



## 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 2 of the provisional agenda\*

#### **Organizational matters: election of officers, adoption of the agenda and organization of work**

### **Annotated provisional agenda**

#### **I. Introduction**

1. The Ad Hoc Open-ended Inter-sessional Working Group on Article 8(j) and Related Provisions was established by the Conference of the Parties to the Convention on Biological Diversity in its decision [IV/9](#) to provide advice relating to the implementation of Article 8(j) and related provisions, in particular on the development and implementation of a programme of work in that regard at the national and international levels. The Conference of the Parties endorsed the programme of work on the implementation of Article 8(j) and related provisions of the Convention in its decision [V/16](#), in 2000. In 2010, it revised and updated it for the period 2010–2020 in its decision [X/43](#).<sup>1</sup>
2. In its decision [15/10](#), the Conference of the Parties decided to develop a new programme of work on Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities, aligned with the Kunming-Montreal Global Biodiversity Framework, as well as to keep under review the current programme of work, as needed, and to reprioritize elements and tasks in order to ensure that it is supportive of a human rights-based approach and coherent with the priorities of the Framework. The Conference of the Parties requested the Working Group, at its twelfth meeting, to further elaborate the new programme of work, institutional arrangements and its modus operandi for consideration by the Conference of the Parties at its sixteenth meeting.
3. The twelfth meeting of the Ad Hoc Open-ended Inter-sessional Working Group on Article 8(j) and Related Provisions of the Convention will be held in Geneva from 12 to 16 November 2023. The meeting will be preceded by an international dialogue with indigenous peoples and local communities and relevant stakeholders on the implementation of the Framework and the Gender Plan of Action, on 9 and 10 November, and regional group consultations, on 11 November.
4. An information note for participants will be made available on the Secretariat website, providing details regarding logistical arrangements for the twelfth meeting of the Ad Hoc Open-ended Intersessional Working Group, such as registration, travel, visa requirements and accommodation.
5. The results of the deliberations held at the present meeting will be made available to the Subsidiary Body on Scientific, Technical and Technological Advice at its twenty-sixth meeting and to

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

<sup>1</sup> For further information, see [www.cbd.int/traditional/pow.shtml](http://www.cbd.int/traditional/pow.shtml).

the Subsidiary Body on Implementation at its fourth meeting (both tentatively scheduled for May 2024), as well as to the Conference of the Parties at its sixteenth meeting (tentatively scheduled for the last quarter of 2024). The outcomes of the deliberations on item 7 on the review and update of the four indicators on traditional knowledge, which form part of the tasks under the joint programme of work on the links between biological and cultural diversity, will be submitted to the Subsidiary Body on Scientific, Technical and Technological Advice, for consideration at its twenty-sixth meeting.

## **Item 1**

### **Opening of the meeting**

6. The President of the fifteenth meeting of the Conference of the Parties or his representative will open the meeting at 10 a.m. on Sunday 12 November 2023. The Executive Secretary will make introductory remarks. It is expected that an indigenous opening ceremony will also take place to welcome delegates.

## **Item 2**

### **Organizational matters**

#### **(a) Election of officers**

7. In keeping with established practice, the Bureau of the Conference of the Parties will serve as the Bureau of the Working Group, and the meeting will be chaired by the President of the fifteenth meeting of the Conference of the Parties or his representative. In accordance with rule 21 of the rules of procedure of the Conference of the Parties, the Bureau will designate one of its members to act as Rapporteur. Also following the practice of the Working Group, it is expected that an Indigenous Co-Chair and Indigenous Bureau members will be designated by the International Indigenous Forum on Biodiversity to assist the Chair and the Bureau of the Working Group.

#### **(b) Adoption of the agenda and organization of work**

8. The provisional agenda<sup>2</sup> for the present meeting has been prepared by the Secretariat in consultation with the Bureau and taking into account decisions 15/10, 15/16, 15/20, 15/21 and 15/22 of the Conference of the Parties.<sup>3</sup>

9. The Working Group will be invited to consider the provisional agenda for adoption and to approve the proposed organization of work (annex I).

