ICCA Consortium Statement on the CBD COP17 Agenda Item 17(c): Programme of Work on Protected Areas (PoWPA)

Statement by the ICCA Consortium at the 17th meeting of the Conference of the Parties (COP17) to the Convention on Biological Diversity (CBD) in Yerevan, Armenia

By the **ICCA Consortium**

The ICCA Consortium welcomes the process of review and update of the Programme of Work on Protected Areas (PoWPA) as an important opportunity to align this longstanding program with the vision, goals, and targets of the Kunming-Montreal Global Biodiversity Framework (KM-GBF).

We appreciate the significant progress made at the 28th meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA-28), particularly the attempts to incorporate concerns and interests related to Indigenous and Traditional Territories throughout the text, and recommendations on the improved coherence with the Programme of Work on Article 8(j), among others. We strongly support retaining and, where needed, strengthening decision text to ensure PoWPA is consistent with the outcomes of Tasks 1.1 and 1.2 of the Programme of Work on Article 8(j).

We would also like to urge the Parties to consider several critical remaining issues:

First, as Parties discuss the future scope and name of the program, we encourage acknowledgment that Target 3 of the KM-GBF is already being implemented through multiple pathways on the ground; some of these are recognized while others remain unrecognized nationally. In this context, if PoWPA is to use the term “Conserved Areas,” it should not be understood as synonymous with, or solely referring to, other effective area-based conservation measures (OECMs). The Consortium understands “conserved areas” to be an umbrella term for areas that are conserved de facto, regardless of external recognition or a conservation objective.[i]

We also encourage Parties to clearly recognize three equal and complementary pathways in the context of Target 3: Indigenous and Traditional Territories, protected areas, and OECMs. Territories and areas conserved by Indigenous Peoples and Local Communities[ii] should not be treated merely as a qualifier to protected areas and OECMs, but recognized

in their own right, including their governance systems and conservation realities. Such recognition, however, must always be through the free, prior, and informed consent (FPIC) of the custodian Indigenous Peoples and Local Communities. This recognition would also better reflect the diversity of ways in which biodiversity is conserved and would be more consistent with the commitments under Article 8(j), the Programme of Work on Article 8(j), and the growing recognition of Indigenous Peoples' and Local Communities' rights and contributions to biodiversity conservation.

Second, we urge Parties to retain and strengthen the explicit references to a human rights-based approach in the context of implementation of PoWPA, in addition to reference to Section C of the KM-GBF in general. Doing so is critical to ensure that PoWPA conveys clearly and emphatically that human rights are not an optional component of conservation, but are at the very foundation for effective, equitable, just, legitimate, and hence long-term conservation outcomes. Explicit reference to a human rights-based approach also reinforces the need to advance implementation and reporting on this commitment within the KM-GBF.[iii]

Third, we call for PoWPA to explicitly recognize the governance systems of Indigenous Peoples and Local Communities, including institutions, customary laws, and collective responsibilities, through which they have stewarded, conserved, and restored biodiversity for generations. These governance systems must be recognized, respected, and supported in ways that are appropriate, equitable, and sustained, to continue to achieve conservation goals—including where protected areas and OECMs overlap Indigenous and Traditional Territories and ICCAs–territories of life.

Fourth, we urge Parties to strengthen provisions related to FPIC and access to justice. Access to effective grievance redress mechanisms is fundamental to access to justice. PoWPA must emphasize that conservation must not result in rights violations, and where violations occur, affected peoples and communities must have access to meaningful and accountable redress and remedy mechanisms. These issues remain among the most important unresolved elements, as has also been highlighted in the collective global review of the implementation of the KM-GBF.

Fifth, PoWPA must emphasize and uphold ensuring the full protection of environmental human rights defenders engaged in activities in defense of protected areas, OECMs, and Indigenous and Traditional Territories.

Sixth, we further encourage Parties to continue strengthening provisions related to community-led monitoring, traditional knowledge, Collective Benefit, Authority to Control, Responsibility, and Ethics (CARE) principles, and Indigenous Peoples' and Local Communities' data sovereignty. As biodiversity monitoring systems expand, rights over knowledge, data, and decision-making must be fully respected.

Seventh, we support stronger commitments for direct, accessible, and equitable financing for Indigenous Peoples, Local Communities, women, and youth, recognizing their indispensable contributions to achieving the goals of the Convention and the KM-GBF.

Finally, while we support efforts to align the Programme of Work on Protected Areas with the KM-GBF, we also urge Parties to undertake a strategic review to examine why some of its most progressive commitments have remained poorly implemented for more than two decades, with particular attention to Element 2 on Governance, Participation, Equity, and Benefit-sharing. Such an assessment must examine:

1. Whether Parties have undertaken the legal, policy, and institutional reforms necessary to fulfill these commitments. Such a review is especially important given the continuing evidence of conservation-related rights violations, including forced evictions and restrictions on customary use in the name of stricter conservation.

2. The extent to which commercial activities, including large-scale tourism ventures, continue to be prioritized over community-led and subsistence-based livelihoods and conservation initiatives.

3. Finally, such a review should also examine the ongoing diversion of bioculturally critical ecosystems, including within Indigenous and Traditional Territories, ICCAs–territories of life, and protected areas, for industrial, extractive, and infrastructure projects.

Without addressing these implementation gaps, updating the program alone will not be sufficient to achieve the transformative and equitable conservation outcomes envisioned under the KM-GBF. COP17 provides an opportunity not only to update the program, but also to address this implementation gap. We therefore urge Parties to ensure that the final updated PoWPA fully reflects governance diversity, human rights, other specific and general rights, accountability, and recognition of the continued contributions of Indigenous Peoples and Local Communities.

Note: We will separately submit specific textual recommendations as part of the Indigenous Peoples and Local Communities caucus (International Indigenous Forum on Biodiversity [IIFB]).

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[i] https://toolbox.iccaconsortium.org/meanings-and-more/conserved-areas/

[ii] For purposes of this statement, we understand this term to be inclusive of Indigenous Peoples' and community conserved areas (ICCAs) as defined in the Article 8(j) glossary and as used in other relevant CBD decisions, with variations (e.g., Decision 7/28; Decision 14/8 [Annex II], among others).

[iii] https://www.ohchr.org/en/statements-and-speeches/2026/10/ahead-cop17-un-experts-urge-states-speed-implementation