



## Convention on Biological Diversity

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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

Tenth meeting

Montreal, Canada, 13-16 December 2017

Agenda item 6

### RECOMMENDATION ADOPTED BY THE WORKING GROUP

**10/4. Resource mobilization: assessing the contribution of collective actions of indigenous peoples and local communities and safeguards in biodiversity financing mechanisms**

*The Ad Hoc Open-ended Inter-sessional Working Group on Article 8(j) and Related Provisions,*

*Recalling* the guiding principles on assessing the contribution of collective action by indigenous peoples and local communities, contained in the annex to [decision XIII/20](#), and the voluntary guidelines on safeguards in biodiversity financing, contained in [decision XII/3](#), annex III,

*Also recalling* the request in decision XIII/20, paragraph 21, to consider elements of methodological guidance for identifying, monitoring, and assessing the contribution of indigenous peoples and local communities to the achievement of the Strategic Plan for Biodiversity 2011-2020<sup>1</sup> and the Aichi Biodiversity Targets, with a view to finalizing the methodological guidance at the second meeting of the Subsidiary Body on Implementation and adopting it at the fourteenth meeting of the Conference of the Parties,

*Further recalling* the request in decision XIII/20, paragraph 27, to develop recommendations, for consideration by the Subsidiary Body on Implementation at its second meeting, on how the application of safeguards can ensure that the potential effects of biodiversity financing mechanisms on the social and economic rights and livelihoods of indigenous peoples and local communities are addressed effectively,

*Taking note* of the documents entitled “Elements of methodological guidance for identifying, monitoring, and assessing the contribution of indigenous peoples and local communities to the achievement of the Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets”<sup>2</sup> and “Taking the voluntary guidelines on safeguards in biodiversity financing mechanisms into account when selecting, designing and implementing biodiversity financing mechanisms and when developing instrument-specific safeguards”,<sup>3</sup>

*Emphasizing* the particular importance of the views of indigenous peoples and local communities on this agenda item,

<sup>1</sup> [Decision X/2](#), annex.

<sup>2</sup> CBD/WG8J/10/5.

<sup>3</sup> CBD/WG8J/10/6.

1. *Invites* Parties, other Governments, stakeholders, and indigenous peoples and local communities to submit views to the Executive Secretary on the notes prepared by the Executive Secretary;<sup>4</sup>
2. *Requests* the Executive Secretary:
  - (a) To compile the submissions received and make them available through the clearing-house mechanism of the Convention;
  - (b) To revise the documents,<sup>5</sup> and the draft recommendations therein, on the basis of the submissions received and the views of indigenous peoples and local communities as already expressed at the tenth meeting of the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions and provided in the annex to the present recommendation;
  - (c) To make the revised documents, including draft recommendations, available to the Subsidiary Body on Implementation at its second meeting for its consideration.

### *Annex*

#### **VIEWS EXPRESSED BY THE INTERNATIONAL INDIGENOUS FORUM ON BIODIVERSITY**

The International Indigenous Forum on Biodiversity expresses its thanks to the Secretariat for the preparation of document CBD/WG8J/10/5 on elements of methodological guidance for identifying, monitoring, and assessing the contribution of indigenous peoples and local communities to the achievement of the Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets.

Indigenous peoples and local communities practice holistic collective action in our daily lives with the participation of men, women, children, youth and elders to achieve a good life for indigenous peoples and the well-being and conservation of Mother Earth and all of her ecosystems. This collective action is carried out within the framework of customary laws and governance, with the security of tenure of our lands, territories and waters, and in the defence of our collective rights, such as self-determination, the right to consultation and free, prior and informed consent.

Through indigenous collective systems, we revitalize our social and spiritual relationships through the practice of traditional knowledge and such values as reciprocity, solidarity, care, support, respect, trust, flexibility, harmony, balance and resilience.

The International Indigenous Forum recommends the inclusion of a new paragraph in the suggested recommendations in document CBD/WG8J/10/5 after paragraph 1 with the following text:

*Recognizes* the importance of the holistic collective action of indigenous peoples and local communities in achieving the objectives of the Strategic Plan for Biodiversity 2011-2020<sup>6</sup> and the Aichi Biodiversity Targets within a framework of rights, ethical principles and values, governance and differentiated roles as indigenous men and women;

The International Indigenous Forum on Biodiversity expresses its thanks to the Secretariat for the preparation of document CBD/WG8J/10/6 on taking the voluntary guidelines on safeguards in biodiversity financing mechanisms into account when selecting, designing and implementing biodiversity financing mechanisms and when developing instrument-specific safeguards.

Indigenous peoples and local communities live in harmony and brotherhood with Mother Earth. We are her guardians and protectors, we take care of resources to bequeath them to the generations that come after us; however, the activities associated with modern progress are leading to the loss of

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<sup>4</sup> “Elements of methodological guidance for identifying, monitoring, and assessing the contribution of indigenous peoples” (CBD/WG8J/10/5) and “Taking the voluntary guidelines on safeguards in biodiversity financing mechanisms into account when selecting, designing and implementing biodiversity financing mechanisms and when developing instrument-specific safeguards” (CBD/WG8J/10/6).

<sup>5</sup> CBD/WG8J/10/5 and CBD/WG8J/10/6.

<sup>6</sup> Decision X/2, annex.

biodiversity, and ecosystems, with socio-economic consequences that affect indigenous peoples and local communities, humanity and Mother Earth.

The safeguards of biodiversity financing mechanisms must take into account national and international laws and policies, the United Nations Declaration on the Rights of Indigenous Peoples, ILO Convention No. 169 and the customary laws of indigenous peoples and local communities.

The safeguards must be transparent and robust, and must recognize indigenous peoples as having rights and be in line with the three objectives of the Convention on Biological Diversity, with Articles 8(j) and 10(c), with the Akwé: Kon Voluntary Guidelines for the Conduct of Cultural, Environmental and Social Impact Assessment regarding Developments Proposed to Take Place on, or which are Likely to Impact on, Sacred Sites and on Lands and Waters Traditionally Occupied or Used by Indigenous and Local Communities, and with the Tkarihwaí:ri Code of Ethical Conduct to Ensure Respect for the Cultural and Intellectual Heritage of Indigenous and Local Communities Relevant to the Conservation and Sustainable Use of Biological Diversity. In addition, there must be political will and a decision of the Parties for their effective implementation. It is important to have the full and effective participation of indigenous peoples and local communities, especially women, in the selection, design and implementation of biodiversity financing mechanisms and in the introduction of safeguards through consultation processes, to grant or deny free and prior informed consent through culturally appropriate methodologies and instruments.

The International Indigenous Forum recommends the creation of a new paragraph after paragraph 4 of the suggested recommendations in document CBD/WG8J/10/6 with the following text:

*Recognizes* the importance of tenure over traditional lands, territories and waters of indigenous peoples and local communities for their survival and ways of life, and that holistic, solid safeguards backed by transparent accountability and constant vigilance are therefore required in line with international obligations and frameworks, such as the United Nations Declaration on the Rights of Indigenous Peoples,<sup>7</sup> with their own standards, with the instruments and decisions and guidelines of the Convention on Biological Diversity and with the full and effective participation of indigenous peoples and local communities and their free, prior and informed consent.

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<sup>7</sup> [General Assembly resolution 61/295](#), annex.