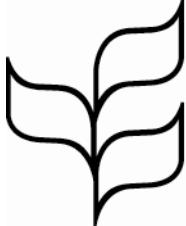




CBD



Convention on Biological Diversity

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

Eighth meeting
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COMPILATION OF VIEWS RECEIVED ON USE OF THE TERM "INDIGENOUS PEOPLES AND LOCAL COMMUNITIES"

Note by the Executive Secretary

INTRODUCTION

1. As requested by the Conference of the Parties, in paragraph 2 of decision XI/14 G, the Executive Secretary is circulating herewith, for the consideration of participants in the eighth meeting of the Ad Hoc Open-ended Inter-Sessional Working Group on Article 8(j) and Related Provisions, an addendum to the compilation of views and comments submitted to the Secretariat, regarding the use of the term "indigenous peoples and local communities", to assist the Working Group in its deliberations on this matter.
2. For ease of reference, the addendum contains documents and annexes referred to in the submissions received, as well as a survey on the use of the term "indigenous peoples" within agencies participating in the United Nations Inter-Agency Support Group on Indigenous Peoples' Issues (IASG).
3. Also for ease of reference, section I includes a concept note on indigenous peoples;¹ section II includes a concept note on local communities;² section III is a list of common characteristics of local communities;³ and section IV contains a table surveying the use of the term "indigenous peoples" within the United Nations system conducted in June, 2013 with contributions from 16 agencies.
4. Submissions have been reproduced in the form and languages in which they were provided to the Secretariat.

¹ PFII/2004/WS.1/3 - Information note for the UNPFII's Workshop On Data Collection And Disaggregation, New York, 19-21 January 2004

² UNEP/CBD/AHEG/LCR/INF/1 - Information document to the CBD's Expert Group Meeting of Local Community Representatives, Montreal, 14 -16 July 2011.

³ Extract from UNEP/CBD/WG8J/7/8/Add.1 Annex I, CBD's Report of the Expert Group Meetings for Local Community Representatives.

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SECTION I

THE CONCEPT OF INDIGENOUS PEOPLES

PFII/2004/WS.1/3

Background paper prepared
by the Secretariat of the Permanent Forum
on Indigenous Issues

Introduction

1. In the thirty-year history of indigenous issues at the United Nations, and the longer history in the ILO on this question, considerable thinking and debate have been devoted to the question of definition of “indigenous peoples”, but no such definition has ever been adopted by any UN-system body. One of the most cited descriptions of the concept of the indigenous was given by Jose R. Martinez Cobo, the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in his famous Study on the Problem of Discrimination against Indigenous Populations.¹ Significant discussions on the subject have been held within the context of the preparation of a Draft Declaration on the Rights of Indigenous Peoples² and by the Working Group on Indigenous Populations since 1982. An understanding of the concept of “indigenous and tribal peoples” is contained in article 1 of the 1989 Convention concerning Indigenous and Tribal Peoples in Independent Countries, No. 169, adopted by the International Labour Organization.

Study on the Problem of Discrimination against Indigenous Populations

2. After long consideration of the issues involved, the Special Rapporteur who prepared the above-mentioned study offered a working definition of “indigenous communities, peoples and nations”. In doing so he expressed a number of basic ideas to provide the intellectual framework for this effort, which included the right of indigenous peoples themselves to define what and who is indigenous. The working definition reads as follows:

“Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal system.

“This historical continuity may consist of the continuation, for an extended period reaching into the present of one or more of the following factors:

- a) Occupation of ancestral lands, or at least of part of them;
- b) Common ancestry with the original occupants of these lands;
- c) Culture in general, or in specific manifestations (such as religion, living under a tribal system, membership of an indigenous community, dress, means of livelihood, lifestyle, etc.);
- d) Language (whether used as the only language, as mother-tongue, as the habitual means of communication at home or in the family, or as the main, preferred, habitual, general or normal language);
- e) Residence on certain parts of the country, or in certain regions of the world;
- f) Other relevant factors.”

“On an individual basis, an indigenous person is one who belongs to these indigenous populations through self-identification as indigenous (group consciousness) and is recognized and accepted by these populations as one of its members (acceptance by the group).

