



## Convention on Biological Diversity

Distr.: General  
30 October 2024  
Original: English  
Advance version\*

### Conference of the Parties to the Convention on Biological Diversity

#### Sixteenth meeting

Cali, Colombia, 21 October–1 November 2024

Agenda item 14

#### Implementation of Article 8(j) and related provisions

### Decision adopted by the Conference of the Parties to the Convention on Biological Diversity on 30 October 2024

#### 16/4. Programme of work on Article 8(j) and other provisions of the Convention on Biological Diversity related to indigenous peoples and local communities to 2030

*The Conference of the Parties,*

*Recalling* its decision [V/16](#) of 26 May 2000, by which it endorsed the programme of work on the implementation of Article 8(j) and related provisions of the Convention on Biological Diversity<sup>1</sup> annexed to that decision, and decision [X/43](#) of 29 October 2010, by which it revised said programme of work for the period 2010–2020,

*Recognizing* the need for a more holistic, forward-looking and integrated programme of work that is aligned with and supports the implementation of the Kunming-Montreal Global Biodiversity Framework,<sup>2</sup>

*Recognizing also* and respecting the scope and the provisions of the Convention,

*Building* on the composite report on the status and trends regarding the knowledge, innovations and practices of indigenous peoples and local communities relevant to the conservation and sustainable use of biodiversity,<sup>3</sup> as well as the guidelines<sup>4</sup> and other tools already developed by the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention and adopted by the Conference of the Parties,

*Emphasizing* the need for the effective implementation at the national level of the guidelines and other tools related to Article 8(j) and other provisions of the Convention adopted by the Conference of the Parties to support the implementation of the relevant goals and targets of the Framework,

\* Pending adoption of the decision on resource mobilization because of a cross-reference to it in the present decision.

<sup>1</sup> United Nations, *Treaty Series*, vol. 1760, No. 30619.

<sup>2</sup> Decision 15/4, annex.

<sup>3</sup> UNEP/CBD/WG8J/3/INF/1 and UNEP/CBD/WG8J/3/INF/1/Corr.1.

<sup>4</sup> For the purpose of the present decision, “guidelines” refers to voluntary guidelines.

*Noting* that a number of tasks of the programme of work on the implementation of Article 8(j) and related provisions of the Convention, as adopted in decision [V/16](#) and amended in decision X/43, are ongoing for Parties,

1. *Decides* to adopt the programme of work on Article 8(j) and other provisions of the Convention on Biological Diversity related to indigenous peoples and local communities to 2030, as contained in the annex to the present decision, prioritizing those tasks that contribute directly to the timely, full and effective implementation of the Kunming-Montreal Global Biodiversity Framework;

2. *Requests* Parties, and invites other Governments, to report on progress on the implementation of the programme of work on Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities, including the application of existing and relevant guidelines and standards, in their national reports;

3. *Decides* to implement, taking national legislation, circumstances and priorities into account, as appropriate, the programme of work on Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities;

4. *Reiterates* its invitation to Parties in paragraph 7 of decision [X/40 B](#) of 29 October 2010 to consider designating national focal points for Article 8(j) and related provisions of the Convention in support of national focal points, to facilitate communications with indigenous peoples and local communities and to promote the effective implementation of the programme of work on Article 8(j) and other provisions of the Convention;

5. *Encourages* Parties to engage with indigenous peoples and local communities as on-the-ground partners in the implementation of the Convention, including by recognizing, supporting and valuing their collective actions and respecting their indigenous and traditional territories and their efforts in applying, preserving and maintaining their traditional knowledge, innovation and practices in relation to promoting the conservation and sustainable use of biodiversity;

6. *Urges* Parties to enable the full and effective participation of indigenous peoples and local communities in the preparation of national reports and in the development, revision, update and implementation of national biodiversity strategies and action plans;

7. *Invites* Parties to increase the funding provided to the voluntary funding mechanism to support the effective participation of indigenous peoples and local communities in processes of relevance to the Convention and its Protocols;

8. *Requests* all Parties and stakeholders, and invites other Governments, to continue efforts to mobilize financial resources from all sources and provide non-financial resources for indigenous peoples and local communities in order to enhance collective actions to implement national biodiversity strategies and action plans;

9. *Requests* the Executive Secretary, subject to the availability of resources, to establish and support a global network of national focal points on Article 8(j) and related provisions of the Convention to support the implementation of the Convention and its Protocols at the national and international levels;

10. *Also requests* the Executive Secretary, subject to the availability of resources, to collaborate with other relevant global processes and mechanisms to facilitate an exchange in relation to decision [15/21](#) of 10 December 2022 and the implementation of Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities, taking into account national legislation and international instruments.

