

The Convention on Biological Diversity

Indigenous Peoples and Local Communities
and their effective participation

South African woman from the Ndebele Tribe, UN Photo by P Mugubane

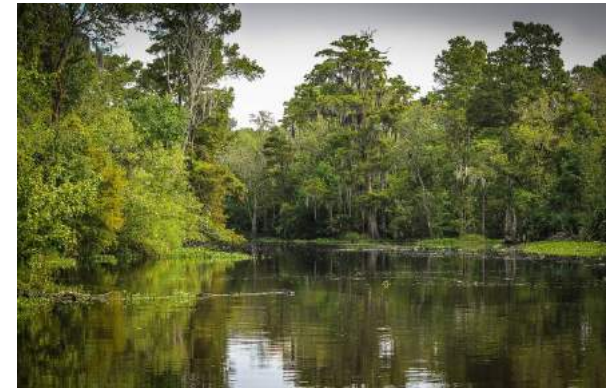


Importance of Indigenous Peoples and Local Communities (IPLC) Engagement

The degradation of biodiversity negatively affects every aspect of human life

Vulnerable populations (IPLCs) are disproportionately impacted by the adverse effects of biodiversity loss, environmental degradation, pollution, conservation efforts and climate change.

IPLCs, with their diversity, resilience, unique world-views, traditional knowledge and their close attachment to their traditional territories, are valuable partners in the global efforts to address these challenges.

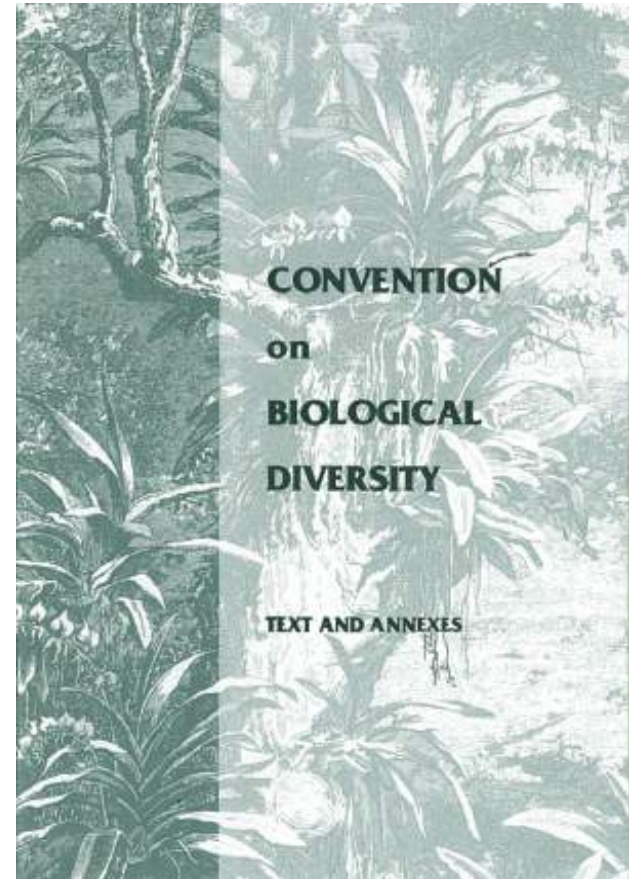


“If you don’t use traditional knowledge use for ecosystem management you will make mistakes”

“If you don’t engage IPLCs in the implementation of the Convention – it is a great missed opportunity”

IPLCs and the Convention on Biological Diversity

- Rights holders under the Convention, including in Access and Benefit-Sharing (Genetic resources and Associated TK);
- Partners in Saving Life on Earth;
- Proponents of Cultural Diversity and Biodiversity;
- Major players in Sustainable and Customary use of Biodiversity;
- Collective action initiatives which contribute to the goals of the Convention;
- Major players in in-situ conservation of unique plant varieties and animal breeds;
- On-the-ground partners in the implementation of the Convention.