“This preserves for these communities the sovereign right and power to decide who belongs to them, without external interference”.³

Working Group on Indigenous Populations

3. During the many years of debate at the Working Group, the observers from indigenous organizations developed a common position and rejected the idea of a formal definition of indigenous peoples that would be adopted by States.⁴ Similarly governmental delegations expressed the view that it was neither desirable nor necessary to elaborate a universal definition of indigenous peoples. Finally, at its fifteenth session, in 1997, the Working Group concluded that a definition of indigenous peoples at the global level was not possible at that time, and certainly not necessary for the adoption of the Draft Declaration on the Rights of Indigenous Peoples.⁵ Article 8 of the Draft Declaration, states that:

“Indigenous peoples have a collective and individual right to maintain and develop their distinct identities and characteristics, including the right to identify themselves as indigenous and to be recognized as such.”⁶

International Labour Organization Convention No. 169

4. Article 1 of ILO Convention No. 169 contains a statement of coverage rather than a definition, indicating that the Convention applies to:

“a) tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations;

“b) peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present state boundaries and who irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.”

5. Article 1 also indicates that self-identification as indigenous or tribal shall be regarded as a fundamental criterion for determining the groups to which the provisions of this Convention apply.

6. The two terms “indigenous peoples” and “tribal peoples” are used by the ILO because there are tribal peoples who are not “indigenous” in the literal sense in the countries in which they live, but who nevertheless live in a similar situation – an example would be Afro-descended tribal peoples in Central America; or tribal peoples in Africa such as the San or Maasai who may not have lived in the region they inhabit longer than other population groups. Nevertheless, many of these peoples refer to themselves as “indigenous” in order to fall under discussions taking place at the United Nations. For practical purposes the terms “indigenous” and “tribal” are used as synonyms in the UN system when the peoples concerned identify themselves under the indigenous agenda.

Conclusion

7. In the sixty-year history of developing International Law within the United Nations system, various terms have not been formally defined, the most vivid examples being the notions of “peoples” and of “minorities”. Yet, the United Nations has recognized the right of peoples to self-determination⁷ and has adopted the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.⁸ The lack of formal definition of “peoples” or “minorities” has not been crucial to the Organization’s successes or failures in those domains nor to the promotion, protection or monitoring of the rights recognized for these entities.

8. Similarly, in the case of the concept of “indigenous peoples”, the prevailing view today is that no formal universal definition of the term is necessary. For practical purposes the understanding of the term commonly accepted is the one provided in the Martinez Cobo study mentioned above.⁹

SECTION II

THE CONCEPT OF LOCAL COMMUNITIES

Background paper prepared by the Secretariat

For the International Expert Group Meeting for Local Community Representatives

Who are local communities?**Introduction**

The Convention on Biological Diversity uses the term “indigenous and local communities” in recognition of communities that have a long association with the lands and waters that they have traditionally live on or used. The United Nations Permanent Forum on Indigenous Issues has considered this concept in regards to data-collection and indigenous peoples and offers the following contribution.

Because of this long association and reliance upon local resources, local communities have accumulated knowledge, innovations and practices regarding the sustainable management and development of these territories including useful environmental knowledge.

Although there is no set definition of “local or traditional communities”, it may be useful here to explore the concept of local communities.

Many communities may be considered local and may also be described as traditional communities. Some local communities may include peoples of indigenous descent. They are culturally diverse and occur on all inhabited continents. For example, small farming communities in France, who have occupied and farmed their lands for many generations acquiring useful environmental knowledge including specialist knowledge about a variety of activities including sustainable agriculture, cheese making and wine making or even animal husbandry represent a local or traditional community. Long term established rice and fish farmers in Asia may represent another type of local community.

In Brazil, local and traditional communities are an important segment of the national population and a case study of this concept in Brazil is helpful in revealing the complexity and diversity of these communities (from IUCN).

A Brazilian Case study – Who are local communities?

'Quilombolas' are rural 'afro-descendente' communities. 'quilombos' are usually thought of as communities of fugitive slaves established prior to the abolition of slavery in 1889 (c.f. 'maroons' in Jamaica), which they probably mostly were, although they can also include: settlements on Church lands where colonial (usually Jesuit) settlements of priests and slaves had been abandoned and the slaves left to look after themselves on land owned by the church ('terras da santa'); settlements founded by manumitted slaves; or on lands purchased by former slaves following emancipation. 'Territorios quilombolas' were legally recognised for the first time in the 1988 in Brazil.

