



**Convention on
Biological Diversity**

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**Ad Hoc Open-ended Intersessional Working
Group on Article 8(j) and Related Provisions
of the Convention on Biological Diversity
Twelfth meeting**

Geneva, 12–16 November 2023

Item 4 of the provisional agenda*

**Progress in the implementation of the priority tasks of the
multi-year programme of work on Article 8(j) and related
provisions of the Convention on Biological Diversity**

**Compilation of views and comments regarding the progress in the
implementation of the programme of work on Article 8(j) and related
provisions of the Convention**

Note by the Secretariat

Summary

The present note contains a compilation of views and comments submitted to the Secretariat, in the form and languages in which they were received, on progress made in the implementation of the programme of work on Article 8(j) and related provisions of the Convention.

* CBD/WG8J/12/1/Rev.1

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I. Submissions from Parties

Colombia

[18 April 2023]

Dadas las recientes discusiones sobre el futuro del 8j, la creación de un órgano subsidiario representa una oportunidad para imprimir mayor fuerza a la voz de los IPCL en el CDB y en el nuevo marco global de biodiversidad.

La aplicación de los programas de trabajo sobre el artículo 8j y sus disposiciones conexas han permitido el fortalecimiento de los procesos de ordenamiento del territorio ambiental desde la cosmovisión indígena.

A partir de este proceso de planificación con visión indígena y con la participación de la comunidad de base, se puede avanzar en los procesos de análisis de la situación ambiental con visión integral, aportando solución a las diversas situaciones de conflictividad socioambiental por el uso y manejo de la oferta ambiental por la que atraviesa actualmente los territorios indígenas.

En especial cuando existe una crisis de biodiversidad a nivel mundial como lo ha definido el Informe de Evaluación Global de la Plataforma Intergubernamental de Ciencia y Política sobre Biodiversidad y Servicios del Ecosistema -IPBES-, es imprescindible escuchar a la ciudadanía en especial a los grupos étnicos y comunidades locales vulnerables.

Por tanto, el objetivo es lograr acuerdos a nivel global sobre la construcción de un marco de estratégico de protección de la biodiversidad a 2030 y 2050 en el planeta, sin esos esfuerzos mundiales, nacionales y locales estamos abocados a poner en peligro la supervivencia de las especies e incluso de la vida humana.

Muchos de los aspectos del nuevo marco global de biodiversidad son de interés y relevancia para los pueblos indígenas y comunidades locales, lo que refuerza la necesidad de considerar un órgano subsidiario que mejore la participación y el asesoramiento a través de un organismo permanente integrado al CDB, y de esa forma dar un impulso mayor para cumplir las tareas pendientes del Grupo de trabajo del 8j y el cumplimiento del nuevo plan de trabajo que se acuerde.

La creación del órgano subsidiario es una manera de reconocer formalmente la relevancia y pertinencia de la perspectiva indígena en el marco del CDB.

Por lo anterior, suena razonable y necesario conformar el órgano subsidiario del 8j, bajo el entendido que se regirá mediante modus operandi que aplica a los demás órganos subsidiarios, adaptado para garantizar la participación plena de los pueblos indígenas y las comunidades locales.

Por la particularidad y naturaleza de este órgano, no parece conveniente tomarlo como un “grupo de expertos”, porque se limitaría la participación de los PI y CL, o por lo menos no en el sentido ortodoxo de personas calificadas con títulos profesionales.

Para el modus operandi sería conveniente en aras de la representatividad, incluir 3 delegados/expertos por región designados por las Partes, 2 representantes de los pueblos indígenas y las comunidades locales de cada una de las 7 regiones geoculturales reconocidas por el Foro Permanente de las NNUU para Cuestiones Indígenas (África; Asia; Centro y Sudamérica y el Caribe; el Ártico; Europa del Este, Federación Rusa, Asia Central y Transcaucasia; América del Norte y el Pacífico). Debe mantener un espíritu abierto e inclusivo que favorezca la participación de otras organizaciones, pero manteniendo un número razonable que permita la funcionalidad el grupo.

El presidente debe ser nombrado por la Conferencia de las Partes como aplica para los demás órganos.

Germany

[24 April 2023]

Germany is highly dedicated to strengthen the implementation of the programme of work on Article 8(j) and related provisions globally, e.g. by supporting and empowering IPLCs through specific initiatives and projects that fully take into account adopted principles of voluntary guidelines. Elements of the programme of work on Article 8(j) are integrated into the design of current German supported measures and initiatives such as the NBSAP Accelerator Partnership (<https://www.international-climate-initiative.com/en/project/operationalizing-the-nbsap-accelerator-partnership-22-iv-124-global-m-nbsap-accelerator/>) with a special component on strengthening the integration of IPLCs in the revisions of NBSAPs and the ICCA Global Support Initiative (<https://www.international-climate-initiative.com/en/project/support-to-indigenous-peoples-and-community-conserved-areas-and-territories-iccas-13-iv-039-global-m-iccas-support/>) to support IPLC-driven area-based conservation measures.

