

The ICCA
Consortium



Joint Position Paper of the ICCA Consortium, Global Forest Coalition and Community Conservation Resilience Initiative

The 13th meeting of the Conference of the Parties (COP13) is taking place from 4-17 December 2016 in Cancún, Mexico. It will consider a range of draft decisions relevant to territories and areas conserved by indigenous peoples and local communities (commonly known as 'ICCAs') and other forms of collective action. Key agenda items include: interim review of progress towards implementation of the Strategic Plan (Item 9); strategic actions to enhance implementation of the Strategic Plan (Item 10); resource mobilisation and the financial mechanism (Item 11); Article 8(j) and related provisions (Item 14); marine and coastal biodiversity (Item 15); other scientific and technical issues (Item 17); and guidelines for the sixth national reports, GBO and indicators (Item 19).

For each draft decision, this position paper suggests specific text-based changes to more appropriately recognise and support ICCAs and other forms of collective action. It was prepared by the **ICCA Consortium** (an international association dedicated to promoting appropriate recognition of and support for ICCAs) and the **Global Forest Coalition** (an international coalition of NGOs and Indigenous Peoples' Organisations promoting social justice and the rights of forest peoples in forest policies), with inputs from the **Community Conservation Resilience Initiative**. Both organisations are actively involved in supporting implementation of the Strategic Plan and achievement of the Aichi Targets.

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<http://globalforestcoalition.org/resources/supporting-community-conservation/>

Supported by:



Federal Ministry
for the Environment, Nature Conservation,
Building and Nuclear Safety

based on a decision of the German Bundestag

Our activities have been made possible through generous support of the International Climate Initiative (IKI) of the German Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety (BMUB), the Christensen Fund, Siemenpuu Foundation, Natural Justice, and Swedbio. The views expressed in this document are not necessarily those of our contributors.

Agenda Item 9:

Interim review of progress towards the implementation of the Strategic Plan for Biodiversity 2011-2020 and the achievement of the Aichi Biodiversity Targets, and related means of implementation

Draft decision on “Progress in the implementation of the Convention and the Strategic Plan for Biodiversity 2011-2020 and towards the achievement of the Aichi Biodiversity Targets” (SBI 1/1); “Tools to evaluate the effectiveness of policy instruments for the implementation of the Strategic Plan for Biodiversity 2011-2020” (SBSTTA XIX/3); and “Review of progress towards Aichi Biodiversity Target 16 on the Nagoya Protocol” (SBI 1/2)

Currently scheduled for: Monday 5 December, 15:00-18:00, Working Group I

Paragraph	Suggested Changes	Rationale
6	<p>We encourage Parties to add the following new suggested paragraph after the current para. 6:</p> <p>“6. bis Notes with concern that only 30 percent of national biodiversity strategies and action plans referred to indigenous peoples and local communities, only 5 percent mentioned customary sustainable use, and only two Parties reported participation of indigenous peoples and local communities in their NBSAP Committees;”</p>	<p>(Stats taken from SBI/1/2/Add.3, para. 36 and may need to be updated.)</p> <p>Indigenous peoples and local communities are integral to implementation of the Convention and to the achievement of the Strategic Plan and Aichi Targets. Traditional knowledge and innovations, customary practices and collective action such as ICCAs contribute significantly to conservation and sustainable use of biodiversity around the world. The lack of consideration in NBSAPs of indigenous peoples and local communities demonstrates the continuing significant gaps between their <i>de facto</i> contributions and Parties’ commitments to ensure their full and effective participation in the work of the Convention and in national planning, implementation, reporting and review processes and mechanisms.</p>
13	<p>We encourage Parties to revise the provision to the following (suggested addition in red):</p> <p><i>“Encourages Parties to undertake the activities referred to in paragraphs 9, 10 and 11 above with the full and effective participation of indigenous peoples and local communities, in accordance with national circumstances, recognizing the contribution of the collective actions of indigenous peoples and local communities, and the role of their holistic systems and conserved territories and areas for the conservation and sustainable use of biological</i></p>	<p>Many existing COP decisions refer to territories and areas conserved by indigenous peoples and local communities (ICCAs), including Decisions VII/28, VIII/18, VIII/24, IX/18, X/24, X/31, X/33, XI/24, XII/3, XII/5, XII/12, XII/19.</p>

	diversity;”	
18	<p>We encourage Parties to revise the provision to the following (suggested additions in red):</p> <p><i>“Requests the financial mechanism, and invites other donors in a position to do so, to continue to provide support, based on the expressed needs of Parties, especially for developing countries and in particular least developed countries and small island developing States, as well as countries with economies in transition, for the development and implementation of national biodiversity strategies and action plans, with the full and effective participation of indigenous peoples and local communities, women and other rights-holders, in line with the strategy and targets for resource mobilization agreed to in decision XII/3, and to redirect perverse incentives in line with the agreed roadmap for implementing Aichi Target 3;”</i></p>	<p>As mentioned in SBI/1/2/Add.3 and above, less than one-third of NBSAPs referred to indigenous peoples and local communities or other rights-holders such as women, and only two Parties reported participation of indigenous peoples and local communities in their NBSAP Committees. Although we welcome paragraph 13, there is clearly a need to place specific emphasis on the participation of indigenous peoples and local communities and other rights-holders in the NBSAP revision and updating process and in the financial mechanism for the same. Otherwise, it is highly unlikely that their contributions and commitments to achieving the Strategic Plan will be recognised and supported. Supporting their participation in the NBSAP process would also be a concrete way to implement other provisions in this decision, particularly para. 21 on mainstreaming Article 8(j) and related provisions across the work of the Convention and on the participation of indigenous peoples and local communities and other rights-holders in the work of the Secretariat.</p> <p>Furthermore, it is also essential to highlight the importance of Aichi Target 3 for the mobilising and redirecting financial resources for the implementation of the Strategic Plan.</p>

For more information about this agenda item and our related recommendations, please contact: Grazia Borrini-Feyerabend, Global Coordinator, ICCA Consortium (gbffilter@gmail.com) and Holly Jonas, International Policy Coordinator, ICCA Consortium, and Legal Team Coordinator, Community Conservation Resilience Initiative (holly@iccaconsortium.org)

Agenda Item 10:

Strategic actions to enhance the implementation of the Strategic Plan for Biodiversity 2011-2020 and the achievement of the Aichi Biodiversity Targets, including with respect to mainstreaming and the integration of biodiversity within and across sectors

Currently scheduled for: Tuesday 6 December, 15:00-18:00, Working Group II and
Wednesday 7 December, 10:00-13:00, Working Group II

Draft decision on “**Strategic actions to enhance implementation of the Convention and the Strategic Plan for Biodiversity 2011-2020, including the mainstreaming of biodiversity within and across sectors**” (SBI 1/4, SBSTTA XX/15, SBSTTA XIX/1, para. 5)

Paragraph	Suggested Changes	Rationale
Preambular para. 8	We encourage Parties to revise this provision in the following manner (suggested deletion in strikethrough, suggested addition in red): “ <i>Recognizing that the mainstreaming the conservation and sustainable use of biodiversity across forests, agriculture, fisheries and aquaculture, among other sectors, is essential for halting the loss of biodiversity and achieving the Aichi Biodiversity Targets,”</i> ”	The suggested text aligns with the text in operative para. 1. It is also more clear and tangible to speak of ‘mainstreaming conservation and sustainable use of biodiversity’ rather than just ‘mainstreaming biodiversity’.
Preambular para. 11	We encourage Parties to revise this provision in the following manner (suggested deletion in strikethrough, suggested additions in red): “ <i>Also recognizing that the ecosystem functions and services generated in protected areas and other effective area-based conservation measures contribute to the productivity of many sectors, including agriculture, forests, fisheries and aquaculture, and that collaboration with these sectors is required in order to increase connectivity in systems of protected and conserved areas systems and to avoid or minimize potential adverse impacts of these sectors on protected and conserved areas,</i> ”	The addition of “functions and” underscores the objective importance of ecosystems for their broader functions beyond simply what is provided humans in the form of “services”. In order to ensure consistency with the Programme of Work on Protected Areas and Aichi Target 11, among other CBD decisions, we suggest the term “protected and conserved areas” be used throughout the document.
Preambular para. 16	We encourage Parties to revise this provision in the following manner (suggested deletion in strikethrough, suggested additions in red): “ <i>Further recognizing the importance of engaging with all relevant rights-holders, including indigenous peoples, local communities and women,</i> ”	The suggested changes reflect the reality that indigenous peoples, local communities and women are rights-holders, not merely stakeholders.