Constitution and specific land and cultural rights and protected areas

Over 1800 communities have so far been identified in Brazil alone as local or traditional communities. The question of how their land rights fit into (if at all) existing protected area categories is currently being negotiated. Only some live by collecting local resources, so the 'reserva extrativista' category created for rubber tappers is not appropriate overall; although many of the protected areas created under the national conservation area system (SNUC) are superimposed on territorios quilombolas, none of the SNUC categories of protected areas are appropriate (since most communities live by subsistence agriculture, fishing and or agro-forestry); the other remaining option - terras indigenas - does not apply – although some of these communities are of mixed and indigenous descent. Hence they need to negotiate with the environment ministry to ensure SNUC protected areas do not restrict their rights, with the agrarian reform ministry and the national land reform agency (INCRA), and with the ministry of culture that has responsibility for identification of communities and protecting their heritage. Hence they were involved in the Porto Alegre conference - on the basis that their main need is for agrarian reform and appropriate rural development - and the CBD COP - because their traditional practices assist conservation and sustainable use of biodiversity as per articles 8(j) and 10(c).

Other local community categories in Brazil (extract from our IUCN ABS capacity building meeting with GEF):

1. Brazil is one of the most biologically diverse countries, and its levels of species richness and of endemism are well known. It should be emphasized that these high levels of biodiversity are not confined solely to Brazil's tropical forest ecosystems - the Amazon and Atlantic forests – but are also found in the central savannahs (cerrado), the semi-arid caatinga, the Guiana highlands with their inselbergs and biological refugia, the Pantanal wetlands, the plains and Araucaria pine forests of the south. Brazil contains high levels of inland water biodiversity and complex marine and coastal ecosystems, including estuarine systems, mangrove forests, extensive spits, oceanic islands, atolls and reefs.

2. Brazil is similarly mega-diverse in cultural terms. There are around 210 indigenous ethnic groups speaking 170 languages in Brazil. Although the majority these groups are located in the Amazon and cerrado regions, there are indigenous communities to be found throughout the country, including those in or near major metropolitan areas. There are an estimated 53 isolated indigenous groups who have no contact with Brazilian society.

3. There is also a rich complexity of non-indigenous traditional rural communities, whose economic activities and cultural identities are based upon their uses of specific assemblages of plant and animal diversity: seringueiros (rubber tappers), castanheiros (Brazil nut collectors), caiçaras (traditional coastal communities of the southeastern states), jangadeiros (raft fishing communities of the northeastern seaboard), ribeirinhos (traditional riparian communities, especially in Amazonia), caboclos (rural communities of mixed European and indigenous descent), quilombolas (members of quilombos - Afro-Brazilian communities of descendants of escaped slaves), babaqueiros (collectors of the nuts of the babaçu palm - *Orbignya martiana* and *O. oleifera*), and others.

Conclusion

"Local community" is a very ambiguous term.

It can refer to a group of people which have a legal personality and collective legal rights and this is considered a community in the strict sense. However, many States refuse to accept collective rights, in general and some except is only in relation to the right of self-determination.

Alternatively, a "local community" can refer to a group of individuals with shared interests (but not collective rights) represented by an non-governmental organization (NGO).

Wherever collective rights exist, the collective should be given legal recognition. For example indigenous peoples who are often denied their right to collective identity are forced to act through NGOs, which are social rather than community organizations.

The issue of cultural identity remains multidimensional and complex issue. Self-identification is the most appropriate way to establish who may be indigenous and local and/or traditional communities. In international law, it is clear that a "definition" is not a pre-requisite for protection and that groups such as minorities have been guaranteed rights under international law without establishing a definition.

SECTION III

REPORT OF THE EXPERT GROUP MEETINGS FOR LOCAL COMMUNITY REPRESENTATIVES

UNEP/CBD/WG8J/7/8/Add.1, annex I

COMMON CHARACTERISTICS OF LOCAL-COMMUNITY

The experts recommended that a working definition may be possible based on the following characteristics, some of which could be considered essential. The group agreed that self-identification or the right to self-identify should be foremost and essential in any list of characteristics and that, because of the diversity of local communities, a possible list of characteristics should be broad and inclusive. Furthermore, from the list of possible characteristics below, a local community could possess a cluster of characteristics, reflecting its own unique cultural, ecological and social circumstances. The list below appears in no particular order of priority.