10. The Working Group will conduct its work in plenary session and, when necessary and appropriate, establish contact groups to examine specific issues.

11. A list of pre-session documents for the meeting is provided in annex II.

## **Item 3**

### **In-depth dialogue: “The role of languages in the intergenerational transmission of traditional knowledge, innovations and practices”**

12. In decision [15/20](#), the Conference of the Parties decided that the topic for the in-depth dialogue to be held during the twelfth meeting of the Working Group would be “the role of languages in the intergenerational transmission of traditional knowledge, innovations and practices”.

13. To assist the Working Group and provide context for the dialogue, the Working Group will have before it a note on the subject prepared by the Secretariat,<sup>4</sup> along with a compilation of views concerning the topic. In addition, as is the practice in the in-depth dialogue, a summary report will be prepared and annexed to the report of the meeting.

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<sup>2</sup> CBD/WG8J/12/1/Rev.1.

<sup>3</sup> All decisions of the fifteenth meeting of the Conference of the Parties are available at [www.cbd.int/meetings/COP-15](http://www.cbd.int/meetings/COP-15).

<sup>4</sup> CBD/WG8J/12/2.

**Item 4****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**

14. Regarding progress on the implementation of the programme of work on Article 8(j) and related provisions of the Convention, the Conference of the Parties decided in decision [15/10](#) to keep under review the programme of work, as needed, and to reprioritize elements and tasks in order to ensure a programme of work supportive of a human rights-based approach and coherent with the priorities of the Framework. The Conference of the Parties requested Parties and other Governments to report on the implementation of the current programme of work and, once adopted, of the new programme of work on Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities, as well as on the application of the various voluntary guidelines and standards developed under the aegis of the Working Group and adopted by the Conference of the Parties, as appropriate, in order to determine the progress made.

15. Parties and other Governments were subsequently invited by the Acting Executive Secretary<sup>5</sup> to provide such reports.

16. The Working Group will have before it, for its consideration, a progress report prepared by the Secretariat on the basis of the information received<sup>6</sup> and will be invited to take note of the report.

**Item 5****Knowledge management component of the Kunming-Montreal Global Biodiversity Framework**

17. In decision [15/16](#), the Conference of the Parties requested the Executive Secretary, in collaboration with Parties and relevant organizations, and with support from the Informal Advisory Group on Technical and Scientific Cooperation, to further develop the draft knowledge management component of the Framework.<sup>7</sup> The objective was to have the draft component peer-reviewed by Parties, then reviewed by the Working Group at the present meeting, then considered by the Subsidiary Body on Implementation at its fourth meeting and by the Conference of the Parties at its sixteenth meeting.

18. The Secretariat will provide an updated draft knowledge management component of the Framework,<sup>8</sup> developed with input from the Informal Advisory Group on Technical and Scientific Cooperation and peer-reviewed by Parties, for review and input by the Working Group. The Working Group will be tasked with submitting its review for consideration by the Subsidiary Body on Implementation at its fourth meeting.

**Item 6****Development of a new programme of work and institutional arrangements on Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities**

19. In its decision [15/10](#), the Conference of the Parties decided to develop a new programme of work on Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities aligned with the Framework, with the full and effective participation of indigenous peoples and local communities, and to continue the Working Group with the intention to decide at its sixteenth meeting on institutional arrangements and future modus operandi for Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities.

20. To assist the Working Group in this task, and as requested in paragraph 7 of decision [15/10](#), the Acting Executive Secretary has convened a meeting of the Ad Hoc Technical Expert Group on the

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<sup>5</sup> Through [notification No. 2023-024](#) dated 9 March 2023.

<sup>6</sup> CBD/WG8J/12/3.

<sup>7</sup> Recommendation 3/10 of the Subsidiary Body on Implementation.

<sup>8</sup> CBD/WG8J/12/4.

New Programme of Work and Institutional Arrangements on Article 8(j) and Other Provisions of the Convention Related to Indigenous Peoples and Local Communities in Manaus, Brazil, from 11 to 13 July 2023. The Expert Group will elaborate possible elements, tasks and actors for a new programme of work on the basis of annexes I and II to the same decision, as well as the results of the peer review<sup>9</sup> referred to in recommendation 11/2 of the Working Group, and ensuring alignment with the Framework.