	and stakeholders, including the business sector, and with indigenous peoples and local communities, to achieve the objectives of the Convention.”	
10	We encourage Parties to revise this provision in the following manner (suggested addition in red): “ <i>Urges</i> Parties, when implementing the 2030 Agenda for Sustainable Development, to mainstream the conservation and sustainable use of biodiversity in the implementation of all relevant Sustainable Development Goals, thus promoting linkages between efforts to implement national biodiversity strategies and action plans and Sustainable Development Goal strategies and plans;”	The suggested text aligns with the text in operative para. 1. It is also more clear and tangible to speak of ‘mainstreaming conservation and sustainable use of biodiversity’ rather than just ‘mainstreaming biodiversity’.
13(d)	We encourage Parties to delete sub-paragraph 13(d), which is currently in square brackets, and replace it with the following text: “ To phase out, reform or redirect perverse incentives in the agriculture, forestry and fisheries sector and other relevant sectors and put in place positive legal, cultural, social and economic incentives to promote biodiversity conservation and sustainable use in line with Article 11 of the Convention and Aichi Target 3. ” This proposed text could also replace the rather weakly formulated paragraph 14(d).	While there is no scientific evidence on the effectiveness of voluntary certification schemes, which often discriminate against small-scale producers, there is ample evidence that the redirection of perverse incentives in biodiversity-relevant sectors can have significant positive impacts on biodiversity conservation and sustainable use. In fact, redirecting such incentives is at the heart of successful mainstreaming at all levels.
14(a) and 14(b)	We encourage Parties to delete paragraph 14(b) and integrate its key points into paragraph 14(a), namely (suggested deletion in strikethrough, suggested additions in red): “(a) To introduce or strengthen measures to assess and raise awareness of the multiple functions and values of biodiversity, including the contributions of collective actions of indigenous peoples and local communities , by, for example, fostering accounting and/or valuation of ecosystems, tailoring communication tools to take into account the scale of the problem and the potential benefits of positive action, and making use of evidence-based communication transmitted in a compelling and effective way to decision makers, stakeholders, indigenous peoples and local communities, and other rights-holders and stakeholders the private sector; ”	The assessment of biodiversity values should not be a freestanding activity; it should feed into awareness raising activities at multiple levels. The addition of “functions and” is because the translation of “values” into Spanish does not represent nature as a whole. The removal of “fostering accounting and/or valuation of ecosystems” is because the accounting of values of ecosystems focuses primarily on the economic benefits and is directed towards the private sector. A more balanced and equitable approach is needed to respect the holistic perspectives of indigenous peoples, local communities and women (for example) of nature and ecosystems. Throughout the document, we recommend the use of the term rights-holders and stakeholders, as they are two clearly distinguishable groups. The major group “private sector” is included in the term stakeholders.
14(e) bis	We encourage Parties to add the following new sub-paragraph after the	The draft decisions on this agenda item are exceptionally gender blind. It is

	<p>current 14(e):</p> <p>“Recognizing the vital role of women in mainstreaming biodiversity in agriculture, forestry and fisheries and other sectors and the need to fully take into account the role, rights, needs and aspirations of women in all biodiversity mainstreaming policies and actions, in line with the 2015-2020 Gender Plan of Action adopted in Decision XII/7;”</p>	<p>essential to recognise the role, rights, needs and aspirations of women, also because they are the majority of the world’s food producers and key players in conservation and restoration, including in forests.</p>
17	<p>We encourage Parties to amend the paragraph as follows (suggested deletion in strikethrough, suggested addition in red):</p> <p><i>“Further recognizes that there are currently many unsustainable agricultural practices, including in particular in the livestock sector, that can have significant impacts on biodiversity and habitats;”</i></p>	<p>The need to address unsustainable livestock and feedstock production was recently recognised by a High Level Panel of Experts of the World Committee on Food Security. Unsustainable livestock and feedstock production forms – by far – the main cause of forest and biodiversity loss in Latin America, the continent with the highest rates of deforestation.</p>
21	<p>We encourage Parties to amend the paragraph as follows (suggested addition in red):</p> <p><i>“Notes that dietary change, including in particular the increase in meat and dairy consumption and subsequent growing demand for food and agricultural commodities will increase the pressures on biodiversity unless and those pressures are need to be appropriately addressed;”</i></p>	<p>It is not so much the increase in food consumption but the change in diets and type of consumption that puts increasing pressure on the world’s ecosystems – and human health. We need to address these dietary changes as drivers of the pressures on biodiversity.</p>
22	<p>We encourage Parties to amend the paragraph as follows (suggested addition in red):</p> <p><i>“Encourages Parties to recognize the importance of the traditional knowledge of indigenous peoples and local communities for the sustainability of agriculture and the role of women in food production and to promote community and family farming, alongside agroecology, that is aligned with the world view (cosmovisión) of indigenous peoples and local communities, which upholds diversification and ecological rotation that promotes sustainable production and improving nutrition;”</i></p>	<p>The paragraph is welcomed, but it is important to recognize the role of women as well, in line with Decision XII/7.</p>
23-24	<p>We encourage Parties to remove the square brackets around both of these paragraphs.</p> <p>In addition, in paragraph 24, we encourage Parties to add the following text (in red):</p> <p><i>“24. Also encourages Parties and invites other Governments to develop, as</i></p>	<p>Policy and legal frameworks for land use that secure conservation and sustainable use of biodiversity are essential for achieving the Strategic Plan and implementing the Convention more broadly.</p>

	appropriate, and in consultation with relevant rights-holders and stakeholders , policy frameworks for land use...”	
31	We recommend the deletion of this paragraph in its entirety.	There is not yet enough evidence of the effectiveness of such voluntary actions by the private sector. Initial evidence suggests that they mainly trigger indirect land use change and leakage of deforestation to other ecosystems, including transboundary leakage, also because they do not address the core issue of quantity of commodity demand. Given the many known negative impacts of the private sector on biodiversity, support from Parties should be reserved for actions that genuinely contribute to conservation and sustainable use.
37	We encourage Parties to amend the paragraph as follows (suggested addition in red): “ <i>Also recognizes</i> that there remain forests managed under practices that are not sustainable, with significant negative impacts on biodiversity and habitats, and the need to agree on a definition of forests that clearly distinguishes forest ecosystems from tree monocultures; ”	One of the key priorities in the forest sector is to agree on a globally used definition of forests that excludes tree monocultures from forests. In the absence of such a definition, both the Paris Agreement and SDG 15.2 could have devastating impacts on the world's forests and other ecosystems.
38	We encourage Parties to amend the paragraph as follows (suggested addition in red): “ <i>Further recognizes</i> Sustainable Development Goal 15 and its target 2, which refers to sustainable management of all types of forests, halting deforestation, restoring degraded forests and substantially increasing afforestation and reforestation by 2020; ”	It is important to properly quote the target and its target date.
44	We encourage Parties to revise the provision in the following manner (suggested deletion in strikethrough, suggested addition in red): “ <i>Also encourages</i> Parties and <i>invites</i> other Governments, as well as relevant rights-holders stakeholders , including indigenous peoples and local communities and women, and stakeholders to make use of the United Nations forest instrument, ...”	The suggested changes reflect the reality that indigenous peoples, local communities and women are rights-holders, not merely stakeholders.
45	We encourage Parties to amend the paragraph as follows (suggested deletion in strikethrough, suggested addition in red): “ <i>Further encourages</i> Parties and invites other Governments to strengthen efforts to enhance the awareness of all stakeholders and rights-holders and their involvement in the development and implementation of policies and	It is important to also recognise the rights of forest-dependent Indigenous peoples and local communities, and women.