Local communities living in rural and urban areas of various ecosystems may exhibit some of the following characteristics:

- (a) Self-identification as a local community;
- (b) Lifestyles linked to traditions associated with natural cycles (symbiotic relationships or dependence), the use of and dependence on biological resources and linked to the sustainable use of nature and biodiversity;
- (c) The community occupies a definable territory⁴ traditionally occupied and/or used, permanently or periodically. These territories are important for the maintenance of social, cultural, and economic aspects of the community;
- (d) Traditions (often referring to common history, culture, language, rituals, symbols and customs) and are dynamic and may evolve;
- (e) Technology/knowledge/innovations/practices associated with the sustainable use and conservation of biological resources;
- (f) Social cohesion and willingness to be represented as a local community;
- (g) Traditional knowledge transmitted from generation to generation including in oral form;
- (h) A set of social rules (e.g., that regulate land conflicts/sharing of benefits) and organizational-specific community/traditional/customary laws and institutions;
- (i) Expression of customary and/or collective rights;
- (j) Self-regulation by their customs and traditional forms of organization and institutions;
- (k) Performance and maintenance of economic activities traditionally, including for subsistence, sustainable development and/or survival;
- (l) Biological (including genetic) and cultural heritage (bio-cultural heritage);
- (m) Spiritual and cultural values of biodiversity and territories;
- (n) Culture, including traditional cultural expressions captured through local languages, highlighting common interest and values;
- (o) Sometimes marginalized from modern geopolitical systems and structures;
- (p) Biodiversity often incorporated into traditional place names;

⁴Territory is interpreted as lands and waters.

(q) Foods and food preparation systems and traditional medicines are closely connected to biodiversity/environment;

(r) May have had little or no prior contact with other sectors of society resulting in distinctness or may choose to remain distinct;

(s) Practice of traditional occupations and livelihoods;

(t) May live in extended family, clan or tribal structures;

(u) Belief and value systems, including spirituality, are often linked to biodiversity;

(v) Shared common property over land and natural resources;

(w) Traditional right holders to natural resources;

(x) Vulnerability to outsiders and little concept of intellectual property rights.

SECTION IV
INTER-AGENCY SUPPORT GROUP ON INDIGENOUS PEOPLES

Survey on the use of the term “Indigenous peoples” in United Nations Agencies, Programmes and Funds, June, 2013

AGENCY/BRANCH	Law and mechanisms	Decisions/ Conclusions	Recommendations	Internally – informally in reports or publications
Secretariat of the CBD	<ul style="list-style-type: none"> -Convention on Biological Diversity -Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity - Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity - Subsidiary Body on Scientific, Technical and Technological Advice 	Indigenous and local communities/Indigenous Peoples and Local Communities	Indigenous and local communities	Indigenous and local communities
UN Department of Public Information (DPI)				DPI uses the term "indigenous peoples" throughout its publications, websites and other outreach.
DESA/ Secretariat of the Permanent Forum on Indigenous Issues (SPFII) ⁵	<ul style="list-style-type: none"> - Permanent Forum on Indigenous Issues (ECOSOC Res. 2000/22) - United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295) - Second International Decade of 		Indigenous Peoples	Indigenous Peoples

⁵ See <http://social.un.org/index/IndigenousPeoples/AboutUsMembers/Secretariat.aspx>

	the World's Indigenous People (A/RES/59/174) - World Conference on Indigenous Peoples (A/RES/65/198) - International Day of the World's Indigenous People			
Economic Commission for Latin America (ECLAC) ⁶	Indigenous Peoples: Resolutions adopted by the Member States of ECLAC at its sessions (Resolutions 670, XXXIV, 2012; 657, XXXIII, 2010) ⁷		Indigenous Peoples In all regional and international meeting reports (workshop, seminars) and technical reports with recommendations to the states	Indigenous Peoples In all reports and publications; Work Programme and Extra-budgetary projects
International Fund for Agricultural Development (IFAD) ⁸	Policy on Engagement with Indigenous Peoples ⁹ IFAD policy also specifies that across countries and continents, many terms and definitions are used to refer to indigenous peoples	IFAD Executive Board		Generally uses Indigenous Peoples, however in publication IFAD also use indigenous and tribal peoples and ethnic minorities when they refer to specific country for example when IFAD refer to India use tribal peoples.
Office of the United Nations High Commissioner for Human Rights (OHCHR) ¹⁰	Expert Mechanism on the Rights of Indigenous Peoples ¹¹ Special Rapporteur on the rights of indigenous peoples ¹² - UN Declaration on the Rights		Indigenous Peoples	Indigenous Peoples

