

Achieving the Global Biodiversity Framework through Guaranteeing the Roles, Rights, and Contributions of Indigenous Peoples and Local Communities

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Indigenous Peoples and Local Communities (IPLCs) have maintained a close relationship with nature for millennia, and their land, territories, and waters maintain the most important remaining biodiversity which provide critical services to humanity.

In 2022, Parties to the Convention on Biological Diversity (CBD) adopted the Kunming-Montreal Global Biodiversity Framework (GBF), committing to halt and reverse biodiversity loss by 2030. The GBF recognizes the vital role, contributions, and rights of IPLCs in the conservation, restoration, and sustainable use of biodiversity. The GBF directly recognizes IPLCs in one of the Framework's four goals (goal C) and eight of the Framework's 23 targets (targets 1, 3, 5, 9, 13, 19, 21, 22). That said, IPLCs' contributions must be embedded and recognized across the entirety of the GBF.

The GBF's historical commitment provides an opportunity for governments to make transformational change and recognize IPLCs' roles, rights, and contributions in National Biodiversity Strategies and Action Plans (NBSAPs).

This brief, developed in collaboration with the Global Environment Facility (GEF) Inclusive Conservation Initiative, is one in a series of policy briefs that Conservation International is developing to support countries' efforts on their NBSAPs. This brief will be particularly useful for countries with large populations of IPLCs as they work on ensuring their NBSAP development process and its implementation are rooted in a rights-based approach predicated on inclusivity and respect.

Biodiversity, on which humanity depends, is deteriorating at an unprecedented rate. Around one million species of animals and plants are threatened with extinction, while 75% of terrestrial and 66% of marine ecosystems are severely altered because of changes in land and sea use, climate change, pollution, invasive alien species, and deforestation.¹

According to a 2019 Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) Global Assessment Report on Biodiversity and Ecosystem

Services, over one-quarter of global land is managed, occupied, owned, or used by Indigenous Peoples, and these areas are becoming "islands" of biodiversity surrounded by areas in which nature has deteriorated.² This report provides evidence of the contributions of Indigenous Peoples to preserving nature and human well-being and their fundamental role in the conservation, restoration, and sustainable use of biodiversity.

¹ IPBES (2019): Global assessment report on biodiversity and ecosystem services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services. E. S. Brondizio, J. Settele, S. Díaz, and H. T. Ngo (editors). IPBES secretariat, Bonn, Germany. 1148 pages. <https://doi.org/10.5281/zenodo.3831673>

² IPBES (2019): Global assessment report on biodiversity and ecosystem services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services. E. S. Brondizio, J. Settele, S. Díaz, and H. T. Ngo (editors). IPBES secretariat, Bonn, Germany. 1148 pages. <https://doi.org/10.5281/zenodo.3831673>



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Influence and Roles of IPLCs in Shaping the GBF

The CBD is a key international Convention that recognizes IPLCs’ roles, rights, and contributions to conservation and sustainable use of biodiversity. The contributions of IPLCs are acknowledged several times within the Convention’s text,³ in the preamble, Articles 8 (j), 10 (c), 17, and 18 as well as in several subsequent decisions.

Parties to the CBD have committed to respect, preserve, maintain, and promote the wide use of traditional knowledge with the free, prior and informed consent of IPLCs, as established in Article 8 (j), the Mo’ otz Kuxtal Voluntary Guidelines (decision XIII/18), and the GBF (target 21). The CBD defines traditional knowledge as “the knowledge, innovations and practices of indigenous peoples and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity.”⁴

FREE, PRIOR AND INFORMED CONSENT (FPIC) MEANS THAT IPLCs HAVE THE RIGHT TO DECIDE WHETHER TO SHARE THEIR TRADITIONAL KNOWLEDGE

1	FREE	Implies that IPLCs are not pressured, intimidated, manipulated or unduly influenced and that their consent is given without coercion
2	PRIOR	Implies seeking consent or approval sufficiently in advance and respecting the customary decision making processes and time requirements of IPLCs
3	INFORMED	Implies that information is provided that covers the intended purpose of the access and use of traditional knowledge, its duration and scope, personnel likely to be involved in the execution of the access, procedures the access may entail, and benefit-sharing arrangements
4	CONSENT	Implies that IPLCs grant access to their tradition knowledge to users (such as researchers)