	strategies for sustainable forest management of forests , including on measures for the conservation, restoration and sustainable use of biodiversity, recognizing the rights and the importance of the practices of indigenous peoples and local communities and women , and the role of natural regeneration in living systems;”	
49	<p>We encourage Parties to amend the paragraph as follows (suggested deletion in strikethrough, suggested addition in red):</p> <p><i>“Encourages Parties and invites other Governments to strengthen their efforts to establish and maintain and/or develop well-managed and connected national or regional networks of forest protected and conserved areas networks, while recognizing the rights of forest-dependent indigenous peoples and local communities and their conserved territories and areas, and the rights and roles of women in forest governance and management, giving priority to existing ones, and, where appropriate, to apply spatial and land use planning tools to identify areas of particular importance to the sustainable use and conservation of forest biodiversity, including in buffer zones;”</i></p>	It is important to use the term “protected and conserved areas” to reflect the components of Aichi Target 11 and to recognise ICCAs and community-based forest governance and management in general, and the role of women in such governance and management.
56	<p>We encourage Parties to add the following text (in red):</p> <p><i>“Recognizes that various relevant international instruments, including the United Nations Convention on the Law of the Sea, the 1993 FAO Compliance Agreement, the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, with respect to their Contracting Parties, and the 1995 FAO Code of Conduct for Responsible Fisheries, together with accompanying guidelines and plans of actions, including the 2014 FAO Voluntary Guidelines for Securing Small-scale Fisheries in the context of Food Security and Poverty Eradication, represent, for their Contracting Parties, a comprehensive global framework for fisheries policy and management and support mainstreaming of biodiversity in fisheries and aquaculture;”</i></p>	The 2014 Voluntary Guidelines on Small-scale Fisheries are a landmark document recognising the rights and roles of small-scale fisheries and fisherfolk, and comprise an important part of the “comprehensive global framework for fisheries policy and management”.
62	<p>We encourage Parties to revise this provision in the following manner (suggested addition in red):</p> <p><i>“Urges Parties and invites other Governments to establish, if necessary, or strengthen existing mechanisms of governance of fisheries, taking into</i></p>	Establishing or strengthening existing mechanisms of governance of fisheries need to account for the governance of fisheries by indigenous peoples and local communities. Nationally and internationally, ICCAs and other community conservation initiatives should be appropriately recognised and supported in biodiversity mainstreaming policies and

	<p>account indigenous peoples' and local communities' rights and responsibilities to those resources, and take biodiversity considerations, in particular the precautionary approach, in line with the preamble of the Convention, fully into account when designing and implementing policies for fishing capacity management and reduction, including measures and regulations with a view to promoting the conservation and recovery of endangered species;”</p>	<p>related activities. In doing so, indigenous peoples, women, peasants, fisherfolk and local communities must be involved in all decision-making processes that affect them, on the basis of clear recognition of their rights to their territories, customary land, water and resource tenure, self-determination and self-governance, and free, prior and informed consent. Technical guidance is available in CBD Technical Series No. 64 on ICCAs.</p>
63	<p>We recommend Parties to add the following text in red:</p> <p>“<i>Also urges Parties and invites other Governments to provide access for small-scale artisanal fishers to marine resources and, if appropriate, markets, in particular for poverty alleviation and equitable social and economic development, for improving governance of fisheries and promoting sustainable resource utilisation</i>”¹.”</p>	<p>The addition is drawn from the FAO Voluntary Guidelines on Securing Sustainable Small Scale Fisheries: http://bit.ly/1GekPLR.</p>
68-69	<p>(General comment)</p>	<p>We would like to express our doubts about the relevance of these paragraphs on tourism. The original decision calling for a focus on biodiversity mainstreaming specifically referred to the sectors of agriculture, forests and fisheries.</p>
70-83	<p>We encourage Parties to add new text under new sub-headings of “Indigenous peoples and local communities”, “Small-scale producers”, “Youth and children” and “General public”.</p>	<p>We appreciate the sub-sections on “Subnational and local governments” and “Gender” in this section, entitled “Engagement of key actors to enhance mainstreaming”. However, this section fails to include sub-sections on indigenous peoples and local communities, small-scale producers and youth, all of whom are rights-holders (not merely stakeholders) and play a key role in biodiversity mainstreaming. There is a disproportionate emphasis on and bias towards “Business engagement”, while failing to recognise and support the critical positive role of the rights-holders mentioned above.</p>
73	<p>We encourage Parties to include the following addition (in red):</p> <p>“<i>Calls upon Parties to encourage businesses to take into account, as appropriate, various tools, such as the soon to be released Natural Capital Protocols, as well as other approaches, such as non-market based approaches, for determining the multiple functions and values of biodiversity, that support better understanding and measurement of dependencies and impacts on biodiversity and ecosystem functions and</i></p>	<p>Non-market based approaches – including the collective actions of indigenous peoples and local communities and women therein – are particularly important in determining the many functions and values of biodiversity. Otherwise, it is highly likely that businesses will only consider market-based approaches and other approaches that prioritise financialisation and commodification of biodiversity and nature.</p>

¹ FAO Voluntary Guidelines on Securing Sustainable Small Scale Fisheries: <http://bit.ly/1GekPLR>.

	services, and to share this information as appropriate;”	
85(a)	We suggest deletion of this sub-paragraph in its entirety.	There is no evidence of the effectiveness of “partnerships”, which are poorly defined and can undermine objective public governance, particularly if promoted as “public-private partnerships”.
88(e) bis	We encourage Parties to add the following new sub-paragraph after the current 88(e): “ To collaborate with the FAO and other members of the Collaborative Partnership on Forests in the development of a globally accepted definition of forests that is consistent with the objectives of the Convention; ”	As mentioned above, this is an absolute priority for the forest sector more broadly and for mainstreaming biodiversity within it.

Draft decision on “**Biodiversity and climate change**” (SBSTTA XX/10)

Paragraph	Suggested Changes	Rationale
Preambular para. 4	<p>We encourage Parties to revise this provision by adding new text (in red) and splitting it into two, with the first portion remaining in the Preamble and the second portion being moved to the operative section. Namely:</p> <p>i) To remain as Preambular para. 4: “Further recognizing the contributions of indigenous peoples and local communities’ traditional and local knowledge, innovations and practices to ecosystem-based approaches to climate change resilience, adaptation and disaster risk reduction, including women’s traditional knowledge and practices,”</p> <p>ii) To move to Operative para. 8: “Encourages Parties, other Governments and relevant organizations:... (k bis) To facilitate the need for the full and effective participation of indigenous peoples and local communities including through prior informed consent in decision-making processes that may affect them, and the need to pay particular attention to their differentiated needs in order to avoid detrimental impacts on their lands, waters, livelihoods and cultures,”</p>	<p>We welcome the intent and spirit of Preambular para. 4, as it currently stands in the draft decision. However, the content appears to be mixed between preambular language and operative language. It makes more sense to divide it into two and shift the portion with actionable language to the operative section of the decision (specifically, Operative para. 8). The content of the suggested additions is supported by a great deal of literature and existing UN policy and positions, including:</p> <p>(a) In its 2014 report, the Intergovernmental Panel on Climate Change (IPCC) stated that “indigenous, local, and traditional knowledge systems and practices, including indigenous peoples’ holistic view of community and environment, are a major resource for adapting to climate change”. See: IPCC (2014), Climate Change 2014: Synthesis Report. Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change (http://bit.ly/1wqelqp).</p> <p>(b) The 2014 study by the UN Expert Mechanism on the Rights of Indigenous Peoples on “Promotion and protection of the rights of indigenous peoples in disaster risk reduction, prevention and preparedness initiatives” and Expert Mechanism Advice No. 7 both contain more detailed information and useful guidance on this topic, including an existing UN policy basis for the</p>

		<p>suggested additions.</p> <p>(c) Finally, as stated in the UN publication <i>State of the World's Indigenous Peoples</i> (2009), the maintenance of indigenous peoples' cultural and spiritual relationships which leads to vital conservation of biodiversity must be a key priority in effectively addressing environmental catastrophes and global warming.</p>
Preambular para. 6	<p>We encourage Parties to revise the provision to the following (suggested deletions in strikethrough, suggested additions in red):</p> <p><i>“Also recognizing the need for improved scientific information and recognition of the role of indigenous and traditional knowledge concerning the climate change adaptation of networks of the protected and conserved areas, and their functionality and connectivity.”</i></p>	<p>Indigenous and traditional knowledge play an essential role in resilience and adaptation to climate change and should be recognised alongside ‘scientific’ information. The second suggestion concerns the need to consider conserved areas alongside protected areas, as per Aichi Target 11.</p>
5	<p>We encourage Parties to revise this provision to the following (suggested addition in red):</p> <p><i>“Emphasizes the importance of marine protected areas and other effective area-based conservation measures, coastal resource management and marine spatial planning in protecting and building the resilience of marine and coastal ecosystems, communities and infrastructure against the impacts of climate change;”</i></p>	<p>Other effective area-based conservation measures (OECMs) are particularly important for indigenous peoples and local communities. Marine protected areas – particularly those established without their free, prior and informed consent and governed and managed without their full and effective participation – actually <i>undermine</i> (not protect and build) the resilience of indigenous peoples and local communities. It is thus important to include OECMs as well.</p>
7 bis	<p>After the current paragraph 7, we recommend Parties to include the following new paragraph:</p> <p><i>“Urge Parties, and invited other Governments and relevant organizations to ensure that any land use related climate mitigation and adaptation activities under the Paris Agreement are implemented in a way that is fully compatible with the Convention and its Strategic Plan;”</i></p>	<p>This recommendation is in line with Decision XII/20, among others.</p>