⁶ See <http://www.eclac.cl/celade/indigenas/>

⁷ See www.cepal.org/cgi-bin/getprod.asp?xml=/noticias/paginas/1/21491/P21491.xml&xsl=/tpl-i/p18f-st.xsl&base=/tpl-i/top-bottom.xls

⁸ See <http://www.ifad.org/english/indigenous/index.htm>

⁹ See http://www.ifad.org/english/indigenous/documents/ip_policy_e.pdf

¹⁰ See <http://www.ohchr.org/EN/Issues/IPeoples/Pages/IndigenousPeoplesIndex.aspx>

¹¹ See <http://www.ohchr.org/EN/Issues/IPeoples/EMRIP/Pages/EMRIPIndex.aspx>

¹² See <http://www.ohchr.org/EN/Issues/IPeoples/SRIndigenousPeoples/Pages/SRIPeoplesIndex.aspx>

	<p>of Indigenous Peoples (UNDRIP)</p> <ul style="list-style-type: none"> - Human Rights Council Resolutions on "Human Rights and Indigenous Peoples"; - General Recommendations/Comments of Treaty Bodies (esp. GC N°23 CERD on the Rights of Indigenous Peoples); - SG Guidance Note on Racial Discrimination and Protection of Minorities; - UN Guiding Principles on Business and Human Rights; - Council Resolution 17/4 of July 2011 establishing the Working Group on Human rights and transnational corporations and other business enterprises; - UN Indigenous Peoples' Partnership (UNIPP) 			
United Nations Development Programme (UNDP)	Indigenous Peoples Policy of Engagement with Indigenous Peoples in 2001 ¹³			UNDP uses the term “Indigenous Peoples” consistently in all its publications and engagement.
United Nations Environment Programme (UNEP)	Policy Guidance Document “UNEP and Indigenous Peoples: A Partnership in Caring for the Environment” ¹⁴		Indigenous Peoples	UNEP uses “indigenous peoples” but that this is not yet consistently used in the entire organization. Some wider terminology is used as well in the Policy Guidance

¹³ See <http://unpan1.un.org/intradoc/groups/public/documents/un/unpan021101.pdf>

¹⁴ See http://www.unep.org/civil-society/Portals/24105/UNEP_IPPG_Guidance.pdf

UNFCCC http://unfccc.int/2860.php	Less of a mechanism but as a constituency among NGO observers - Indigenous Peoples Organizations (IPOs)	Conclusions ¹⁵ Indigenous peoples ¹⁰		Indigenous Peoples and Local Communities
United Nations Population Fund (UNFPA) ¹⁶	International Conference on Population and Development Programme of Action. Indigenous People (Chapter VI. D) (1994)			Indigenous Peoples
United Nations Human Settlements Programme (UN-HABITAT) ¹⁷	Indigenous Peoples and Urban Migration programme, including policy guide series for Indigenous Peoples in cities.	Indigenous Peoples	Indigenous Peoples	Urban Indigenous Peoples, Indigenous Peoples in cities
United Nations Children's Fund (UNICEF)				Indigenous Peoples
United Nations University – Institute of Advanced Studies (UNU-IAS)	Traditional Knowledge Initiative ¹⁸			Indigenous Peoples
World Intellectual Property Organization (WIPO) ¹⁹	WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) ²⁰			Indigenous Peoples and Local Communities / Indigenous and Local Communities (terms used in the most recent texts being negotiated at the IGC)

¹⁵ *: while decisions are made by the supreme bodies of the Convention and its Protocol (COP and CMP), conclusions are made by their permanent subsidiary bodies (SBI and SBSTA)

¹⁶ See <http://www.unfpa.org/rights/people.htm>

¹⁷ See <http://www.unhabitat.org/categories.asp?catid=9>

¹⁸ See <http://www.unutki.org/>

¹⁹ See <http://www.wipo.int/tk/en/>

²⁰ See <http://www.wipo.int/tk/en/igc/>

United Nations Institute for Training and Research (UNITAR) ²¹	The UNITAR training programme to enhance the conflict prevention and peace-making capacities of indigenous peoples' representatives ²²			Indigenous Peoples' Representatives
International Labour Organization	Indigenous and tribal peoples	Indigenous and tribal peoples	Indigenous and tribal peoples	Indigenous and tribal peoples

²¹ See <http://www.unitar.org/>

²² See <http://www.unitar.org/pmc/training-for-indigenous-representatives>

¹ UN Doc. E/CN.4/Sub.2/1986/7 and Add. 1-4. The conclusions and recommendations of the study, in Addendum 4, are also available as a United Nations sales publication (U.N. Sales No. E.86.XIV.3). The study was launched in 1972 and was completed in 1986, thus making it the most voluminous study of its kind, based on 37 monographs.