Nature and Culture

Importance in the Post-2020 Arrangements for the Convention

- IPLCs constitute 7.6 billion people ([5% of the Worlds Population](#)) across 90 countries representing 5000 different cultures
- IPLCs represent the largest portion of linguistic and cultural diversity on Earth.
- IPLC traditional lands and waters contain the greatest remaining reserves of biodiversity, which includes genetic diversity.

IPLCs are proponents of Biocultural Diversity



LOCAL ACTION

- For a sustainable future and the goals of the CBD, Governments of the World need to embrace the power of local action and learn from communities that have lived sustainably for millennia.
- It is time to unleash **the full potential** of indigenous peoples and local communities and to now welcome them fully into CBD family
 - in evaluating the current strategic plan (2011-2020)
 - In the development, adoption and implementation of the CBD Post-2020 arrangements.



Indigenous Hmong Women - Bac Ha, Viet Nam
UN Photo by Kibea Park

Missed Opportunities

Not fully engaging IPLCs in the on the ground implementation of the Convention represents a **lost opportunity** for many Parties in the effective implementation of the Convention.

Especially at the **local level**, as IPLCs are on-site or in-situ communities actively pursuing conservation and sustainable use and contributing directly to the effective implementation of the Convention.

Traditional knowledge, along with science, has proven an effective knowledge base for species and ecosystem management (**via *in situ* conservation**) by establishing and managing community protected areas.



The Yellow Bird Apache Dancer
UN Photo by Jean-Marc Ferré

Realized Opportunities

Indigenous Community Conservation Areas & Indigenous Protected Areas

Parties are increasingly exploring the role of indigenous and local community conservation areas (ICCAs) or indigenous protected areas (IPAs), as possible contributions to the national protected areas estate.

- Formal adoption of ICCAs into national legislation
- Broadened governance types used to manage protected areas
- Recognizing ICCAs through other area-based conservation measures

Examples

- In India, community reserves are legally protected under the Wildlife Protection Act of 1972
- In Brazil, recent legislation governing protected areas calls for the establishment of local councils for each protected area as a mean to strengthen engagement with society and local communities.
- Benin reported on initiatives to conserve community sacred forests, including as a measure to enhance traditional knowledge and genetic resources.
- Australia has reported 72 declared IPAs, covering 64,629,395 hectares and making up 43.6 per cent of the National Reserve Network. IPAs are supported through multi-year funding.
 - Through the recognition of community conservation and diverse conservation governance, Australia has reached Aichi Target 11 (17 per terrestrial and inland waters protected by 2020) five years ahead of schedule, at the same time realizing multiple benefits for Indigenous Australians and the Australian Nation.

Realized Opportunities

Indigenous Community Conservation Areas & Indigenous Protected Areas

Recognition of community conservation can have a direct impact on a nation's protected areas estate.

Parties have also **reported other multiple benefits** including:

- In-situ conservation;
- Enhancement of traditional knowledge and strengthening culture;
- Facilitating customary management and use;
- Protection of genetic diversity and resources;
- Income generation/poverty alleviation (employment of IPLC rangers); and
- Tourism.

As Parties pursue various Aichi Targets, such as **Target 11 on Protected Areas and Target 12 on Species**, there is growing acceptance of the recognition of community conservation as demonstrated by the ICCA Registry.

Example:

- The Government of Australia funds organizations to employ indigenous rangers, provide nationally accredited training to indigenous people in land and sea management and create career pathways.
- As of November 2015, about 775 full-time equivalent Indigenous ranger contracted positions are funded in over 100 ranger teams across Australia.
- Generating around 1,612 full-time, part-time and casual rangers who deliver environmental outcomes on a variety of land tenures including about 60 per cent of Australia's IPAs.



TARGET 18: 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.



Measuring progress towards the preservation, maintenance and promotion of traditional knowledge.