Draft decision on “Progress towards the achievement of Aichi Biodiversity Targets 11 and 12” (SBSTTA XX/1)

Paragraph	General Comments and Suggested Changes	Rationale
Preamble	<p>We encourage Parties to include the following new suggested paragraph in the preamble:</p>	<p>Following from the preambular paragraph that welcomes the commitments of the World Parks Congress 2014, it is fitting to do the same for the outcomes of the World Conservation Congress 2016, which just took place</p>

	<p>“Also welcoming the resolutions adopted and other commitments made by the members of the International Union for Conservation of Nature at the World Conservation Congress 2016, held in Honolulu, USA, particularly Resolutions 6.026 and 6.029 on protected areas and Resolution 6.080 on the Whakatane Mechanism,”</p>	<p>in September and adopted a number of resolutions of relevance to the CBD, including Resolution 6.026 (“Protected areas and other areas important for biodiversity in relation to environmentally damaging industrial-scale activities and infrastructure development”) and Resolution 6.029 (“Recognizing and respecting the territories and areas conserved by indigenous peoples and local communities (ICCAs) overlapped by protected areas”), and Resolution 6.080 (“Enabling the Whakatane Mechanism to contribute to conservation through securing communities’ rights”).</p>
2 bis	<p>We encourage Parties to add the following new suggested paragraph:</p> <p>“Also recognizes that the establishment, expansion, governance and management of protected areas and other effective area-based conservation measures must balance social, economic and environmental objectives, including the full and effective participation and free, prior and informed consent of indigenous peoples and local communities, and fully respect existing land tenure and territorial rights;”</p>	<p>This suggested new text is a logical follow-up to the rights-based approach embedded in Agenda 2030 and its Sustainable Development Goals, as well as the CBD’s Programme of Work on Protected Areas, among other decisions.</p>
4(b)	<p>We encourage Parties to add the following new text (in red) to the beginning of this sub-paragraph:</p> <p>“(b) To pursue efforts to identify and explore options to protect areas of particular importance for biodiversity and ecosystem services, taking into account progress made in describing ecologically or biologically significant marine areas by the Convention on Biological Diversity and the Standards for the Identification of Key Biodiversity Areas adopted by the Council of the International Union for Conservation of Nature, as appropriate, and, in establishing new and/or expanding existing protected areas and/or revising their governance or management, or taking other effective area based conservation measures, to give due consideration to areas that: ...”</p>	<p>It is important to specifically refer to both governance and management. See the IUCN Best Practice Guidelines on protected area governance.</p>
4(b)(v)	<p>We encourage Parties to revise this provision to the following (suggested addition in red):</p> <p>“... (v) promote the integration of areas managed under collective action by indigenous peoples and local communities into the wider landscapes and seascapes and appropriately recognise and respect their conserved territories and areas (ICCAs), including those overlapped by protected areas, as appropriate; ...”</p>	<p>The areas managed by collective action by indigenous peoples and local communities <i>are</i> ICCAs, and the term should be mentioned. This is also an opportunity to refer to those ICCAs overlapped by protected areas, which may include ICCAs that partially overlap protected areas and extend beyond them into wider conservation landscapes and seascapes.</p>
4(b)(viii)	<p>We encourage Parties to revise this provision to the following (suggested</p>	<p>This follows through with the guidance in CBD Technical Series No. 64 on</p>

	<p>addition in red):</p> <p>“(viii) have involved the full and effective participation and have received the prior informed consent of indigenous peoples and local communities whose territories, areas and resources overlap wholly or partially with the proposed areas and appropriately recognise their conserved territories and areas (ICCAs), in accordance with national legislation;”</p>	<p>ICCAs, IUCN World Conservation Congress Resolutions 5.095 and 6.029, and CBD decisions and provisions of PoWPA that endorse ICCAs and call for full and effective participation in protected area governance. Also see the ICCA Consortium’s report on ICCAs overlapped by protected areas: http://bit.ly/2csyKVL.</p>
4(b)(vii) <i>bis</i> and <i>ter</i> and (viii) <i>bis</i>	<p>We encourage Parties to add the following new suggested sub-paragraphs to the existing list in para. 4(b):</p> <p>“... to give due consideration to efforts that: ... (vii bis) appropriately recognise and support territories and areas conserved by indigenous peoples and local communities, including those overlapped by protected areas; (vii ter) urgently protect areas that are planned for environmentally damaging industrial-scale activities and infrastructure development; ... (viii bis) have considered the potential impacts on women of granting protected area status to the proposed areas, and gender aspects in general;”</p>	<p>The proposed (vii <i>bis</i>) is in line with the guidance in CBD Technical Series No. 64 on ICCAs and a number of CBD decisions and IUCN resolutions and recommendations on ICCAs, including IUCN WCC Resolutions 5.094 and 6.029.</p> <p>The proposed (vii <i>ter</i>) follows from IUCN Resolution 6.026 (“Protected areas and other areas important for biodiversity in relation to environmentally damaging industrial-scale activities and infrastructure development”), adopted by IUCN Members at the World Conservation Congress 2016.</p> <p>The proposed (viii <i>bis</i>) follows from Decision XII/7, among others.</p>
4(d)	<p>We encourage Parties to add the following (in red):</p> <p>“(d) To undertake or participate in, where relevant, national protected area governance assessments with a view to promoting, recognizing and improving governance diversity, vitality, quality efficiency and equity in systems of protected and conserved areas, systems with the full and effective participation of indigenous peoples and local communities;”</p>	<p>Governance diversity, vitality and quality were the focus of Stream 6 of the 2014 World Parks Congress. These three characteristics of governance are also considered in the following IUCN Primer on Governance for Protected and Conserved Areas: https://portals.iucn.org/library/sites/library/files/documents/2014-033.pdf. The full and effective participation of indigenous peoples and local communities is essential in governance diversity, vitality, quality and equity.</p>
5	<p>We encourage Parties to add the following new suggested paragraph after the current para. 5:</p> <p>“5.bis Invites the International Union for Conservation of Nature, the ICCA Consortium and other partners to develop best practice guidance on identification, recognition, and respect for territories and areas conserved by indigenous peoples and local communities (ICCAs) in situations of overlap with protected areas;”</p>	<p>IUCN Members adopted Resolution 6.029 (“Recognizing and respecting the territories and areas conserved by indigenous peoples and local communities (ICCAs) overlapped by protected areas”) at the recent World Conservation Congress 2016. Operative paragraph 1 of Resolution 6.029 reads: “1. REQUESTS the Director General, Council, Commissions and Members, together with the ICCA Consortium and relevant partners, to: (a) develop, disseminate, and urge implementation of best practice guidance on identification, recognition, and respect for ICCAs in protected area overlap situations; ...”</p>
6	<p>We encourage Parties to revise this provision to the following (suggested addition in red):</p>	<p>It is important to specifically mention indigenous peoples and local communities at the beginning of this paragraph, given their essential roles</p>

	<p>“Invites Parties, other Governments, relevant partners, regional agencies, bilateral and multilateral funding agencies, in conjunction with the Secretariat of the Convention on Biological Diversity, taking into account information provided by, and in consultation with Parties and other Governments and indigenous peoples and local communities, and subject to the availability of resources.”</p>	<p>in the activities set out in the remaining sub-paragraphs.</p>
6(a)(iv)	<p>We encourage Parties to revise this provision to the following (suggested addition in red):</p> <p>“(iv) Effective governance models for equitable governance and management of protected areas and other effective area-based conservation measures, including equity, taking into account work being undertaken under Article 8(j) and addressing issues concerning the overlap of protected areas and territories and areas conserved by indigenous peoples and local communities (ICCAs).”</p>	<p>This follows from CBD Technical Series No. 64 and IUCN WCC Resolutions 5.094 and 6.029, and offers more clear and streamlined language.</p>

Draft decision on “Ecosystem restoration: short-term action plan” (SBSTTA XX/12)