² The Draft Declaration is contained in UN Doc. E/CN.4/Sub.2/1994/2/Add.1 and is currently under consideration by a Working Group of the Commission on Human Rights.

³ Supra 1, paragraphs 379-382.

⁴ An example of the position of indigenous representatives is listed in the 1996 report of the Working Group (UN Doc. E/CN.4/Sub.2/1996/21) as follows:

"We, the Indigenous Peoples present at the Indigenous Peoples Preparatory Meeting on Saturday, 27 July 1996, at the World Council of Churches, have reached a consensus on the issue of defining Indigenous Peoples and have unanimously endorsed Sub-Commission resolution 1995/32. We categorically reject any attempts that Governments define Indigenous Peoples. We further endorse the Martinez Cobo report (E/CN.4/Sub.2/1986/Add.4) in regard to the concept of "indigenous". Also, we acknowledge the conclusions and recommendations by Chairperson-Rapporteur Madame Erica Daes in her working paper on the concept of indigenous peoples (E/CN.4/Sub.2/AC.4/1996/2)."

⁵ UN Doc. E/CN.4/Sub.2/1997/14, para.129. See also UN Doc. E/CN.4/Sub.2/1996/21, paras. 153-154.

⁶ Supra 2.

⁷ The right of peoples to self-determination is recognized in article 1 common to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, both adopted by the General Assembly in 1966 and ratified by the overwhelming majority of States.

⁸ Adopted by the General Assembly in 1992.

⁹ In some parts of Asia and Africa the term "ethnic groups" or "ethnic minorities" is used by governments, although some of these groups have identified themselves as "indigenous".

¹⁰ Decision 2/CP.13: "**needs of local and indigenous communities**"

Decision 4/CP.15: "**engagement of indigenous peoples and local communities**"

Decision 1/CP.16 "**knowledge and rights of indigenous peoples and members of local communities**" (It mentions UNDRIP too)

Nairobi work programme on impacts, vulnerability and adaptation (NWP)

"**indigenous peoples**" was used in SBSTA33 conclusions (see para.7 of

http://unfccc.int/files/adaptation/application/pdf/sbsta33_draft-conclusions.pdf): "*The SBSTA noted that additional effort is needed to assist all Parties, in particular developing countries, including the LDCs and SIDS, to improve their understanding and assessment of impacts, vulnerability and adaptation and make informed decisions on the implementation of practical adaptation actions and measures, and to assist Parties to enhance the capacity of relevant decision makers and stakeholders, at different levels, including representatives of women, local communities and **indigenous peoples**, to better utilize the information and tools provided by the Nairobi work programme.*"

Adaptation Committee (AC)

The AC does not have any additional reference in decisions to '**indigenous peoples**'.

However, the AC's 3-year work plan (which was approved by COP 18) refers to '**indigenous communities**' under activity 3 (v):

"Convene workshops with input from and the participation of the SC, the TEC, the LEG, the GCF-B, the LDCF/SCCF and other relevant bodies and programmes, in order to share technical adaptation-related expertise on topics such as best practices and needs of local and indigenous communities"

In addition, "**local/traditional/indigenous knowledge**" has been referred to in various official documents concerning adaptation knowledge and learning, for example:

Cancun Adaptation Framework

Decision 1/CP.16 para 12:

*"... Affirms that enhanced action on adaptation should be undertaken in accordance with the Convention, should follow a country-driven, gender-sensitive, participatory and fully transparent approach, taking into consideration vulnerable groups, communities and ecosystems, and should be based on and guided by the best available science and, as appropriate, traditional and **indigenous knowledge**, with a view to integrating adaptation into relevant social, economic and environmental policies and actions, where appropriate"*

National Adaptation Plans (NAPs)

Decision 5/CP.17 para 3:

"... Further agrees that enhanced action on adaptation should be undertaken in accordance with the Convention, should follow a country-driven, gender-sensitive, participatory and fully transparent approach, taking into consideration **vulnerable groups, communities and ecosystems**, and should be based on and guided by the best available science and, as appropriate, **traditional and indigenous knowledge**, and by gender-sensitive approaches, with a view to integrating adaptation into relevant social, economic and environmental policies and actions, where appropriate."