21. The Expert Group will also discuss the legal, organizational and financial implications of each option for institutional arrangements and their *modus operandi*, taking into consideration, among other things, the rules of procedure for meetings of the bodies established under the Convention, the participation of indigenous peoples and local communities in the work of the Convention and the options contained in paragraph 9 of decision [14/17](#) namely:

(a) Establishing a subsidiary body on Article 8(j) and related provisions with a mandate to provide advice to the Conference of the Parties, other subsidiary bodies and, subject to their approval, the Conference of the Parties serving as the meeting of the Parties to the respective Protocols, on matters that are relevant to indigenous peoples and local communities and within the scope of the Convention;

(b) Continuing the Working Group with a revised mandate within the Framework;

(c) Applying the enhanced participation mechanisms used by the Working Group for the participation of representatives of indigenous peoples and local communities, as appropriate, when addressing matters of direct relevance to those groups in the subsidiary bodies, in order to ensure their effective participation and to fully integrate them into the work of the Convention.

22. As provided in paragraph 10 of decision 15/10, the Working Group will have before it the report of the Expert Group on its meeting of July 2023<sup>10</sup> to assist it in its deliberations. The Working Group is expected to review this information and make recommendations concerning possible objectives, principles and elements of the new programme of work and institutional arrangements, ensuring alignment with the Framework. The Working Group will also have before it a note by the Secretariat<sup>11</sup> containing draft recommendations, including options covering possible objectives, elements of work and a way forward with institutional arrangements.

## Item 7

### **Joint programme of work on the links between biological and cultural diversity: review and update of the four adopted traditional knowledge indicators**

23. In decision [15/22](#), on nature and culture, the Conference of the Parties renewed its commitment to the joint programme of work on the links between biological and cultural diversity, with the aim of supporting the national and subnational implementation of the Framework. The renewed commitment included the adoption of new elements and tasks for the joint programme of work.

24. In paragraph 5 of the same decision, the Conference of the Parties requested the Executive Secretary and invited the United Nations Educational, Scientific and Cultural Organization and the International Union for Conservation of Nature, along with a broad coalition of partners, and with the full and effective participation of indigenous peoples and local communities, to implement the new elements and tasks described in the annex to that decision. Under Task 2.a, the Working Group, together with the Subsidiary Body on Scientific, Technical and Technological Advice, is instructed to review and update the four indicators on traditional knowledge, which were adopted in decision XIII/28 and are relevant to the conservation and sustainable use of biological diversity, in the light of the Framework.

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<sup>9</sup> See [notification 2022-070](#) dated 3 November 2022.

<sup>10</sup> CBD/A8J/AHTEG/2023/1/3.

<sup>11</sup> CBD/WG8J/12/5.

25. To assist the Working Group in this task, the Acting Executive Secretary sent out a notification<sup>12</sup> to invite Parties, other Governments, indigenous peoples and local communities, and stakeholders to provide views and information on the status of the data and information, operationalization, review and update of the four indicators on traditional knowledge, namely:

- (a) Trends of linguistic diversity and numbers of speakers of indigenous languages;
- (b) Trends in land-use change and land tenure in the traditional territories of indigenous and local communities;
- (c) Trends in the practice of traditional occupations;
- (d) Trends in the degree to which traditional knowledge and practices are respected through their full integration, safeguards in the national implementation of the Strategic Plan for Biodiversity 2011–2020.

26. The Working Group will have before it a document prepared by the Secretariat on the basis of the information received<sup>13</sup> and will be invited to make recommendations on the indicators on traditional knowledge for consideration by the Subsidiary Body on Scientific, Technical and Technological Advice at its twenty-sixth meeting.

## **Item 8**

### **Recommendations of the Permanent Forum on Indigenous Issues**

27. Under item 8, the Working Group will be invited to consider the recommendations pertaining to the Convention arising from the twentieth (2021), twenty-first (2022) and twenty-second (2023) sessions of the Permanent Forum on Indigenous Issues.