Paragraph	Suggested Changes	Rationale
Preambular para. 5 <i>bis</i>	<p>After the current para. 5, we encourage Parties to add the following new text:</p> <p>“Recalling the adoption of Sustainable Development Goal target 15.2 that calls for enhanced reforestation and afforestation and the need to ensure that activities to implement this target are consistent with the Convention and its Strategic Plan and contribute to forest ecosystem restoration;”</p>	<p>It is important to emphasize the need for policy coherence in this respect.</p>
8	<p>We encourage Parties to revise this paragraph to the following (suggested deletions in strikethrough, suggested additions in red):</p> <p>“Invites Urges Parties and relevant organizations and invites other Governments to give due consideration effective and appropriate recognition and support to community-based initiatives on ecosystem restoration in the context of the Convention’s Plan of Action on Customary Sustainable Use of Biological Diversity and existing decisions on territories and areas conserved by indigenous peoples and local</p>	<p>This paragraph is welcomed, but could be formulated in a more proactive and actionable manner, also taking into account existing decisions related to ICCAs, including Decisions VII/28, VIII/18, VIII/24, IX/18, X/24, X/31, X/33, XI/24, XII/3, XII/5, XII/12, XII/19.</p>

	communities;”	
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Draft decision on **“Forest biodiversity: role of international organizations in supporting the achievement of the Aichi Biodiversity Targets”**
(SBSTTA XIX/8)

Paragraph	Suggested Changes	Rationale
Preambular paras. 1 and 2(b)	We suggest that these paragraphs be merged and reformulated as follows (suggested deletions in strikethrough, suggested additions in red): “Welcomes target 15.2 of the 2030 Agenda for Sustainable Development, which calls upon countries to halt deforestation by 2020, and other forest-related Sustainable Development Goals, and Noting the strong congruence among these Sustainable Development Goals, the forest-related Aichi Biodiversity Targets, the four global objectives on forests and forest-related commitments under the Paris Agreement, REDD+ activities and guidance, and the forest-related Sustainable Development Goals, and <i>emphasizing</i> that their achievement is important for the implementation of the 2050 vision of the Strategic Plan for Biodiversity, as well as for the 2030 Agenda for Sustainable Development, recognizing also alternative policy approaches, such as the joint mitigation and adaptation approach for the integral and sustainable management of forests, noted in decision XII/20, paragraph 4;”	It is important to highlight the historic SDG 15.2 in the beginning of this decision.
Para. (f) <i>bis</i>	After the current sub-paragraph (f), we encourage Parties to add the following new text: “Urges Parties to recognize the vital role of indigenous peoples, local communities and women in forest conservation and restoration and to provide appropriate and effective recognition and support to forest territories and areas conserved by indigenous peoples and local communities and other community-based forest conservation and restoration initiatives;”	It is important to recognize the role of ICCAs and other community-based initiatives in forest conservation and restoration.

For more information about this agenda item and our related recommendations, please contact: Simone Lovera, Executive Director, Global Forest Coalition (simone@globalforestcoalition.org) and Holly Jonas, International Policy Coordinator, ICCA Consortium, and Legal Team Coordinator, Community Conservation Resilience Initiative (holly@iccaconsortium.org)

Agenda Item 11: Resource mobilisation and financial mechanism

Currently scheduled for: Tuesday 6 December, 10:00-13:00, Working Group I

Draft decision on “**Resource mobilisation**” (SBI 1/6)

Paragraph	Suggested Changes	Rationale
6	<p>We encourage Parties to revise this provision to the following (suggested additions in red, with two alternatives provided):</p> <p><i>“Invites relevant organizations and initiatives, including the Biodiversity Finance Initiative, to provide technical support and capacity-building for interested and eligible Parties, in particular developing and least developed country Parties, including small island developing States and countries with economies in transition, [and representatives] [with the full and effective participation] of indigenous peoples and local communities, on the identification of funding needs, gaps and priorities, also taking into account the need for gender budgeting, and the development and implementation of national resource mobilization strategies, and of financial reporting;”</i></p>	<p>The collective actions of indigenous peoples and local communities contribute significantly to implementation of the Strategic Plan 2011-2020 and the Convention. It is thus important to support indigenous peoples and local communities to identify their own funding needs, gaps and priorities and to facilitate their contributions to the development and implementation of national resource mobilization strategies.</p>
14	<p>We encourage Parties to add the following (in red):</p> <p><i>“Invites Parties, other Governments, and relevant stakeholder organizations to consider establishing pilot projects on the contribution of collective action of indigenous peoples and local communities, including women, by making use of existing work processes such as the work on indicators relevant to traditional knowledge and customary sustainable use or the implementation of the plan of action on customary sustainable use, and further invites Parties to submit related information through the financial reporting framework to the Executive Secretary;”</i></p>	<p>It is important to mainstream women and gender considerations in this work as well, following the CBD’s 2015-2020 Gender Plan of Action.</p>
14 bis	<p>After the current para. 14, we encourage Parties to add a new provision along the following lines:</p> <p><i>“14. bis Invites the Global Environmental Facility, including through the GEF Small Grants Programme, and other donors, as appropriate, to</i></p>	<p>As above. It is also important for COP13 to specifically invite GEF and the SGP and other donors to provide support for such actions, so that such donors can include these priorities in their funding strategies and plans.</p> <p>IUCN WCC Resolution 6.080 “invites the CBD to take account of the</p>

	<p>support the funding needs, gaps and priorities identified by indigenous peoples and local communities for their collective actions, and to support the pilot projects and existing work processes identified in paragraph 14 above and the Whakatane Mechanism;”</p>	<p>Whakatane Mechanism” (para. 2) and in para. 1 requests the IUCN Director General to engage GEF in identifying funding opportunities for projects that include approaches contained in the Whakatane Mechanism. It is appropriate for the CBD to also request GEF to fund the Whakatane Mechanism as a means of achieving Aichi Targets 11 and 18 and implementing PoWPA and the Plan of Action on Customary Sustainable Use of Biodiversity.</p>
15	<p>We encourage Parties to add the following (in red):</p> <p>“<i>Requests</i> the Executive Secretary to compile and analyse the information on collective action received by Parties through the financial reporting framework and other relevant sources, and, taking into account the guiding principles in annex I to the present decision as well as the report of the Guatemala workshop, to develop elements of methodological guidance for identifying, monitoring, and assessing the contribution of indigenous peoples and local communities, including women, to the achievement of the Strategic Plan and the Aichi Biodiversity Targets, for consideration by the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions at its tenth meeting, and with a view to finalizing the methodological guidance at the second meeting of the Subsidiary Body on Implementation and adopting it at the Conference of the Parties at its fourteenth meeting;”</p>	<p>It is important to mainstream women and gender considerations in this work as well, following the CBD’s 2015-2020 Gender Plan of Action.</p>
Annex I, para. 1	<p>We encourage Parties to add the following (in red):</p> <p>“<i>Importance of collective action.</i> The collective action of indigenous peoples and local communities, including women, can contribute to achieving the Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets. In particular, traditional knowledge can provide an important contribution to decision-making and reporting processes. It is important for the ways and means of holding and transmitting traditional knowledge to be recognized and fully included when reporting on the contribution of collective action by indigenous peoples and local communities.”</p>	<p>As above.</p>
Annex I, para. 5	<p>We encourage Parties to add the following (in red):</p> <p>“<i>Process orientation.</i> Indigenous peoples and local communities, including women, need to be fully involved in the process of developing and applying methodologies for assessing their collective actions.”</p>	<p>As above.</p>
Appendix, bullet point	<p>We encourage Parties to revise this provision to the following (suggested deletions in strikethrough, suggested additions in red):</p>	<p>The suggested changes are intended to add further clarity and nuance to this bullet point, including using the latest version of the ‘ICCA’ abbreviation</p>

no. 4	<p>“The Indigenous and Community Conserved Areas (ICCA) Consortium and its members have has many tools and methods for capturing the contribution of collective action, such as participatory mapping and GIS, video and photo stories, bio-cultural community protocols, community conservation resilience assessments, and toolkits for environmental monitoring and assessment of threats to territories and areas conserved by indigenous peoples and local communities (ICCAs) indigenous and community conserved areas.”</p>	<p>and using the term ‘community protocol’ as it has been adopted in several COP decisions.</p>
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For more information about this agenda item and our related recommendations, please contact: Holly Jonas, International Policy Coordinator, ICCA Consortium, and Legal Team Coordinator, Community Conservation Resilience Initiative (holly@iccaconsortium.org), and Mrinalini (Tina) Rai, Indigenous Peoples and Gender Advisor, Global Forest Coalition (mrinalini.raiglobalforestcoalition.org).