Global indicators established by the Convention for traditional knowledge include trends in:

- Linguistic Diversity
- Land-Use and Tenure
- Traditional Occupations
- Full and Effective Participation of IPLCs in the revision of NBSAPs, and National Reports (Including Integration, Safeguards, Collective Actions)



Windows of Opportunity for the Participation of IPLCs and the Convention



IPLCs can participate in the Convention through

- Direct participation in meetings held under the Convention;
- Submission of information (including case studies) directly to the Secretariat that is included in the 8(j) progress reports to the Subsidiary Body on Implementation;
- **Effective participation in the revision and implementation of the National Biodiversity Strategies and Action Plans (NBSAPs); and through their**
- **Effective participation in the development of the National Reports.**

Official CBD Guidance/Tools on IPLCs and potential for countries to consider when reporting.

Has the Government used any of the following principles and guidelines ?

The *Programme of Work on Article 8(j) and Related Provisions* is the main instrument that Parties to the Convention on Biological Diversity have given themselves to achieve the commitments in Article 8(j) and related provisions, and later to Aichi Biodiversity Target 18 by 2020.

To date, the programme of work on Article 8(j) and related provisions has produced significant results and Parties may wish to consider reporting on the national implementation of the following guidance:



CBD PROGRAMME OF WORK ON THE IMPLEMENTATION OF ARTICLE 8(j) AND RELATED PROVISIONS OF THE CONVENTION ON BIOLOGICAL DIVERSITY (Decision V/16)

OBJECTIVES

The objective of this programme of work is to promote within the framework of the Convention on Biological Diversity a just implementation of Article 8(j) and related provisions at local, national, regional and international levels and to ensure the full and effective participation of indigenous and local communities at all stages and levels of implementation.

GENERAL PRINCIPLES

1. Full and effective participation of indigenous and local communities at all stages of the identification and implementation of the elements of the programme of work, full and effective participation of women, indigenous and local communities and a diversity of the programme of work.
2. Traditional knowledge should be valued, given the same respect as conventional scientific and modern scientific knowledge.
3. A holistic approach consistent with the spiritual and cultural values and customary practices of the indigenous and local communities and their rights to be kept open to their traditional knowledge, innovations and practices.
4. The ecosystem approach to categorize the integrated management of land, water and living resources that promotes conservation and sustainable use of biological diversity in an equitable way.
5. Access to traditional knowledge, innovations and practices of indigenous and local communities should be subject to prior informed consent or prior informed approval from the holders of such knowledge, innovations and practices.

ONGOING TASKS FOR PARTIES

ELEMENT 1
Participatory mechanisms for indigenous and local communities

Task 1: Parties to take measures to enhance and strengthen the capacity of indigenous and local communities to be effectively involved in decision-making related to the use of their traditional knowledge, innovations and practices relevant to the conservation and sustainable use of biological diversity subject to their prior informed approval and effective involvement.

Task 2: Parties to develop appropriate mechanisms, guidelines, legislation or other initiatives to foster and promote the effective participation of indigenous and local communities in decision-making policy planning and development and implementation of the conservation and sustainable use of biological diversity at international, regional, subregional, national and local levels, including access and benefits sharing and the designation and management of protected areas, taking into account the ecosystem approach.

Task 4: Parties to develop, as appropriate, mechanisms for promoting the full and effective participation of indigenous and local communities with specific positions for the full, active and effective participation of women in all elements of the programme of work, taking into account the need to: (a) build on the basis of their knowledge; (b) strengthen their access to biological diversity; (c) strengthen their voice in decision-making on the conservation, maintenance and protection of biological diversity; (d) promote the exchange of experiences and knowledge; (e) promote culturally appropriate and gender-specific ways in which to document and preserve women's knowledge of biological diversity.

NEW TASK

New main component: Article 18 with a focus on Article 18(d). Development of further guidance on sustainable use and related incentive measures for indigenous and local communities and measures to increase the engagement of indigenous and local communities and governments at national and local levels in the implementation of Article 10 and the ecosystem approach (Decision V/16).