Several additional IKI projects, that will also support the implementation of the new programme of work to be further developed by a dedicated AHTEG and then at WG 8(j) 12, have started their work:

- Project “Transformative Pathways: indigenous peoples and local communities leading and scaling up conservation and sustainable use of biodiversity” implemented in a consortium led by Forest Peoples Programme (<https://www.international-climate-initiative.com/en/project/transformative-pathways-indigenous-peoples-and-local-communities-leading-and-scaling-up-conservation-and-sustainable-use-of-biodiversity-22-iv-108-global-a-ipcls-for-biodiversity/>).
- A new phase of the ICCA Global Support Initiative with a view towards the implementation of targets 3 and 22 implemented in a consortium led by UNDP (<https://www.international-climate-initiative.com/en/project/global-icca-support-initiative-30-x-30-22-iv-126-global-m-iccas-support-ii/>).

Sudan

[24 April 2023]

A booklet on community protocols explaining the Nagoya Protocol and related provisions was prepared and distributed to indigenous peoples, and workshops were held to clarify and explain the content and awareness.

II. Submissions from indigenous peoples and local communities**Sámi Parliament in Sweden**

[5 May 2023]

The current PoW has created a lot of useful tools such as the various voluntary guidelines. At a national level we, so far, have limited experience to share on their application. However, we would like to bring to the attention following points of progress (good practices) regarding the implementation of article 8j and 10c – especially with regards to tasks 1, 2 and 4 of the current PoW.

Participation in national and international work

The Sámi Parliament has a well-established cooperation with the Ministry for Climate and Enterprise regarding CBD-related work at a national and international level. Since 2014, representatives of the Sámi Parliament are delegates to the Swedish delegation to meetings and working groups under the CBD. In this role the Sámi representatives provide expertise and advise on

issues relating to issues on traditional knowledge, customary sustainable use and indigenous rights. They are also involved in preparing negotiation documents and submissions to the secretariat.

Sweden is currently preparing its NBSAP for the implementation of the Kunming-Montreal Global Biodiversity Framework. The Sámi Parliament is actively involved and contributes to this work.

National focal point for Article 8(j) and related provisions

In 2017 the Sami Parliament in Sweden, along with the Environment Protection Agency had a government assignment to propose suggestions on how to strengthen and improve the implementation of article 8(j) and related provisions in a long term perspective. In March 2018 the findings were presented, which included a recommendation on designating the Sami Parliament as the national focal point for 8(j)-related issues.

In 2021, the Ministry for Climate and Enterprise (previously Ministry for Environment and Energy) appointed the Sámi Parliament to be the Swedish national focal point on traditional knowledge and customary sustainable use. In this capacity, the Sámi Parliament coordinates the national implementation on article 8(j) and 10(c), CBD with the involvement other public authorities and actors who have knowledge and a role to play in the implementation of these articles in Sweden. This includes Sami representatives as well as knowledge holders representing local communities.¹ The mandate is carried out in close dialogue and collaboration with the Ministry for Climate and Enterprise.

- **Programråd**

In order to reach the target groups of the mandate, a Programråd (Forum) has been established. Currently 40 participants, from government authorities and knowledge holders are represented in the Forum. The work and activities so far have been focused on:

- awareness-raising around traditional knowledge and the relevant articles of the Convention and
- establishing long-term dialogue between knowledge holders and government agencies on needs and
- jointly developing models and working methods for the practical implementation of Articles 8(j) and 10(c).

The Forum also enables local communities to be involved in the implementation activities. So far, the Forum has met four times to address various themes, including the interlinkages between education, traditional knowledge and science and research. It has also contributed to Sweden's submission on elements of a new programme of work on 8j.

- **Knowledge material on traditional knowledge and biodiversity**

In collaboration with government authorities, Sami representatives and other knowledge holders representing local communities, the Sámi Parliament has developed a knowledge material on traditional knowledge and biodiversity. The aim of the material is to make relevant actors aware of the Convention, its articles and traditional knowledge so that decisions are based on the best available knowledge.

The material was launched in November 2022 during a joint event between the Swedish ministry for environment the Environment Protection Agency, the Sámi Parliament and the Swedish

¹ As stated in the Environmental Objectives Bill approved by the Swedish Riksdag 1995: Examples of local and traditional knowledge in a Swedish context are the traditional knowledge passed down from generation to generation regarding how to manage different local meadow systems to achieve long-term yields, or the Sami knowledge of reindeer husbandry, hunting and fishing. Groups that may have this knowledge in Sweden are, for example, farmers and foresters, the Sami, fäbod [transhumant] farmers, archipelago, mountain and forest farmers, archipelago and inland fishers, hunters and craftspeople.