Agenda Item 12:

Other means of implementation: enhancement of capacity-building, technical and scientific cooperation and other initiatives to assist implementation

Currently scheduled for: Tuesday 6 December, 15:00-18:00, Working Group I

Draft decision on “**Capacity-building, technical and scientific cooperation, technology transfer and the clearing-house-mechanism**” (SBI 1/5, para. 4)

Paragraph	Suggested Changes	Rationale
3(a)	<p>We encourage Parties to add the following (in red):</p> <p><i>“Also invites Parties, other Governments and relevant organizations to consider taking the following complementary measures to enhance the implementation of Article 12 of the Convention:</i></p> <p>... (a) Encourage and support relevant educational and training institutions to play a key role in organizing and delivering education and training programmes to assist Parties, indigenous peoples and local communities, including women, and relevant stakeholders in the implementation of the Convention and its Protocols as well as other biodiversity-related conventions where possible;”</p>	<p>It is important to mainstream women and gender considerations in this work as well, following the CBD’s 2015-2020 Gender Plan of Action.</p>
3(h)	<p>We encourage Parties to add the following (in red):</p> <p><i>“Also invites Parties, other Governments and relevant organizations to consider taking the following complementary measures to enhance the implementation of Article 12 of the Convention:</i></p> <p>... (h) Promote partnerships between Governments and academic institutions, as well as relevant organizations and centres of excellence to deliver tailored training programmes for government officials, indigenous peoples and local communities, including women, and relevant stakeholders;”</p>	<p>As above.</p>
5	<p>We encourage Parties to add the following (in red):</p> <p><i>“Invites Parties and other Governments to encourage and support the engagement of relevant national or regional institutions, including scientific,</i></p>	<p>As above.</p>

	technical and policy institutes, and indigenous peoples and local communities, including women , to contribute to technical and scientific cooperation.”	
11(g)	We encourage Parties to add the following (in red): “ <i>Requests</i> the Executive Secretary, subject to the availability of resources: ... (g) To continue efforts to facilitate capacity development activities for indigenous peoples and local communities, including women .”	As above.

For more information about this agenda item and our related recommendations, please contact: Chrissy Grant, Jabalbina Yalanji Aboriginal Corporation (chrissy@webone.com.au)

Agenda Item 14:

Article 8(j) and related provisions: guidelines for the development of legislation or other mechanisms; and recommendations from the United Nations Permanent Forum on Indigenous Issues

Currently scheduled for: Wednesday 7 December, 15:00-18:00, Working Group II

Draft decision on “**Voluntary guidelines for the development of mechanisms, legislation or other appropriate initiatives to ensure the [free,] prior informed consent [or approval and involvement] of indigenous peoples and local communities for accessing their knowledge, innovations and practices, the fair and equitable sharing of benefits arising from the use and application of such knowledge, innovations and practices relevant for the conservation and sustainable use of biological diversity and for reporting and preventing unlawful appropriation of traditional knowledge**” (WG8J 9/1)

Paragraph	Suggested Changes	Rationale
(overall)	We strongly encourage Parties to adopt the text “ free, prior and informed consent ” and to delete “or approval and involvement” throughout this decision.	“Free, prior and informed consent” is used in many UN instruments and international standards, perhaps most notably in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). UNDRIP was adopted by the UN General Assembly and the only four UN member states who initially voted against its adoption subsequently reversed their positions. The CBD should not regress on this landmark international instrument, especially since no CBD Parties are opposed to it under the General Assembly.
Annex: III. 17	We encourage Parties to include the following suggested addition in red: “Consent [or Approval] is the agreement of the traditional knowledge owners or holders to provide a potential user with access to the traditional knowledge in question, subject to mutually agreed terms and conditions... ”	Traditional knowledge owners or holders have the right to impose specific terms and conditions on the potential user of such knowledge. FPIC cannot be granted <i>carte blanche</i> and must be subject to agreed terms and conditions, including any potential changes in intended uses. Numerous UN documents set out requirements of FPIC.
Annex: III. 18	We recommend deletion of the text in square brackets concerning “involvement”. However, if Parties decide to retain this text, we recommend the inclusion of the following text (in red): “[<i>Involvement</i> refers to the full and effective participation of indigenous peoples and local communities, as traditional knowledge owners, holders or providers, in decision-making processes related to access.]”	“Full and effective participation” of indigenous peoples and local communities is an accepted term in the CBD and elsewhere, and it should be maintained as such in all CBD documents.
Annex: IV.	We encourage Parties to add the following (in red):	To ensure consistency with the text in Annex III, para. 17, and elsewhere in

19(c) (i)	“Written application in a manner and language comprehensible to the traditional knowledge owners or holders;”	the draft decision.
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Draft decision on “**A glossary of relevant key terms and concepts to be used within the context of Article 8(j) and related provisions**” (WG8J 9/3, para. 2)

Paragraph	Suggested Changes	Rationale
2-3	We recommend Parties to remove the square brackets around both provisions	The glossary of key terms and concepts should be used in the development and implementation of national measures, and by the Working Group on Article 8(j) and Related Provisions.

Draft decision on “**Recommendations from the United Nations Permanent Forum on Indigenous Issues to the Convention on Biological Diversity**” (WG8J 9/4)

Paragraph	Suggested Changes	Rationale
2	We encourage Parties to make the following changes to the text (suggested additions in red): “Notes the recommendations of the United Nations Permanent Forum on Indigenous Issues made at its thirteenth and fourteenth sessions, and requests the Executive Secretary to continue to inform and receive and transmit to Parties information and recommendations from the Permanent Forum on developments of mutual interest.”	It is important that the Executive Secretary also accepts and transmits to CBD Parties information and recommendations from the Permanent Forum on developments of mutual interest. It would be beneficial if Parties were more aware of the substantive content of Permanent Forum recommendations, and addressed them explicitly in the work of the Convention, including (but not limited to) the Working Group on Article 8(j) and Related Provisions.

For more information about this agenda item and our related recommendations, please contact: Chrissy Grant, Jabalbina Yalanji Aboriginal Corporation (chrissy@webone.com.au) and Mrinalini (Tina) Rai, Indigenous Peoples and Gender Advisor, Global Forest Coalition (mrinalini.raiglobalforestcoalition.org)

Agenda Item 15:

Marine and coastal biodiversity: ecologically or biologically significant marine areas; specific work plan on biodiversity and acidification in cold-water areas; ... and marine spatial planning and training initiatives

Currently scheduled for: Monday 5 December, 15:00-18:00, Working Group II

Draft decision on “**Marine and coastal biodiversity: ecologically or biologically significant marine areas**” (SBSTTA XX/3)

Paragraph	Suggested Changes	Rationale
9	<p>We encourage Parties to revise the provision to the following (suggested deletion in strikethrough, suggested addition in red):</p> <p>“<i>Recalling</i> paragraph 24 of decision XI/17 and paragraph 15 of decision XII/22, welcomes the training manual on the use of traditional knowledge in the application of the criteria for ecologically or biologically significant marine areas, and <i>requests</i> the Executive Secretary, when organizing training activities, as appropriate and subject to the availability of financial resources, to use this training manual in collaboration with Parties, other Governments, donors, relevant organizations, and indigenous peoples and local communities to use this training manual in organizing training activities, as appropriate and subject to the availability of financial resources;”</p>	<p>The phrase “subject to the availability of financial resources” was also discussed during the SBSTTA-20 contact group. It was noted at the time that the organising of training activities is subject to financial resources. Use of the training manual itself should not be subject to financial resources, since that may occur at no cost as part of or beyond such training activities.</p>

Draft decision on “**Voluntary specific workplan on biodiversity in cold water areas within the jurisdictional scope of the Convention**” (SBSTTA XX/4)

Paragraph	Suggested Changes	Rationale
Annex II, para. 5	<p>We encourage Parties to add the following new text (in red):</p> <p>“Parties are encouraged to take the following actions, in accordance with national and international laws and using the best available scientific information and relevant traditional and local knowledge, with the free, prior informed consent of indigenous peoples and local communities in cold water areas: ...”</p>	<p>Taken from the language used for the description of EBSAs (SBSTTA XX/3), the actions associated with the workplan on biodiversity in cold-water areas requires working with indigenous peoples and local communities, as their knowledge of the impacts of increased CO₂ in their territories and areas will facilitate a better understanding and lead to improved decision making, when used with their free, prior and informed consent.</p>