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## **Annex**

### **Programme of work on Article 8(j) and other provisions of the Convention on Biological Diversity related to indigenous peoples and local communities to 2030**

#### **I. Objective**

1. The objective of the present programme of work is to promote, within the scope and in line with the objectives of the Convention on Biological Diversity, the implementation of Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities, as well as the Kunming-Montreal Global Biodiversity Framework, at the local, national, subregional, regional and international levels, and to ensure the full and effective participation of indigenous peoples and local communities at all stages and levels of their implementation, thereby ensuring an ongoing recognition of the close association that indigenous peoples and local communities have with biological diversity and the Convention and its Protocols.

#### **II. General principles**

2. The full, equitable, inclusive, effective and gender-responsive participation of indigenous peoples and local communities, in particular women, girls and youth among them, should be ensured, from the local to the global level, at all stages of the identification, implementation and monitoring of the elements of the programme of work. Partnerships with indigenous peoples and local communities should be ethical, equitable and based on mutual respect and good faith.

3. The programme of work is aimed at addressing the specific challenges faced by indigenous peoples and local communities, in particular in developing countries, and the need to ensure the appropriate and regionally balanced representation of indigenous peoples and local communities in the work of the Convention.

4. The programme of work is also aimed at promoting the implementation of Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities, taking into account the specific challenges faced by developing country Parties in promoting that implementation.

5. The traditional knowledge, innovations, practices and technologies of indigenous peoples and local communities should be valued, considered essential and given the same respect and consideration as other forms of knowledge. Genuine collaborations and the co-production of knowledge in ways that respect the knowledge-generation processes and the integrity of each knowledge system should be promoted. The inclusion of knowledge from diverse systems and practices should be mainstreamed into the development and implementation of policies on biodiversity conservation, sustainable use and benefit-sharing.

6. A holistic approach consistent with the spiritual and cultural values and customary practices of indigenous peoples and local communities should be adopted, recognizing all of their relations, including to their territories, lands and resources, as well as their rights, in accordance with relevant national legislation and international instruments, to have control over their traditional knowledge, innovations, practices and technologies.

7. The ecosystem approach is a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable manner.

8. The traditional knowledge, innovations, practices and technologies of indigenous peoples and local communities should only be accessed with their free, prior and informed consent,<sup>5</sup> in accordance with national legislation and relevant international obligations. Indigenous peoples and

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<sup>5</sup> All references to “free, prior and informed consent” refer to the tripartite terminology of “prior and informed consent”, “free, prior and informed consent” and “approval and involvement”.

local communities should receive, in a fair and equitable way, the benefits from the use of the traditional knowledge associated with genetic resources that they hold.

9. The implementation of the programme of work should follow a gender-responsive approach, the Gender Plan of Action (2023–2030)<sup>6</sup> and a human rights-based approach respecting, protecting, promoting and fulfilling human rights. The Framework contains an acknowledgment of the human right to a clean, healthy and sustainable environment and a commitment to ensuring access to justice and information and the full protection of environmental human rights defenders. Nothing in the present programme of work may be construed as diminishing or extinguishing the rights that indigenous peoples currently have or may acquire in future, as also stated in the United Nations Declaration on the Rights of Indigenous Peoples.<sup>7</sup>

### III. Elements

10. The present programme of work is intended to have a timely and stepwise implementation and will be reviewed, revised and updated after 2030 to align it with any post-2030 framework under the Convention.

<i>Tasks</i>	<i>Actors</i>
<b>Element 1. Conservation and restoration</b>	
<i>To promote and support the conservation, protection and restoration of biological diversity led by indigenous peoples and local communities, thereby contributing to the implementation of relevant goals and targets of the Kunming-Montreal Global Biodiversity Framework.</i>	
1.1 Develop guidelines, <sup>8</sup> with the full and effective participation <sup>9</sup> of indigenous peoples and local communities, to strengthen the legal and policy framework for the implementation of Targets 2 and 3 of the Framework, including on indigenous and traditional territories, to support the protection and restoration practices led by indigenous peoples and local communities.	Subsidiary Body on Article 8(j) <sup>10</sup>
1.2 Identify and promote best practices to secure land tenure and governance by indigenous peoples and local communities and develop guidelines for the inclusion and consideration of traditional lands and of resource use in spatial planning processes and environmental impact assessments, in accordance with national legislation and international obligations.	Subsidiary Body on Article 8(j), Parties
1.3 Promote the rights of indigenous peoples and local communities without formal access to land, including in urban areas, and partner with them in the conservation, protection and restoration of biodiversity and in creating and maintaining blue and green spaces.	Parties
1.4 Engage and collaborate with indigenous peoples and local communities to improve the outcomes of management actions addressing the direct drivers of biodiversity loss. <sup>11</sup>	Parties
<b>Element 2. Sustainable use of biological diversity</b>	
<i>To promote, encourage and ensure the sustainable use of biological diversity, inter alia, to respect and protect the customary sustainable use by indigenous peoples and local communities, thereby contributing</i>	