ONGOING TASKS FOR WG 8(j)

ELEMENT 4
Equitable sharing of benefits

Task 7: Based on tasks 1, 2 and 4, the Working Group to develop guidelines for the development of mechanisms, legislation or other appropriate measures to ensure: (i) that indigenous and local communities obtain a fair and equitable share of benefits arising from the use and application of their knowledge, innovations and practices; (ii) that private and public institutions involved in using such knowledge, practices and innovations obtain the prior informed approval of the indigenous and local communities; (iii) advancement of the identification of the obligations of countries of origin, as well as Parties and governments when such knowledge, innovations and practices and the associated genetic resources are used.

ONGOING TASKS FOR WG 8(j)

ELEMENT 7
Legal measures

Task 10: The Working Group to develop guidelines that will assist Parties and governments in the development of legislation or other mechanisms, as appropriate, to implement Article 8(j) and to related provisions. (It will build on existing legal systems, and definitions of relevant key terms and concepts in Article 8(j) and related provisions at international, regional and national levels, that recognize, safeguard and fully secure the rights of indigenous and local communities over their traditional knowledge, innovations and practices, within the context of the Convention.)

Task 15: The Ad Hoc Working Group to develop guidelines that would facilitate repatriation of information, including cultural property, in accordance with Article 17, paragraph 2, of the Convention on Biological Diversity in order to facilitate the recovery of traditional knowledge of biological diversity.

ONGOING TASKS FOR WG 8(j)

ELEMENT 6
Monitoring elements

Task 10: The Ad Hoc Working Group to develop standards and guidelines for the reporting and presentation of culturally appropriate traditional knowledge and related genetic resources.

For more information, visit: www.cbd.int

Convention on Biological Diversity

CBD Guidance on Traditional Knowledge

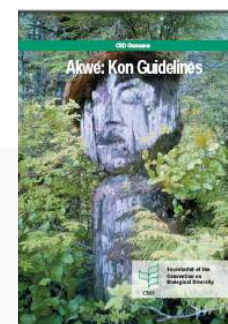
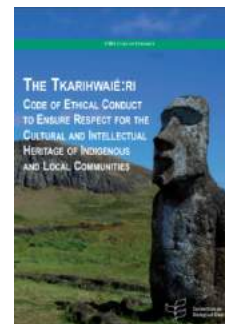
Outcomes, Guidelines and Tools

- Composite report on the status and trends of traditional knowledge
- Tkarihwaie:ri Code of Ethical Conduct
to Ensure Respect for the Cultural and Intellectual Heritage of ILCs
- Akwé:Kon Voluntary Guidelines
on the conduct of cultural, environmental and social impact assessments
- Plan of Action on the Customary Sustainable Use of Biological Diversity
- Mo'otz Kuxtal Voluntary Guidelines for Traditional Knowledge



Other tools under development to be considered at COP 14:

- voluntary guidelines for the repatriation of TK Rutzolijrisaxik
- Voluntary Guidelines for the Repatriation of Traditional Knowledge
- glossary of relevant key terms and concepts to be used within the context of Article 8(j) and related provisions



Reflections from Analyses on IPLC inclusion in NBSAPs

From the **153 NBSAPs** received by 28 February 2018:

- **5 Parties** reported IPLCs participating on NBSAPs Committees;
- **31 Parties reported that IPLCs were consulted** in the revision of the NBSAPs;
- **4 Parties** reported that IPLCs would be involved in the implementation of the NBSAPs;
- **110 Parties did not mention** the participation of IPLCs in the revision of the NBSAP;

Some countries, such as Malta and Serbia, have established commitments in their NBSAPs which relate to the preservation of the knowledge and practices of local communities.