Annex II, para. 5.3(b) <i>bis</i>	<p>After the current sub-paragraph 5.3(b), we encourage Parties to add a new provision along the following lines:</p> <p>“5.3(b) <i>bis</i> Appropriately recognise and support indigenous peoples’ and local communities’ customary rights and customary sustainable practices in cold-water areas through conserved territories and areas, collective actions and other effective territory- and area-based measures;”</p>	<p>Given the significant contributions of indigenous peoples and local communities to conservation and sustainable use of fisheries, when using area-based measures for combatting the impacts of acidification in cold-water areas, ICCAs must be appropriately recognised and supported. Such recognition and support must be appropriate, with the full and effective participation and free, prior and informed consent of the indigenous peoples and local communities concerned. For more guidance, please see CBD Technical Series No. 64: http://bit.ly/1JrMUCQ.</p>
Annex II, para. 5.5(e)	<p>We encourage Parties to revise this provision by dividing it into two and amending as follows (suggested deletions in strikethrough, suggested additions in red):</p> <p>“(e) Collaborate with and ensure the full and effective participation of indigenous peoples and local communities, fishers, civil society and members of the public in efforts to improve information available for assessment, monitoring and validation of predictive models, including through application of traditional knowledge, with their free, prior and informed consent fisher’s knowledge and citizen science;”</p> <p>“(e) <i>bis</i> Collaborate with indigenous peoples and local communities, fishers, civil society and members of the public to improve information available for assessment, monitoring and validation of predictive models, including through application of traditional knowledge, fisher’s knowledge and citizen science;</p>	<p>The actions associated with the workplan on biodiversity in cold-water areas requires the full and effective participation of indigenous peoples and local communities, as their knowledge of the impacts of increased CO₂ in their territories and areas will facilitate a better understanding and lead to improved decision making, when used with their prior and informed consent. Indigenous peoples are rights-holders, not merely stakeholders, and so require a paragraph that specifies the special conditions of their involvement.</p>

Draft decision on “Marine spatial planning and training initiatives” (SBSTTA XX/6)

Paragraph	Suggested Changes	Rationale
3(b)	<p>We encourage Parties to include the following additional text (in red):</p> <p>“To promote full and effective participation and free, prior and informed consent of indigenous peoples and local communities in the development and implementation of marine spatial planning, in accordance with national legislation;”</p>	<p>Engagement in marine spatial planning must be <i>appropriate</i>, with the full and effective participation and free, prior and informed consent of the indigenous peoples and local communities concerned.</p>

For more information about this agenda item and our related recommendations, please contact: Kim Wright, Coordinator for Marine, Coastal and Island Environments, ICCA Consortium (kim@iccaconsortium.org)

Agenda Item 17:

Other scientific and technical issues, including ... sustainable wildlife management

Currently scheduled for: Tuesday 6 December, 10:00-13:00, Working Group II

Draft decision on “**Sustainable use of biodiversity: bushmeat and sustainable wildlife management**” (SBSTTA XX/11)

Paragraph	Suggested Changes	Rationale
Preambular para. 3	<p>We encourage Parties to make the following changes to the text (suggested deletion in strikethrough, suggested addition in red):</p> <p>“<i>Noting</i> the need for sound wildlife management programmes that build upon an understanding of biological and ecological factors, and effective and equitable programmes, recognizing the importance of the human dimension, not only in terms of human needs and benefit-sharing, including custodianship and the historical customary rights of indigenous peoples and local communities to access wildlife, in accordance with national legislation, but also with respect to generating and sharing incentives for wildlife conservation and sustainable use,”</p>	<p>It is more appropriate to refer to customary rights, rather than historical rights. ‘Historical’ implies that such rights existed only in the past and no longer apply. Customary rights are rooted in custom and still apply to this day, in accordance with customary law, regardless of whether they are recognised by national legislation.</p>
4	<p>We encourage Parties to make the following changes to the text (suggested additions in red):</p> <p>“<i>Also invites</i> Parties to work with indigenous peoples and local communities to appropriately recognise and support the contributions of their collective actions to sustainable wildlife management, and to provide training and capacity-building in sustainable wildlife management and reduction of human-wildlife conflict, including exchanging information and skills at various levels;”</p>	<p>The first suggested addition aims to acknowledge that indigenous peoples and local communities are not just perpetrators or victims of the decline of wildlife species, but they also contribute to sustainable wildlife management through their own collective actions, including through territories and areas conserved through customary law and other effective means. It is thus imperative for Parties to recognise and support such efforts, in addition to providing training and capacity building. The second suggested addition on ‘reduction of human-wildlife conflict’ was a priority identified by ICCA Consortium members in Africa in a recent needs assessment.</p>
5(a)	<p>We encourage Parties to make the following changes to the text (suggested deletions in strikethrough and suggested additions in red):</p> <p>“To further elaborate technical guidance for better governance towards a more sustainable bushmeat sector, with a view to supporting Parties’ implementation of the Strategic Plan for Biodiversity 2011-2020, building on</p>	<p>In addition to the Symposium held in South Africa in 2015, two regional “Beyond Enforcement” workshops were held in Cameroon (for West and Central Africa) in February 2016 and in Vietnam (for Southeast Asia) in November 2016. These workshops follow directly from the Symposium and are intended to delve into more detail about regional contexts and specificities. They should be considered in concert with each other in this</p>

	<p>the road map on the role of bushmeat in food security and nutrition and the results of the Symposium (held in South Africa in February 2015) and regional workshops (held in Cameroon in February 2016 and Vietnam in November 2016) on “Beyond enforcement: Communities, governance, incentives, and sustainable use in combating illegal wildlife trade”, held in South Africa in February 2015, as well as the workshop on “Sustainable use and bushmeat trade in Colombia...”</p>	<p>draft decision.</p>
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For more information about this agenda item and our related recommendations, please contact: Holly Jonas, International Policy Coordinator, ICCA Consortium, and Legal Team Coordinator, Community Conservation Resilience Initiative (holly@iccaconsortium.org)

Agenda Item 19:

Guidelines for the sixth national reports, modalities for future editions of the Global Biodiversity Outlook and indicators

Currently scheduled for: Thursday 8 December, 10:00-13:00, Working Group II

Draft decision on “**National reporting**” (SBI 1/10)

Paragraph	General Comments and Suggested Changes	Rationale
7 and Annex I/3	We very much welcome the explicit reference to the full and effective participation (para. 7) and involvement (Annex I/3) of indigenous peoples and local communities in the preparation of the sixth national report. We strongly encourage Parties to retain this text.	Indigenous peoples and local communities can contribute significantly to the national reporting process, including by providing information on the contributions of their collective actions to implementing the Strategic Plan 2011-2020.
7	We encourage Parties to include specific reference to women in this paragraph, for example: “Invites Parties to facilitate, as appropriate, the full and effective participation of indigenous peoples and local communities, including women , and relevant rights-holders and stakeholders... in the preparation of the sixth national report...”	Indigenous women and women in local communities have particular traditional knowledge, innovations and practices and contribute in unique ways to achieving the Strategic Plan and CBD. However, they are often under-represented in CBD reports and reporting processes. Specific reference to women would encourage Parties to pay particular attention to facilitating their participation in the preparation of the sixth national report. This would also contribute to implementation of the CBD 2015-2020 Gender Plan of Action. Also see the Global Gender and Environment Outlook (UNEP, 2016).
Annex: I/3	We also encourage Parties to include specific reference to women in this paragraph, for example: “Representatives of indigenous peoples and local communities, including women , as well as representatives... should also be involved in the preparation of the national report.”	As above.
Annex: II/4 Annex: III	We urge Parties to also include a seventh section that requests a description of the process undertaken to prepare the national report. We urge Parties to include a seventh section in the Template section along the following lines: “ Section VII. Description of the process undertaken to prepare the sixth	The Guidelines for the Sixth National Report, including the templates, provide usefully detailed information about what to include in the national report. However, the Guidelines fail to request information concerning the <u>process</u> undertaken to prepare the national report. Inclusion of such a section would enable Parties to report on implementation of the provisions in this draft decision concerning full and effective participation of indigenous peoples and local communities and involvement of other

	<p>national report. Please describe the process undertaken by your country to prepare this national report, for example, a chronology of events, number of participants in each event (disaggregated by gender and by affiliation / stakeholder group), and how the contributions of indigenous peoples and local communities in particular were included.”</p>	<p>stakeholders such as civil society and non-governmental organisations in the preparation of the report (as noted above, which only arose in SBI-1). Otherwise, there is no way to assess implementation of these provisions.</p>
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Draft decision on “**Global Biodiversity Outlook**” (SBSTTA XIX/5, para. 5) and “**Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services**” (SBSTTA XX/13, paras. 1-7)