28. The Working Group will have before it a note containing a summary of the recommendations of the Permanent Forum pertaining to the Convention and not yet considered by the Working Group<sup>14</sup> and an update on previous recommendations and draft recommendations for consideration by the Working Group.

## **Item 9**

### **Other matters**

29. Under this agenda item, Parties will have the opportunity to raise other relevant matters related to the meeting.

## **Item 10**

### **Adoption of the report**

30. The Working Group will be invited to adopt the report of the present meeting.

## **Item 11**

### **Closure of the meeting**

31. The meeting is expected to close at 6 p.m. on 16 November 2023.

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<sup>12</sup> [Notification No. 2023-024.](#)

<sup>13</sup> CBD/WG8J/12/6.

<sup>14</sup> CBD/WG8J/12/7.

## Annex I

### Proposed organization of work

<i>Date and time</i>	<i>Agenda item</i>
<b>Sunday, 12 November</b>	
10 a.m.–1 p.m.	Item 1. Opening of the meeting Item 2. Organizational matters: election of officers, adoption of the agenda and organization of work Item 3. In-depth dialogue: “The role of languages in the intergenerational transmission of traditional knowledge, innovations and practices”
1–3 p.m.	<i>Lunch break</i>
3–6 p.m.	Item 4. Progress in the implementation of the priority tasks of the multi-year programme of work on Article 8(j) and related provision of the Convention on Biological Diversity Item 5. Knowledge management component of the Kunming-Montreal Global Biodiversity Framework Item 6. Development of a new programme of work and institutional arrangements on Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities
<b>Monday, 13 November</b>	
10 a.m.–1 p.m.	Item 7. Joint programme of work on the links between biological and cultural diversity: review and update the four adopted traditional knowledge indicators Item 8. Recommendations of the Permanent Forum on Indigenous Issues
1–3 p.m.	<i>Lunch break</i>
3–6 p.m.	Pending issues / contact groups
6–7:30 p.m.	<i>Dinner break</i>
7.30–10.30 p.m.	Pending issues / contact groups
<b>Tuesday, 14 November</b>	
10 a.m.–6 p.m.	<i>No sessions are planned while the Ad Hoc Open-ended Working Group on Benefit-sharing from the Use of Digital Sequence Information on Genetic Resources holds its plenary sessions</i>
7.30–10.30 p.m.	Pending issues / contact group
<b>Wednesday, 15 November</b>	
10 a.m.–1 p.m.	Pending issues / contact group
1–3 p.m.	<i>Lunch break</i>
3–6 p.m.	Consideration of conference room papers
<b>Thursday, 16 November</b>	
10 a.m.–1 p.m.	Consideration of conference room papers ( <i>continued</i> )
1–3 p.m.	<i>Lunch break</i>
3–6 p.m.	Item 9. Other matters

	Item 10. Adoption of the report Item 11. Closure of the meeting
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**Annex II****List of documents**

<i>Symbol</i>	<i>Title</i>
CBD/WG8J/12/1/Rev.1	Provisional agenda
CBD/WG8J/12/1/Add.1	Annotated provisional agenda
CBD/WG8J/12/2	In-depth dialogue: “The role of languages in the intergenerational transmission of traditional knowledge, innovations and practices”
CBD/WG8J/12/3	Progress in the implementation of the priority tasks of the multi-year programme of work on Article 8(j) and related provision of the Convention on Biological Diversity
CBD/WG8J/12/4	Updated draft knowledge management component of the Kunming-Montreal Global Biodiversity Framework
CBD/WG8J/12/5	Development of a new programme of work and institutional arrangements on Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities
CBD/WG8J/12/6	Joint programme of work on the links between biological and cultural diversity: review and update of the four adopted traditional knowledge indicators
CBD/WG8J/12/7	Recommendations from the Permanent Forum on Indigenous Issues pertaining to the Convention on Biological Diversity

*Note:* Information documents prepared for the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity will also be made available before the meeting.

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