<sup>6</sup> Decision 15/11, annex.

<sup>7</sup> General Assembly resolution 61/295, annex.

<sup>8</sup> For the purpose of the present programme of work, “guidelines” refers to voluntary guidelines.

<sup>9</sup> For the purpose of the present programme of work, “participation” should be understood as being full, equitable, inclusive, effective and gender-responsive.

<sup>10</sup> “Subsidiary Body on Article 8(j)” refers to the Subsidiary Body on Article 8(j) and Other Provisions of the Convention on Biological Diversity Related to Indigenous Peoples and Local Communities.

<sup>11</sup> As identified in *The Global Assessment Report on Biodiversity and Ecosystem Services* published by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services in 2019.

<i>Tasks</i>	<i>Actors</i>
<i>to the implementation of Article 10(c) of the Convention, the Plan of Action on Customary Sustainable Use of Biological Diversity<sup>12</sup> and relevant goals and targets of the Kunming-Montreal Global Biodiversity Framework.</i>	
2.1 Incorporate customary sustainable use practices or policies, in accordance with the Plan of Action on Customary Sustainable Use of Biological Diversity and with the full and effective participation and leadership of indigenous peoples and local communities, as appropriate, into national biodiversity strategies and action plans.	Parties
2.2 Promote and strengthen community-based initiatives developed by indigenous peoples and local communities, including in collaboration with other actors, that support and contribute to the sustainable use of biological diversity and to the respect for and protection of the customary sustainable use of biological diversity.	Parties
2.3 Support initiatives led by indigenous peoples and local communities that address the interlinkages between biodiversity and climate change, based on their traditional knowledge, innovations, technologies and practices of customary sustainable use of biodiversity.	Parties
2.4 Support the livelihoods of indigenous peoples and local communities through activities that promote the customary sustainable use of biodiversity.	Parties
<b>Element 3. Sharing of benefits from the utilization of genetic resources and digital sequence information on genetic resources, as well as traditional knowledge associated with genetic resources</b>	
<i>To promote the fair and equitable sharing of benefits arising from the utilization of genetic resources, traditional knowledge associated with genetic resources and digital sequence information on genetic resources, thereby contributing, inter alia, to the implementation of relevant goals and targets of the Kunming-Montreal Global Biodiversity Framework.</i>	
3.1 Develop a plan of action in relation to genetic resources and traditional knowledge associated with the genetic resources held by indigenous peoples and local communities to support the implementation of the Convention, the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization <sup>13</sup> and the multilateral mechanism for the fair and equitable sharing of benefits from the use of digital sequence information on genetic resources. <sup>14</sup> Such a plan of action should include capacity-building activities and support the development and use of existing biocultural community protocols, knowledge exchange platforms, technical and legal support, dialogue and collaboration between users and providers within the framework of biocultural community protocols, the implementation of the Mo'otz Kuxtal Voluntary Guidelines <sup>15</sup> and technical and legal assistance, taking those guidelines into account.	Subsidiary Body on Article 8(j)
3.2 Undertake studies on the experiences of indigenous peoples and local communities on access and benefit-sharing related to the utilization of genetic resources, traditional knowledge associated with genetic resources and digital sequence information on genetic resources, identifying best practices and lessons learned.	Secretariat

<sup>12</sup> Decision XII/12 B, annex.

<sup>13</sup> United Nations, *Treaty Series*, vol. 3008, No. 30619.

<sup>14</sup> Established under decision 15/9.

<sup>15</sup> Voluntary guidelines for the development of mechanisms, legislation or other appropriate initiatives to ensure the “prior and informed consent”, “free, prior and informed consent” or “approval and involvement”, depending on national circumstances, 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 (decision XIII/18, annex).