***This sampling of participation shows that 28% of Parties that have submitted NBSAPs are actively considering the participation of IPLCs in the implementation of the Convention at the national and subnational levels.**

Reflections from Analyses on IPLC inclusion in National Reports

- **20%** of the total number of reports received and analysed reported consulting with IPLCs.
- **Approximately 72%** of the reports did not mention IPLCs at all.
- **6%** (4 Parties) had seized the opportunity to involve IPLCs in the implementation of the NBSAPs.



Aichi Target 18 Progress

Analysed through the 5th National Reports and National Targets

190 – 5th national reports were analysed

Information on the [status, trends and pressures on biodiversity and actions](#) that countries have reported taking or will be taking in the near future was used to classify national progress towards each of the Aichi Targets.

- 14 % of NBSAPs contained targets which were similar to the scope and level of ambition set out in the Aichi Targets
- 55 % contained targets which were lower than the Aichi Target and or which did not address all of the target elements.
- 31 % of NBSAPs did not contain targets related to Aichi Target 18.
 - The main focus of the national targets centred on respecting traditional knowledge, innovations and practices and the integration of these in the implementation of the Convention.
 - Less focus on ensuring the full and effective participation of indigenous peoples and local communities.



National Reports and National Targets

- In their National Reports, **about 15 % of Parties** indicate that Target 18 is on track to be met.
- A further **42 % of Parties** indicate that progress is being made but not at a rate that would allow the target to be met by its deadline.
- About **21 % of reports** indicate no significant change.

More than a **fifth (22 %)** of the reports reviewed **did not contain sufficient information** for progress towards this target to be assessed. Progress towards the different elements of Target 18 is difficult to assess as **more than 40 % of reports did not contain any relevant information.**

IPLC Participation

A minority of Parties have seized on the opportunity of engaging IPLCs:

- 72% of the reports did not mention IPLCs.
- However, there are some shining examples of the benefits of involving IPLCs for the goals of the Convention as evidence in reports from Bolivia, Brazil, Mexico, New Zealand, Sweden, and Venezuela.

Not fully engaging IPLCs represents a lost opportunity for many Parties in the effective implementation of the Convention.

Lack of reference to the involvement of IPLC in the revision of the NBSAPs and/or the implementation of the Convention at the national level may be indicative of a **lack of political awareness of the concept of either “indigenous peoples” or “local” communities in the national context.**



IPLCs Participation

For Parties that may not recognize or have indigenous peoples within their borders, the concept of “local” communities may have resonance at the national, subnational or local level.

Extensive guidance has been provided on the concept of **local communities** in the context of the Convention

- Note by the Executive Secretary on local community representatives within the context of Article 8(j) and Related Provisions of the Convention on Biological Diversity ([UNEP/CBD/WG8J/7/8](#)).
- Report of the Expert Group Meeting of Local Community Representatives within the Context of Article 8(j) and Related Provisions ([UNEP/CBD/WG8J/7/8/Add.1](#)), which resulted in [decision XI/14 B](#) on the participation of “local communities”.



Conclusions

- Greater efforts are required by most Parties to ensure that IPLCs are participating in the review and implementation of NBSAPs.
- Such efforts will be rewarded many times over by recognizing, valuing and enhancing the contributions of IPLCs to the goals of the Convention.

Party submissions that successfully engage IPLCs emphasized the importance of **national regulatory frameworks containing legal, policy and programme measures** that recognize and value traditional knowledge, customary sustainable use, and rights to territories and natural resources.

Submissions received promote success stories about local actions for the goals of the Convention, regarding

- In-situ conservation and application of traditional knowledge and customary sustainable use, and community conservation.
- Successful local area projects as models for duplication and upscaling





Convention on
Biological Diversity



Thank you for your attention

John SCOTT

Senior Programme Officer for Traditional Knowledge, Innovations and Practices,
Focal Point for Indigenous Peoples and Local Communities,
Nagoya Protocol , Traditional Knowledge.

The Convention on Biological Diversity
Montréal, Québec.

Web Address: <http://www.cbd.int/traditional/>

Email: john.scott@cbd.int

We walk to the future in the footsteps of our Ancestors ...

