by representatives of the European Union and its member States and Finland.

44. An additional statement was made by the representative of IIFB.

45. At the 2nd session of the meeting, on 20 November 2019, further statements were made by representatives of Argentina, Colombia, Ethiopia, Jordan, Mexico, the Philippines, South Africa, and the Syrian Arab Republic.

46. An additional statement was made by the representative of IPC.

47. Following the interventions, the Chair said that a revised draft recommendation would be prepared for the consideration of the Working Group.

48. At the 3rd session of the meeting, on 21 November 2019, the Working Group considered a revised draft recommendation on the in-depth dialogue and approved it, as orally amended, for formal adoption as CBD/WG8J/11/L.2.

49. At the 4th session of the meeting, on 22 November 2019, the Working Group adopted CBD/WG8J/11/L.2 as recommendation 11/xx. The text of the recommendation, as adopted, is contained in section xx of the present report.

#### **ITEM 5. INDIGENOUS PEOPLES AND LOCAL COMMUNITIES AND THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK**

50. The Working Group took up item 5 at the 2nd session of the meeting, on 20 November 2019. In considering the item, the Working Group had before it a note by the Executive Secretary containing a summary of the inputs and submissions to the online forum on the matter held during February and March 2019 and draft recommendations (CBD/WG8J/11/4). It also had before it information documents containing a compilation of views on possible elements of a future programme of work on Article 8(j) and related provisions as part of the post-2020 biodiversity framework, as well as possible institutional arrangements and their modus operandi (CBD/WG8J/11/INF/1); an update on the programme of work on Article 8(j) and related provisions (CBD/WG8J/11/INF/8); possible objectives and general principles to be considered to achieve the integration of Article 8(j) and related provisions in the work of the subsidiary bodies on matters of direct relevance to indigenous peoples and local communities, and to enable the full and effective participation of indigenous peoples and local communities in the work of the Convention (CBD/WG8J/11/INF/9); possible elements of the new programme of work on Article 8(j) and related provisions as part of the post-2020 global biodiversity framework (CBD/WG8J/11/INF/10); possible institutional arrangements, including governance implications, and lessons learned and pros and cons of current arrangements (CBD/WG8J/11/INF/11); and budget estimates for possible options concerning institutional arrangements for the effective participation of indigenous peoples and local communities in the work of the Convention beyond 2020 (CBD/WG8J/11/INF/12). Finally, the Working Group had before it the report on the online forum on the integration of Article 8(j) and provisions related to indigenous peoples and local communities in the work of the Convention and its protocols (CBD/A8J/OM/2019/1/3).

51. Statements were made by representatives of Argentina, Australia, Canada, China, Colombia, Ecuador, Ethiopia, the European Union and its member States, Guatemala, Japan, Jordan, Mexico, New Zealand, the Philippines, South Africa, Switzerland and the Syrian Arab Republic.

52. Statements were also made by representatives of IIFB, IPC, IUCN and Tulalip Tribes of Washington.

53. At the 3rd session of the meeting, the Co-Chairs of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework, Mr. Basile van Havre and Mr. Francis Ogwal, provided an update on the post-2020 process.

54. Following the presentation of the Co-Chairs, statements were made by the representatives of Canada and Pakistan.

55. Responding to the statements made, as well as questions posed by the representatives of Sudan and Saint Lucia, the Co-Chairs said that they would address the issues raised at their informal briefing on 24 November, which they encouraged all representatives to attend. Observing that the initial draft of the global biodiversity framework would be prepared for 13 January 2020, the Co-Chairs encouraged the

representatives to use the time available at the current meeting and the opportunity of the briefing to provide their input.

56. The representative of the Secretariat drew attention to the recently posted report of the Global Thematic Dialogue for Indigenous Peoples and Local Communities on the Post-2020 Global Biodiversity Framework (CBD/POST2020/WS/2019/12/2), which provided additional information on the matter.

57. The Chair proposed the establishment of a contact group on the matter. The contact group, which would be chaired by Ms. Rosemary Paterson of New Zealand and Ms. Lucy Mulenkei of the International Indigenous Forum on Biodiversity, would be mandated to prepare a draft recommendation on the basis of a non-paper prepared by the Secretariat and to note any matters related to the future work programme on Article 8(j) and related provisions relevant to the post-2020 global biodiversity framework.

58. At the 4th session of the meeting, on 22 November 2019, the co-chairs of the contact group reported back on the group's work and presented a draft recommendation for the consideration of the Working Group, noting in particular that text remained in square brackets.