<i>Tasks</i>	<i>Actors</i>
<b>Element 4. Knowledge and culture</b>	
<i>To support the transmission and protection of traditional knowledge, including to future generations, and ensure that traditional knowledge and other knowledge systems are valued equally, thereby contributing to the implementation of Article 8(j) of the Convention and relevant goals and targets of the Kunming-Montreal Global Biodiversity Framework.</i>	
4.1 Support efforts by indigenous peoples and local communities to strengthen the intergenerational transmission, use and revitalization, and enhancement of their languages and traditional knowledge, including in formal and informal education settings and in cultural and education centres, in particular with respect to the roles and needs of women, girls and youth.	Parties
4.2 Promote the implementation, strengthening and dissemination of the joint programme of work on the links between biological and cultural diversity. <sup>16</sup>	Secretariat
4.3 Promote the inclusion of traditional knowledge, innovation and practices in all bodies established under the Convention, in particular the Subsidiary Body on Scientific, Technical and Technological Advice, taking into account the work of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services.	Subsidiary Body on Article 8(j)
4.4 Undertake capacity-building and development and awareness-raising activities on the basis of the long-term strategic framework for capacity-building and development <sup>17</sup> and the knowledge management strategy to support the implementation of the Framework <sup>18</sup> to promote the role of traditional knowledge in guiding the management of biodiversity.	Secretariat
4.5 Create, strengthen and support a global network of national focal points on Article 8(j) and related provisions of the Convention to support the implementation of the Convention at the national and international levels, including the participation of indigenous peoples and local communities.	Secretariat
4.6 Organize the exchange of knowledge and learning platforms to promote the implementation of the tasks in the present programme of work.	Secretariat, Parties and civil society organizations, in collaboration with indigenous peoples and local communities and relevant actors
4.7 Promote the co-production by indigenous peoples and local communities, scientists and other stakeholders of new knowledge necessary for the resilience, adaptation and continuation of customary sustainable use and biodiversity conservation practices under rapid environmental change, such as climate change, land- and sea-use change, invasive alien species and pollution.	Secretariat and Parties
4.8 Develop communication, education and public awareness materials with indigenous peoples and local communities relevant to all elements and tasks of the present programme of work, including the languages of indigenous peoples and local communities.	Subsidiary Body on Article 8(j) and Parties

<sup>16</sup> UNEP/CBD/COP/10/INF/3, annex I. In accordance with decision 15/22, the joint programme of work is led by the Secretariat, the United Nations Educational, Scientific and Cultural Organization, the International Union for Conservation of Nature and other partners.

<sup>17</sup> Decision 15/8, annex I.

<sup>18</sup> Decision 16/9 B, annex.

Tasks	Actors
<b>Element 5. Strengthening implementation and monitoring progress</b>	
<i>To contribute to the implementation of the Kunming-Montreal Global Biodiversity Framework through the full and effective implementation of decisions, principles and guidelines of relevance to indigenous peoples and local communities, and to strengthen the integration of Article 8(j) and other provisions of the Convention in the work undertaken under the Convention and its Protocols.</i>	
<p>5.1 Promote the wider application, implementation and monitoring at the national level of adopted plans of action, guidelines and principles, such as:</p> <p>(a) The Voluntary Glossary of Key Terms and Concepts Within the Context of Article 8(j) and Related Provisions of the Convention;<sup>19</sup></p> <p>(b) The Akwé: Kon Voluntary Guidelines for the Conduct of Cultural, Environmental and Social Impact Assessments Regarding Developments Proposed to Take Place on, or Which Are Likely to Impact on, Sacred Sites and Lands and Waters Traditionally Occupied or Used by Indigenous and Local Communities;<sup>20</sup></p> <p>(c) The Tkarihwaié:ri Code of Ethical Conduct to Ensure Respect for the Cultural and Intellectual Heritage of Indigenous and Local Communities;<sup>21</sup></p> <p>(d) The Plan of Action on Customary Sustainable Use of Biological Diversity;</p> <p>(e) The Mo'otz Kuxtal Voluntary Guidelines;</p> <p>(f) The Rutzolijirisaxik Voluntary Guidelines for the Repatriation of Traditional Knowledge Relevant for the Conservation and Sustainable Use of Biological Diversity;<sup>22</sup></p> <p>(g) The Voluntary Guidelines on Safeguards in Biodiversity Financing Mechanisms;<sup>23</sup></p> <p>(h) The Gender Plan of Action (2023–2030);</p> <p>(i) The guiding principles on assessing the contribution of collective action by indigenous peoples and local communities.<sup>24</sup></p>	Parties and national focal points on Article 8(j) and related provisions of the Convention
5.2 Develop guidelines for the establishment of innovative incentive schemes for indigenous peoples and local communities to preserve and maintain their traditional knowledge, innovations and practices for the application thereof in programmes for the conservation and sustainable use of biological diversity.	Subsidiary Body on Article 8(j), Parties and other actors
5.3 Further operationalize, with a view to promoting the continuous monitoring of the implementation of the present programme of work, the four traditional knowledge indicators, <sup>25</sup> in line with the joint programme of work on the links between biological and cultural diversity.	Subsidiary Body on Article 8(j) and Parties
5.4 Review and update, as needed, the Voluntary Glossary of Key Terms and Concepts Within the Context of Article 8(j) and Related Provisions of the Convention in the light of the adoption of the Kunming-Montreal Global Biodiversity Framework.	Subsidiary Body on Article 8(j)

