



**STATEMENT OF THE EXECUTIVE SECRETARY
OF THE
CONVENTION ON BIOLOGICAL DIVERSITY
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On the occasion of the
SIXTEENTH SESSION OF THE UNITED NATIONS PERMANENT
FORUM ON INDIGENOUS ISSUES**

United Nations Headquarters

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Distinguished members of the United Nations Permanent Forum on Indigenous Issues, delegates, and representatives of indigenous peoples,

As the incoming Executive Secretary of the Convention on Biological Diversity and as this is my first statement to this esteemed body, I wish to acknowledge the traditional owners of this land we are gathered upon, the Haudenosaunee Confederation, and to greet both the continuing Forum members and new members.

I wish you success in this 16th session and look forward to working closely with you in pursuit of our common objectives.

I will take the opportunity under this agenda item 3, “Follow-up to recommendations of the Permanent Forum”, to brief you on matters of mutual interest concerning the work of the Convention.

The United Nations Biodiversity Conference, which included the concurrent meetings of the thirteenth of the Conference of the Parties (COP 13), the eighth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP 8) and the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access and Benefit-sharing (COP-MOP 2), was convened in Cancun, Mexico, in December 2016, and addressed a number of issues of significance to indigenous peoples.

Use of the term “indigenous peoples and local communities”

You may recall that, in response to a recommendation of the United Nations Permanent Forum on Indigenous Issues at its tenth session which called on Parties to the Convention on Biological Diversity to adopt the terminology “indigenous peoples and local communities”, the Conference of the Parties to the Convention decided, at its twelfth meeting, to use the terminology “indigenous peoples and local communities” in future decisions and secondary documents under the Convention, as appropriate.

As follow-up and in order to ensure consistency across the Convention and its Protocols, the Parties to the Biosafety and the Nagoya Protocols considered this issue at their eighth and second meetings, respectively, in December 2016 and decided to apply decision XII/12 F of the Conference of the Parties to the Convention on the use of the terminology “indigenous peoples and local communities”.

Reporting on progress

Following the World Conference on Indigenous Peoples,¹ the Secretary-General established, with the assistance of the United Nations Interagency Support Group on Indigenous Peoples’ Issues (IASG), a system-wide action plan for ensuring a coherent approach to achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples.²

The Convention and its Secretariat work on key elements of the United Nations Declaration on the Rights of Indigenous Peoples, which are traditional knowledge, customary sustainable use of biodiversity and the effective participation of indigenous peoples (in the work of the Convention at the local, national, regional and international levels).

Traditional knowledge, customary sustainable use of biodiversity and the participation of indigenous peoples is integrated into the Convention’s Strategic Plan, as demonstrated in Target 18, which provides that, by 2020, the traditional knowledge, innovations and practices of indigenous and local communities relevant for the conservation and sustainable use of biodiversity, and their customary use of biological resources, are respected, subject to national legislation and relevant international obligations, and fully integrated and reflected in the implementation of the Convention with the full and effective participation of indigenous and local communities, at all relevant levels.

¹ Held by the United Nations General Assembly on 22 and 23 September 2014.

² See <https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2015/11/System-wide-action-plan.pdf>

I would now like to provide an overview of developments in these areas which fall under the mandate of the Convention on Biological Diversity and which are directly relevant to items 4³ and 11⁴ of the Forum's agenda for its 16th session.

Progress on traditional knowledge

Regarding the traditional knowledge, innovations and practices of indigenous peoples and local communities, the Conference of the Parties at its thirteenth meeting adopted the Mo'otz Kuxtal⁵ Voluntary Guidelines.

These guidelines are intended to guide Parties and other governments, in the development of mechanisms, legislation or other appropriate initiatives to ensure the prior and informed consent of indigenous peoples and local communities for accessing their knowledge, innovations and practices, for fair and equitable sharing of benefits arising from the use of their knowledge, innovations and practices relevant for the conservation and sustainable use of biological diversity, and for reporting and preventing unlawful appropriation of traditional knowledge.

The guidelines, if implemented effectively at the national level, will assist in achieving Aichi Target 18 of the Convention's Strategic Plan for Biological Diversity (2011-2020).