59. Based on a discussion by the Bureau, the Chair proposed three options for addressing the outstanding issues: (a) to continue working on annex II of the recommendation at the current meeting, either in plenary or in a contact group; (b) to forward the recommendation to the Subsidiary Body on Implementation following a peer review of annex II, which contained the draft elements of the new programme of work, with further consideration of the draft programme of work following the fifteenth meeting of the Conference of the Parties by an ad hoc technical expert group on indigenous peoples and local communities and the post-2020 global biodiversity framework and by the Working Group at its twelfth meeting, for adoption by the Conference of the Parties at its sixteenth meeting; or (c) to finalize the new programme of work after the fifteenth meeting of the Conference of the Parties by conducting a peer review of annex II followed by consideration by an ad hoc technical expert group on indigenous peoples and local communities and the post-2020 global biodiversity framework and by the Working Group at its twelfth meeting, for adoption by the Conference of the Parties at its sixteenth meeting.

60. Following its consideration of the draft recommendation, including additional proposals from the co-chairs of the contact group, the Working Group approved the draft recommendation, as orally amended, for formal adoption as CBD/WG8J/11/L.5, and agreed to proceed according to the third option presented by the Chair.

61. *[to be completed]*

#### **ITEM 6. POSSIBLE ELEMENTS OF WORK ON THE LINKS BETWEEN NATURE AND CULTURE IN THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK**

62. The Working Group took up item 6 at the 2nd session of the meeting, on 20 November 2019. In considering the item, the Working Group had before it a note by the Executive Secretary containing (a) an update on progress concerning the joint programme of work on the links between biological and cultural diversity, (b) options for possible elements of work aimed at a rapprochement of nature and culture in the post-2020 global biodiversity framework and (c) a draft recommendation for the consideration of the Working Group (CBD/WG8J/11/5). It also had before it information documents containing a compilation of declarations on links between nature and culture (CBD/WG8J/11/INF/2); the report of the First North American Dialogue on Biocultural Diversity (CBD/WG8J/11/INF/6); and the report on the Nature and Culture Summit (CBD/WG8J/11/INF/7).

63. Statements were made by representatives of European Union and its member States, Jordan, Mexico, New Zealand and Thailand.

64. At the 3rd session of the meeting, on 21 November 2019, the Working Group resumed consideration of the matter. Statements were made by representatives of Argentina, Cameroon, Canada, Colombia, Ethiopia, Japan, Norway, the Philippines and South Africa.

65. A statement was also made by a representative of the United Nations University.

66. Further statements were made by representatives of IIFB and IUCN.

67. Following the exchange of views, the Chair said that he would prepare a draft recommendation for the consideration of the Working Group, taking into account the views expressed orally and the comments received in writing.

68. At the 4th session of the meeting, on 22 November 2019, the Working Group considered a draft recommendation on options for possible elements of work aimed at an integration of nature and culture in the post-2020 global biodiversity framework and approved it, as orally amended, for formal adoption as CBD/WG8J/11/L.4.

69. *[to be completed]*.

#### **ITEM 7. RECOMMENDATIONS OF THE UNITED NATIONS PERMANENT FORUM ON INDIGENOUS ISSUES**

70. The Working Group took up item 7 at the 3rd session of the meeting, on 21 November 2019. In considering the item, the Working Group had before it a note by the Executive Secretary on the recommendations of the United Nations Permanent Forum on Indigenous Issues to the Convention on Biological Diversity (CBD/WG8J/11/6).

71. Statements were made by the representatives of Argentina, Australia, Cameroon, Canada, Colombia, Ethiopia, the European Union and its member States, Japan, Jordan, Mexico, the Republic of Korea and Timor-Leste.

72. Further statements were made by representatives of IIFB, IPC and IUCN.

73. In response to a query about the role of the Secretariat in development of the studies being called for by the United Nations Permanent Forum on Indigenous Issues, the representative of the Secretariat clarified that the Secretariat had only been asked to contribute to the studies requested along with other agencies and was not taking a leading role in any of them.

74. Following the exchange of views, the Chair said that he would prepare a draft recommendation for the consideration of the Working Group, taking into account the views expressed orally and the comments received in writing.

75. At the 4th session of the meeting, on 22 November 2019, the Working Group considered a draft recommendation on the recommendations of the United Nations Permanent Forum on Indigenous Issues and approved it, as orally amended, for formal adoption as CBD/WG8J/11/L.3.

76. *[to be completed]*.

#### **ITEM 8. OTHER MATTERS**

77. *[to be completed]*.

#### **ITEM 9. ADOPTION OF THE REPORT**

78. *[to be completed]*.

#### **ITEM 10. CLOSURE OF THE MEETING**

79. *[to be completed]*.