Paragraph	General Comments	Rationale
1(c)(v)	<p>We very much welcome the sub-paragraph concerning information provided by indigenous peoples and local communities, including on the contributions of their collective actions, and strongly encourage Parties to retain this text.</p>	<p>Indigenous peoples and local communities contribute significantly to the implementation of the Strategic Plan 2011-2020 and to the CBD as a whole. Parties would be well advised to include their observations, assessments and reports in the fifth edition of the Global Biodiversity Outlook.</p>

Draft decision on “**Indicators for the Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets**” (SBSTTA XX/13, paras. 4 and 8-24)

Paragraph	General Comments and Suggested Changes	Rationale
--	<p>Overall, we are concerned that the current indicators for the Aichi Targets do not sufficiently consider the contributions of indigenous peoples and local communities, including through territories and areas conserved by indigenous peoples and local communities (ICCAs) and other effective conservation measures.</p>	<p>The contributions of indigenous peoples and local communities to implementing the Strategic Plan and Convention more broadly are well recognised by CBD Parties. If indicators for the Strategic Plan ignore them then their contributions will not be documented or recognised, and Parties will miss out in a great deal of unreported efforts to meet the Strategic Plan.</p>
Annex: Target 3, Specific Indicators for Generic Indicator No. 2	<p>We encourage Parties to add a Specific Indicator for incentives that promote biodiversity conservation and sustainable use among indigenous peoples and local communities, for example:</p> <p>“Number of countries with national instruments that recognise or otherwise support territories and areas conserved by indigenous peoples and local communities (ICCAs) and/or other forms of conservation by indigenous peoples and local communities, including in cases where protected areas overlap with ICCAs”.</p> <p>We also suggest merging the three existing indicators into the following</p>	<p>We are concerned that the Specific Indicators for “<i>Trends in development and application of incentives that promote biodiversity conservation and sustainable use</i>” only refer to financial, economic and market-based mechanisms, while these may not even necessarily work as positive incentives for conservation. REDD+ schemes and tradable permit schemes, for example, can also incentivise the replacement of natural ecosystems by monoculture tree plantations.</p> <p>There are not yet any indicators for non-financial incentives that promote biodiversity conservation and sustainable use among indigenous peoples and local communities. An effective, sustainable, cost-effective and non-</p>

	<p>one:</p> <p>“Number of countries with national instruments on biodiversity-relevant taxes, charges and fees or similar positive economic incentive schemes”</p>	<p>market-based mechanism is appropriate recognition of and support for ICCAs and other conservation initiatives by indigenous peoples and local communities. Information could be sourced from the ICCA Consortium, among others.</p>
Annex Target 7	<p>We recommend the deletion of the specific indicator “Proportion of area of forest production under FSC and PEFC certification”.</p>	<p>Both FSC and PEFC certify monoculture tree plantations, so their certificates are not guarantees for biodiversity conservation and may even undermine conservation.</p>
Annex: Target 11 (overall)	<p>The draft indicators for Target 11 are overwhelmingly focused on protected areas and fail to include any indicators for ‘other effective area-based conservation measures’, a key component of Target 11. This illustrates a conceptual and ideological bias towards conventional protected areas.</p> <p>As stated in UNEP/SBSTTA/20/INF/40, the IUCN World Commission on Protected Areas is currently developing guidance on ‘other effective area-based conservation measures’ (‘conserved areas’ in short). The Target 11 indicators should acknowledge that this process is underway, as it will form an important basis for reporting on progress towards Target 11.</p>	<p>If the indicators for Aichi Target 11 do not include any consideration of other effective area-based conservation measures, Parties to the CBD will fail to consider a potentially very significant percentage of effectively conserved lands and waters, including territories and areas conserved by indigenous peoples and local communities.</p>
Annex: Target 11, Specific Indicators	<p>We strongly encourage Parties to ensure that each indicator that refers to protected areas also explicitly refers to “other effective area-based conservation measures”, for example:</p> <p>“Percentage of terrestrial and inland water areas covered by protected areas and other effective area-based conservation measures” and “Percentage of marine and coastal areas covered by protected areas and other effective area-based conservation measures”.</p>	<p>“Other effective area-based conservation measures” (OECMs) are distinct from protected areas (for example, the definition of a protected area does not require actual effectiveness, whereas OECMs are actually effectively conserved). Furthermore, custodians of OECMs may not wish to be included in government protected area systems for various reasons. Thus there is a need to explicitly recognise OECMs as well, in order to report on the full extent of areas included in Target 11.</p>
Annex: Target 11 (new suggestion)	<p>We encourage Parties to add the following Generic Indicator and Specific Indicators specifically on “other effective area-based conservation measures”:</p> <p>Generic Indicator: “Trends in recognition of other effective area-based conservation measures (conserved areas).”</p> <p>Specific Indicators:</p> <ul style="list-style-type: none"> • “Progress by countries in the degree of application of a legal/regulatory/policy/institutional framework to appropriate recognise and support other effective area-based conservation measures (conserved areas), including in situations in which they are overlapped by protected areas.” 	<p>Information for these indicators is being collected by IUCN, UNEP-WCMC and the ICCA Consortium, among others, and/or can already be sourced from CBD Technical Series No. 64 on recognising and supporting ICCAs.</p>

	<ul style="list-style-type: none"> • “Trends in recognition of ICCAs and other community conservation practices that effectively contribute to conservation, regardless of primary objectives.” 	
Annex Target 14, Generic Indicator No. 3	<p>Under Generic Indicator No. 3, we encourage Parties to revise Specific Indicator No. 3 to the following (suggested deletion in strikethrough, suggested addition in red):</p> <p>“Coverage by protected or effectively conserved areas of important sites for mountain biodiversity”</p>	<p>In line with the above, we emphasize the need to recognise both protected and effectively conserved areas.</p> <p>There is no reason for the Specific Indicator to be restricted only to mountains biodiversity.</p>
Annex Target 14, Generic Indicator No. 5	<p>Under Generic Indicator No. 5, we recommend Parties to revise both Specific Indicators to the following (suggested additions in red):</p> <p>“Prevalence of moderate or severe food insecurity in the population, based on the Food Insecurity Experience Scale (FIES), disaggregated by gender”</p> <p>“Percentage of population using safely managed drinking water services (indicator for SDG target 6.1), disaggregated by gender”</p> <p>For Generic Indicator No. 5, we also propose the following new Specific Indicator:</p> <p>“Index of contribution of non-timber forest products, including medicinal plants, to household economies”</p>	<p>The socio-economic indicators for Generic Indicator No. 5 should be disaggregated by gender, to properly reflect the text and intention of the target.</p> <p>We also propose a new indicator to reflect the importance of non-timber forest products to household economies. Sufficient relevant data on this are available.</p>

Draft decision on **“Key scientific and technical needs related to the implementation of the Strategic Plan for Biodiversity 2011-2020 and related research”** (SBSTTA XIX/2)

Paragraph	Suggested Changes	Rationale
5(h)	<p>We appreciate the inclusion of this provision. However, to strengthen it further, we encourage Parties to delete the text in strikethrough and add the text in red, as follows:</p> <p>(h) “To continue to promote awareness about the role of traditional knowledge systems and the collective actions of indigenous peoples and local communities to as complementary to the scientific knowledge and to provide support to indigenous peoples and local communities to</p>	<p>The contributions of indigenous peoples and local communities are recognised in general terms in the CBD, but they are not sufficiently documented or included in official reports (as evidenced, for example, by lack of their consideration in GBO4 and in the indicators for the Strategic Plan 2011-2020). The suggested changes are intended to help provide additional information to the national reports, Global Biodiversity Outlook, and other CBD processes. Paragraph 5(d) encourages Parties “To provide support for biodiversity monitoring, assessment, project implementation,</p>

	<p>document the contributions of their collective actions in support of the effective implementation of the Strategic Plan for Biodiversity 2011-2020;”</p>	<p>and research”, so it is reasonable to encourage Parties to do the same specifically vis-à-vis documentation of indigenous peoples’ and local communities’ collective actions.</p>
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For more information about this agenda item and our related recommendations, please contact: Simone Lovera, Executive Director, Global Forest Coalition (simone@globalforestcoalition.org) and Isis Alvarez, Senior Gender Advisor, Global Forest Coalition (isis.alvarez@globalforestcoalition.org)