The 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

The Nagoya Protocol entered into force in 2014 and has now been ratified by 97 Parties.⁶ It is of particular relevance to indigenous peoples as it addresses traditional knowledge associated with genetic resources held by indigenous and local communities, as well as genetic resources held by indigenous and local communities where the rights of these communities over these resources have been recognized.

The Protocol sets out clear obligations to seek the prior informed consent, or prior approval and involvement, of indigenous and local communities prior to accessing traditional knowledge associated with genetic resources or genetic resources over which they have established rights. It also provides for the equitable sharing of benefits arising from the use of this knowledge or these resources with communities in accordance with domestic legislation.

The Nagoya Protocol and the Mo'otz Kuxtal Guidelines may assist in achieving, in part, obligations concerning traditional knowledge contained in Article 31 of the United Nations Declaration on the Rights of Indigenous Peoples.⁷

Indicators for traditional knowledge and statistics relevant for indigenous peoples

In order to be able to measure success in attaining Target 18 on traditional knowledge and other Targets of the Strategic Plan by 2020, the Conference of the Parties in decision XIII/28⁸ has agreed on an updated list of global indicators.

The adopted global indicators for traditional knowledge are as follows:

³ Agenda item 4: Implementation of the six mandated areas of the Permanent Forum with reference to the United Nations Declaration on the Rights of Indigenous Peoples.

⁴ Agenda item 11: Follow-up to the outcome document of the World Conference on Indigenous Peoples.

⁵ Meaning "roots of life" in the Maya indigenous language. See decision XIII/18.

⁶ As of April 2017, the Nagoya Protocol has 96 Parties. The list is available at <https://www.cbd.int/abs/nagoya-protocol/signatories/default.shtml>

⁷ Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

⁸ Refer to CBD/COP/DEC/XIII/28 at: <https://www.cbd.int/doc/decisions/cop-13/cop-13-dec-28-en.pdf>

- (a) Status and trends of linguistic diversity and numbers of speakers of indigenous languages (COP decision VII/30 and VIII/15) (United Nations Educational, Scientific and Cultural Organization);
- (b) Status and trends in the practice of traditional occupations (COP decision X/43) (International Labour Organization);
- (c) Status and trends in land-use change and land tenure in the traditional territories of indigenous and local communities (COP decision X/43) (International Land Coalition);
- (d) Trends in which traditional knowledge and practices are respected through their full integration, safeguards and the full and effective participation of indigenous and local communities in the national implementation of the Strategic Plan. (COP decision XI/3).

These indicators and monitoring processes related to traditional knowledge and customary sustainable use are highly relevant for the collection of statistical data on indigenous peoples, which has been identified as a priority by the Forum and is a prerequisite for reporting measurable progress in the Secretary General's system-wide action plan for ensuring a coherent approach to achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples.⁹

Of particular interest, the Inter-Agency Support Group on Indigenous Peoples' Issues at its annual meeting in 2016¹⁰ identified convergences in work on land tenure by different agencies and noted that land tenure is both a target and an indicator under the 2030 Agenda for Sustainable Development and its Sustainable Development Goals.¹¹

Given the number of agencies working on land tenure and its adoption as an indicator by the Convention on Biological Diversity and by other United Nations processes, a coalition of Support Group members, including the Secretariat of the Convention, the International Land Coalition, the UN Environment World Conservation Monitoring Centre (WCMC),¹² the International Fund for Agricultural Development and the Food and Agriculture Organization of the United Nations, is considering how to take this forward.

Progress on the effective participation of indigenous peoples at the national level

At its thirteenth meeting, the Conference of the Parties adopted several decisions¹³ that are relevant to the effective participation of indigenous peoples in the revision and implementation of national biodiversity strategies and action plans, and in national reporting.¹⁴

As a result, efforts are being made by Parties to ensure that indigenous peoples participate in the revision and implementation of national biodiversity strategies and action plans and that such strategies and action plans consider issues such as traditional knowledge and customary sustainable use of biodiversity.