*Annex***IN-DEPTH DIALOGUE ON THE CROSS-CUTTING ISSUE OF THE CONTRIBUTION OF THE TRADITIONAL KNOWLEDGE, INNOVATIONS AND PRACTICES OF INDIGENOUS PEOPLES AND LOCAL COMMUNITIES AND CULTURAL DIVERSITY TO THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK**

1. On 20 November 2019, the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions held an in-depth dialogue on the contribution of the traditional knowledge, innovations and practices of indigenous peoples and local communities and cultural diversity to the post-2020 global biodiversity framework. The Conference of the Parties mandated the in-depth dialogue in decision X/43, paragraph 12, as a new agenda item at future meetings of the Working Group and set the current topic in decision 14/14. The dialogue began with presentations by four panellists: Ms. Alejandra Loria Martinez, Article 8 (j) Focal Point, National Commission for the Management of Biodiversity, Ministry of Environment and Energy, Costa Rica; Mr. Tim Badman, Director, Nature Culture Initiative, World Heritage Programme of IUCN; Ms. Eleanor Sterling, Jaffe Chief Conservation Scientist, Center for Biodiversity and Conservation, American Museum of Natural History; and Ms. Josefa Isabel Tauli, Global Youth Biodiversity Network.

**Panel presentations**

2. Ms. Loria Martinez spoke about the work being done by the National Commission for the Management of Biodiversity, part of the Ministry of Environment and Energy of Costa Rica, in her presentation, featuring the works of Brunca artist Kamel González. The Commission played an important role representing indigenous peoples and local communities in the plenary forum, where decision-making took place. Since ratifying the Convention on Biological Diversity, Costa Rica had developed mechanisms to support the principles of the Convention, including passing legislation that included the concept of biodiversity but had from the outset also included intangible elements, such as the indigenous practices and knowledge, enabling the Commission to perform comprehensive work.

3. Historically, traditional knowledge had played a crucial role in keeping the planet in balance, but globalization, modern processes and changes in lifestyle had had an impact on that balance. Costa Rica believed in upholding indigenous rights in accordance with international conventions and did so through its legislation and, more recently, a general consultation mechanism. The Government worked cooperatively with indigenous peoples, seeking their feedback on all projects. It also worked to develop comprehensive public policies that incorporated such concepts as territory, lands and rights, such as its national policy on biodiversity, its national strategy on biodiversity and new indigenous forum. Further, Costa Rica fostered the participation of indigenous women and girls, the custodians and transmitters of traditional knowledge. The Government was also working to strengthen indigenous peoples' institutions and develop different fora for dialogue.

4. The Commission worked together with the Ministry of Culture and Youth and the Ministry of Environment and Energy to tackle problems that were becoming increasingly complex. Its work included safeguarding traditional handicraft practices and ensuring that they did not harm the environment; the Ministry of Culture had developed a declaration on intangible heritage and was developing capacity-building training for better management of environmental legislation and regulation applicable to handicrafts. Its work also encompassed tourism, an important sector for economic development and improved quality of life. All such work was carried out collaboratively with stakeholders and indigenous peoples and local communities, taking into account economic considerations and assessment of existing structural problems.

5. Mr. Badman's presentation focused on the connection between culture and nature. Many IUCN resolutions and standards referenced culture, and IUCN was one of the proponents of the proposed International Alliance for Nature and Culture. There were clear, compelling ethical and philosophical reasons for including cultural diversity in plans for the future of nature. Cultural heritage was a record of inherited traditions and knowledge of past and present peoples and societies and their relationships with

nature. The relationship between nature and culture defined the story of evolution and was of unmistakable and irreplaceable value. Furthermore, threats to the diversity of human culture and heritage, including linguistic diversity, were frequently and clearly correlated with the threats to biodiversity. Achieving transformative change and living in harmony with nature would require an understanding of and response to diverse cultures, including in action on the leverage points for transformation proposed in the IPBES global assessment.

6. Four elements to seeing culture as an important factor in a more effective future strategy were: (a) fostering a more cohesive, inclusive culture of conservation, with the international community, all nations and all local communities joining efforts for the future of their places, landscapes and seascapes; (b) understanding diverse cultures and languages in order to communicate and connect nature to people's aspirations, and acting where local languages and the education that sustained them were threatened; (c) connecting to constituencies that were instrumental to defining and shifting culture, including youth and women, communities of faith and spirituality, the creative industries and, most immediately, culture sector partners; and (d) supporting a step change in the recognition of local conservation efforts and effective approaches to conserving and restoring places where the diversity of nature and culture could flourish. The last element required the sharpest focus and would involve securing the rights of indigenous peoples and empowering them to protect the interlinked culture and nature embodied in their territories, understanding and supporting the ways in which culture and traditional knowledge infused the conservation of rural and coastal cultural landscapes and seascapes, and making the connections between people and nature in cities and their surrounding landscapes.

7. Work in those areas could be accelerated by recognizing that at the local level, nature and culture were inseparable, and thus by using approaches that responded to the diversity of local cultures. Four practical areas for international focus were: (a) simplifying, joining and translating tools and advice for landscapes and the related capacity-building programmes; (b) building local-level biocultural indicators; (c) building a multidisciplinary community of nature/culture practice; and (d) building a knowledge base of diverse systems of traditional and scientific knowledge, notably in partnership with IPBES.