Biodiversity Centre at the Swedish University of Agricultural Sciences. An English version of the material was presented at a side-event during the COP 15 in Montreal. The material is available in English [here](#).

Miljömålsrådet – Environmental Objectives Council

In 2014, the Government established the Environmental Objectives Council as a platform for more measures and intensified work at all levels of society to achieve Sweden's environmental objectives. The Council consists of the heads of 18 authorities that are strategically important to the conditions for achieving the objectives. On 1 March each year, the Council presents measures that the authorities undertake to implement in order to speed up the work on achieving the environmental objectives. The Council's mandate runs until May 6, 2026. Since 2022, the Sami Parliament is represented on the council.

Consultation with the Sámi people

In March 2022 an Act on Consultation on Matters Concerning the Sami People entered into force. The new law sets out a duty and procedure for the Government and government agencies to consult the Sámi people on matters that may concern them. This includes i.a. issues regarding protected areas, conservation, land use and management of natural resources. The aim of the Act is to ensure the Sámi people's right to participate in decision-making processes at all levels of society and to strengthen their influence in matters that particularly affect them. Consultations give the Sámi people insight into processes and issues at an early stage and also increases the opportunities for the Sami to contribute knowledge on issues and to highlight the consequences decisions and measures might have on their livelihoods, culture etc.

III. Submissions from relevant organizations

Fundación Ambiente y Recursos Naturales*

[24 April 2023]

As stated directly by the Convention on Biological Diversity, on the occasion of the International Day of the World's Indigenous Peoples, last 9 of August 2022, “data and statistics are lacking on many aspects of Indigenous women's roles in relation to biodiversity conservation. Reliable evidence on the needs, priorities, knowledge, roles, and responsibilities of indigenous women is notably inadequate (UN Women, 2018). The persistent lack of data about Indigenous women in the national statistics services contributes to the lack of dedicated funding, further complicating policy formulation to address Indigenous women's needs and their views in decision-making processes (FAO, 2020; UN Women, 2018)” ([CBD, 2022](#))

In this context, after a rapid review of National Reports to the CBD and the resultant documents of the latest Working Group on Article 8 meetings, as Women’s Caucus we could not find relevant information that indicates a successful gender-responsive implementation of the current work program. Nevertheless, we can provide three examples of how some tasks of the program have been implemented anecdotally, taking into account women and girls' needs and priorities:

- Kenya – Innovation in Gender Inclusion and Governance at Community Level (Githaiga and Kiptanui, 2020)

Traditional Roles of Women are traditionally marginalised within the Endorois Community, especially in the past. They also had specific roles within the community. The community has age sets of both men and women, and each is assigned specific roles in society. With respect to matters of resources within the community, women were the experts on matters of traditional medicine and

* On behalf of the CBD Women’s Caucus.

herbs. This Knowledge is passed on from one generation of women to the next to the date. Men held different kinds of traditional knowledge from women and were generally the leaders and the decision-makers. In their traditional setting, women were not allowed to sit at the table when decisions were made. Often, men would make decisions, own the land and control resources. The eldest women within the Endorois society were also traditionally involved in leadership roles and guidance of the community along with the men. In their traditional setting, some women wore special leather belts when they were required to stop the conflict. Women also offered prayers and performed some cultural and religious rites.

These circumstances have evolved over time, and the Endorois Women can now participate in the governance and management of their resources. They still do not manage to get represented to the full extent of the legal requirements in Kenya¹⁶ “but at least their voice is heard through various representative groups that they have formed, and the culture of the Endorois is evolving to suit the current legal requirements while maintaining its integrity”. These groups include the Endorois Women Forum, chaired by Janet Kiptanui, elected by women from all 17 locations of the Endorois Peoples and the Endorois Youth Council. The Endorois Women Forum is represented by a women representative on the Endorois Welfare Council, while a male and a female representative represent the youth. The vice chair of the Board is also a woman, bringing women representation on the Board of the Endorois Welfare Council to three. This is commendable as it aligns with the prescriptions of the CoK, 2010, which advocates for gender equity and equality and specifically provides that either gender must not exceed more than two-thirds of total representation.

“The objective of the Endorois Women Forum was to represent women on matters involving rights of women, particularly on matters of cultural marginalisation that have resulted in the denial of, among others, women's rights to participate in decision making, to be heard, to resources and ownership of land. Women originally had no right to own land in their names, a key issue that has been taken up through advocacy and representation of women through the Endorois Women Forum. Through their representative body, women can agitate for their rights in pursuit of the right to equality. They can also keep pushing to have more representatives of women in various committees, bodies and organs within the community”. Through advocacy, Endorois women were also represented during the preparation of the BCP and were able to share their ideas and experiences as well, in addition to being capacity built to ensure resources are not removed from their jurisdiction without their knowledge.