Additionally, Parties to the Convention are requested to appoint national focal points for the Convention and for specific areas, such as traditional knowledge. To date, 35 Parties have appointed national focal points for traditional knowledge.¹⁵

⁹ Refer to : <http://www.un.org/esa/socdev/unpfii/documents/2016/15th-session/SYSTEM-WIDE-ACTION-PLAN-FOR-ENSURING-A-COHERENT-APPROACH.pdf>

¹⁰ Hosted by the Food and Agriculture Organization of the United Nations (FAO), the International Fund for Agricultural Development (IFAD) and the International Land Coalition (ILC), held in Rome from 3 to 5 October 2016.

¹¹ See <https://sustainabledevelopment.un.org/content/documents/11803Official-List-of-Proposed-SDG-Indicators.pdf>

¹² See the WCMC global data-base on indigenous community conservation areas at: <https://www.unep-wcmc.org/resources-and-data/global-databases-to-support-iccas--a-new-manual-for-indigenous-peoples-and-local-communities>

¹³ See decisions XIII/1, paragraphs 8, 9, 21 and 22 and XIII/23, paragraphs 5 and 15, available at: <https://www.cbd.int/decisions/cop/?m=cop-13>

¹⁴ Parties to the Convention have a legal obligation to submit a national report on the implementation of the Convention, refer to: <https://www.cbd.int/reports/>

¹⁵ Further information is available at: <https://www.cbd.int/doc/lists/nfp-cbd-tk.pdf>

Progress on participation is also reported by Parties and the Secretariat biennially to the Subsidiary Body on Implementation¹⁶ and well as by Parties through their national reports.¹⁷

Progress on effective participation of indigenous peoples in processes related to the Convention – capacity development

The Secretariat, together with partners, including governments and indigenous organizations, facilitates regular regional training workshops that are designed to ensure that indigenous peoples have the knowledge and skills required to effectively participate in meetings related to the Convention. In the 2016, funds were made available through the Japan Biodiversity Fund by the Government of Japan for the facilitation of four regional training programmes on the Convention for indigenous peoples and local communities and Governments in the African, Latin American, and Asian and Pacific regions.¹⁸

Participation of indigenous peoples in processes related to the Convention – funding assistance

Annual funds are also raised for the participation of indigenous peoples and local communities in meetings held under the Convention through the Voluntary Fund¹⁹ established for this purpose. In 2016, funds were raised thanks to the Governments of Australia, Germany, New Zealand and Mexico to facilitate the participation of indigenous peoples and local communities in the first meeting of the Subsidiary Body on Implementation, the twentieth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice and the thirteenth meeting of the Conference of the Parties.

Should you require additional information or wish to discuss any of the above matters, my representative remains available throughout the first week of the Forum.

Finally, the Secretariat along with our partners, would like to invite you to participate in the side events on “Human rights, indigenous peoples, and biodiversity”, on 25 April, from 13:15 to 14:30, and “Mainstreaming the contribution of traditional knowledge and biological and cultural diversity for the implementation of the United Nations Declaration on the Rights of Indigenous Peoples”, on 28 April, from 13:15 to 14:30 in Conference Room 4 (CR 4).²⁰

I wish you every success as the Forum celebrates the tenth anniversary of the United Nations Declaration on the Rights of Indigenous Peoples.

Thank you for your attention.

¹⁶ The next meeting of the Subsidiary Body on Implementation is scheduled to be held in Montreal, Canada, from 9 to 13 July 2018.

¹⁷ Refer to the sixth national report, due 31 December 2018 at: <https://www.cbd.int/nr6/default.shtml>

¹⁸ For further information see document UNEP/CBD/SBI/1/Add.3 at <https://www.cbd.int/doc/?meeting=SBI-01> Each regional workshop included four (4) local training grants of US\$ 5,000, which were made available, on a competitive basis, for IPLC participants, to assist them to train others on the CBD in their home countries. The regional trainings and priorities were planned as a result of a needs analysis exercise conducted at the International Training Workshop on Indicators for Traditional Knowledge and Customary Sustainable Use, within the Strategic Plan for Biodiversity 2011-2020, held in Panajachel, Guatemala, from 8 to 10 June 2015.

¹⁹ Further information of the Voluntary fund for the participation of IPLCs in meetings held under the Convention can be found at <https://www.cbd.int/traditional/fund.shtml>

²⁰ Information on side events is available at: <https://www.un.org/development/desa/indigenouspeoples/unpfi-sessions-2/sixteenth-session.html>