8. Mr. Badman closed his presentation with three suggested next steps for the proposed international alliance for nature and culture: (a) to build on but greatly amplify the Joint Programme of Work between the Secretariat of the Convention and United Nations Educational, Scientific and Cultural Organization (UNESCO) on the Links between Biological and Cultural Diversity (2001-2020); (b) to open up the joint programme to culture sector organizations, such as the International Council on Monuments and Sites (ICOMOS) and the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM); and (c) to establish a work plan for mobilizing action on priorities, supporting resource mobilization and building momentum.

9. Ms. Eleanor Sterling, also speaking on behalf of Ms. Pua'ala Pascua, spoke about using a biocultural approach to inform indicators in the post-2020 global biodiversity framework. Improving and maintaining the resilience of both human and ecological communities required a clear understanding of the social, economic, cultural and environmental connections between people and nature. The Center's work on indicators stemmed from a systems approach that acknowledged the connections and feedbacks across human and environmental dimensions and was aligned with the Convention's call for a holistic and systemic approach based on culturally grounded planning. In its work, the Center had prioritized a strong alignment with the United Nations Declaration on the Rights of Indigenous Peoples and the established guidelines for free, prior and informed consent. The Center had collaborated with a number of partners to provide opportunities for meaningful exchanges on indicators from the perspectives of indigenous peoples and local communities. She said that the programme of work on Article 8(j) and related provisions should include a focus on how to monitor, evaluate and report on progress towards the implementation of the Convention in ways that were locally relevant, recognized the interplay between the cultural and the biological parts of a system and facilitated cross-scale linkages: a bio-cultural approach.

10. She said that it was important, when addressing process focused indicators, to measure them in terms of community-level perceptions of engagement. When considering indicators to measure community

exchanges, it would be important to consider sharing traditional knowledge within and across groups as well as with governments and other organizations. Other important indicators would be those that acknowledged the connection in national reporting between the cultural and environmental government branches, and indicators that measured the connection of people to a place by measuring the trend in the number of individuals who self-identified their cultural identity using cultural terminology. She said that, sometimes, it was necessary to adapt or expand existing indicators, and she gave the example of measuring trends in the opportunities for elders to teach within the formal or informal educational system or measuring trends in intergenerational language transmission when considering the effectiveness of the implementation of language-related legislation. The important point was to adapt the indicators and enlarge them so that they measured what was considered important by the indigenous peoples and local communities as sometimes it was easier to simply measure documented or formalised work and thus miss other aspects that they would consider important. In closing said that her organization had created a dynamic content hub, the Nature-Culture Indicators and Knowledge Systems Directory, to help share the information that had been collated on the indicators and which was available at: <http://resources.cbc.amnh.org/indicators>.

11. Ms. Carino Tauli said that she had researched the concept of “*ili*” among Ibaloi Kankanaey Igorot of the Philippines and had discovered that it included, among other things, the place of one’s birth, the people who lived in that place, and the landscape of that place. Without it, people could not live or have a sense of identity. They had defended, nurtured and passed it from generation to generation. It was the *ili*’s responsibility to sustain and protect the environment so that the *ili* could continue to exist, and the Kankanaey believed that, if it was in danger, everyone had a responsibility to protect it. In the word *ili*, people and nature were indistinguishable, and the concept captured something close to the idea of people living in harmony with nature. Such concepts existed in all indigenous languages and communities.

12. Cultural diversity, and its relation to nature, came in the form of values, beliefs, livelihoods, knowledge and languages. The more culture interacted with nature, the greater was its capacity to adapt to change. Many of the world’s core areas of biodiversity were also important for cultural diversity and provided a setting for cultures to develop; because of those interconnections, threats to culture could lead to threats to nature as well, as, for example, the loss of indigenous languages led to the loss of traditional sustainable practices, which would, in turn, have negative implications for biodiversity. One of the most important elements for achieving the Convention’s objectives had long been ignored because mainstream academia and conservation had always seen human beings as destroying biodiversity and, consequently, were to be kept out of biodiversity-rich areas. The evidence had shown that the territories of indigenous peoples coincided with most of the world’s biodiversity, and the IPBES *Global Assessment* had shown that, where nature was managed by indigenous peoples and local communities, it was declining less rapidly than in other areas. As shown by the concept of *ili*, indigenous peoples had governed, managed, sustainably used, and conserved their territories and natural resources using indigenous and local knowledge and practices, and, in some cases, had even improved and restored biodiversity. She said that it was important to respect, recognize and learn from traditional knowledge, and to secure the rights of indigenous peoples to their lands, territories and resources. In closing, she sang a song of her people on the gift of traditional knowledge.

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