<sup>19</sup> Decision 14/13, annex.

<sup>20</sup> Decision VII/16 F, annex.

<sup>21</sup> Decision X/42, annex.

<sup>22</sup> Decision 14/12, annex.

<sup>23</sup> Decision XII/3, annex III.

<sup>24</sup> Decision XIII/20, annex.

<sup>25</sup> See decision XIII/28, annex, target 18.

<i>Tasks</i>	<i>Actors</i>
<b>Element 6. Full and effective participation of indigenous peoples and local communities</b>	
<i>To enable the full and effective participation of indigenous peoples and local communities, including women, girls and youth among them, in decision-making related to biodiversity and the implementation of the Kunming-Montreal Global Biodiversity Framework.</i>	
6.1 Implement and further develop the enhanced participation mechanisms used by the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention	Subsidiary body on Article 8(j)
6.2 Ensure the full and effective participation of indigenous peoples and local communities in the development, revision and implementation of national biodiversity strategies and action plans and national reports, and strengthen partnerships and collaboration with indigenous peoples and local communities, recognizing their collective actions and contributions for the implementation of the Convention.	Parties
<b>Element 7. Human rights-based approach</b>	
<i>To contribute to the enhancement of the rights of indigenous peoples and local communities with regard to the conservation and sustainable use of biodiversity, in line with a human rights-based approach, in accordance with the Kunming-Montreal Global Biodiversity Framework.</i>	
7.1 In collaboration with the relevant United Nations bodies, as well as indigenous peoples and local communities, develop guidelines to contribute to the enhancement of the contributions of indigenous peoples and local communities to the conservation and sustainable use of biodiversity, in line with a human rights-based approach, consistent with relevant international obligations and instruments.	Subsidiary Body on Article 8(j)
7.2 Support and promote, as appropriate, traditional land tenure <sup>26</sup> and securing land tenure for indigenous peoples and local communities for the conservation and sustainable use of biodiversity, in accordance with national legislation.	Parties
7.3 Develop guidelines on the implementation of Target 22 of the Framework, including with regard to the full protection of environmental human rights defenders, in particular the protection of women from all forms of gender-based discrimination and violence, in relation to control, ownership and access to sustainable use and conservation of biodiversity, as reflected in the Gender Plan of Action (2023–2030).	Subsidiary Body on Article 8(j) and Secretariat
<b>Element 8. Access, including direct access, to funding for indigenous peoples and local communities for the conservation, restoration and sustainable use of biodiversity</b>	
<i>To promote the implementation of the relevant targets of the Kunming-Montreal Global Biodiversity Framework, in particular by supporting access, including direct access, to funding for indigenous peoples and local communities in the context of national policies, plans, projects, programmes or systems, as appropriate.</i>	
8.1 Support efforts for the mobilization of financial resources for indigenous peoples and local communities, in line with and within the scope of the revised strategy for resource mobilization. <sup>27</sup>	Global Environment Facility, Global Biodiversity Framework Fund, donors, Parties and Secretariat

<sup>26</sup> References to “traditional land tenure” include lands and waters.

<sup>27</sup> The title of the strategy will be adjusted to reflect the name adopted by the Conference of Parties at its sixteenth meeting upon adoption of the decision on resource mobilization.



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<i>Tasks</i>	<i>Actors</i>
8.2 Identify gaps, promote good practices and further explore options for the development or improvement of existing policies, mechanisms and other appropriate initiatives and measures to enhance access, including direct access, to funding by indigenous peoples and local communities for collective actions on biodiversity conservation and sustainable use, in particular for actions to be led by women and youth.	Subsidiary Body on Article 8(j), Parties, Global Environment Facility and other relevant organizations

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