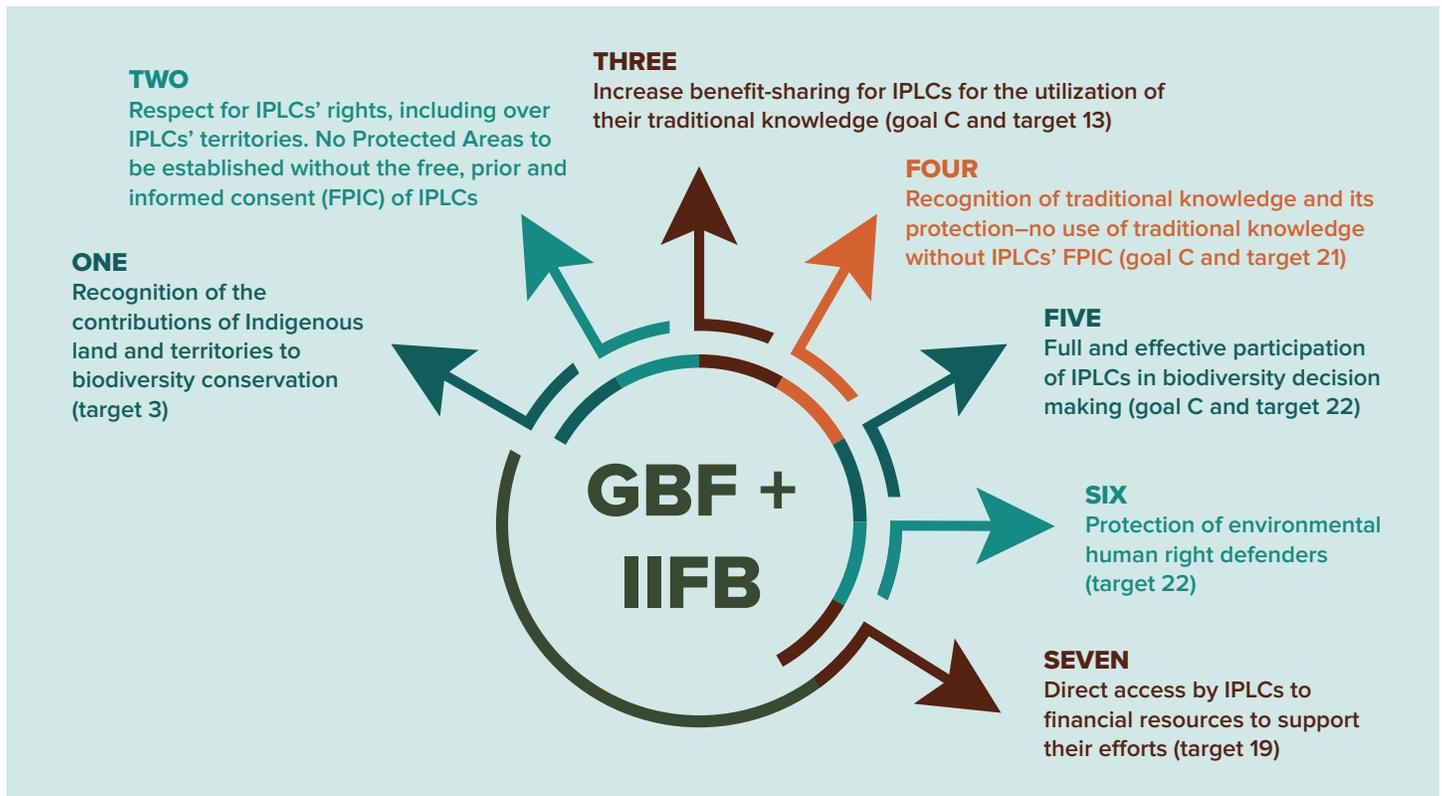
³ Text and annexes of the Convention on Biological Diversity (22 May 1992). Retrieved from <https://www.cbd.int/convention/articles/?a=cbd-08>.

⁴ Decision adopted by the Conference of the Parties to the Convention on Biological Diversity, 14/13 Glossary of relevant key terms and concepts within the context of the Article 8(j) and related provisions. CBD/COP/DEC/14/13 (30 November 2018). Retrieved from <https://www.cbd.int/doc/decisions/cop-14/cop-14-dec-13-en.pdf>.

The [International Indigenous Forum on Biodiversity \(IIFB\)](#) is an international caucus that serves as the main negotiating body of IPLCs in international environmental fora. IIFB is recognized by CBD decision V/16⁵ as the body that advises the COP on the implementation of Article 8 (j) and related

provisions. IIFB was closely engaged in the development of the GBF throughout the negotiations.

Regarding the contents of the GBF, IIFB identified the following as priorities throughout the GBF negotiations:



IIFB members participated in CBD negotiations, meetings with Parties, regional groups, the High Ambition Coalition (HAC), among other groups and coalitions. Moreover, IIFB

was a co-organizer, along with the Secretariat of the CBD, of three IPLCs dialogues on the GBF negotiations in advance of its adoption at COP15.

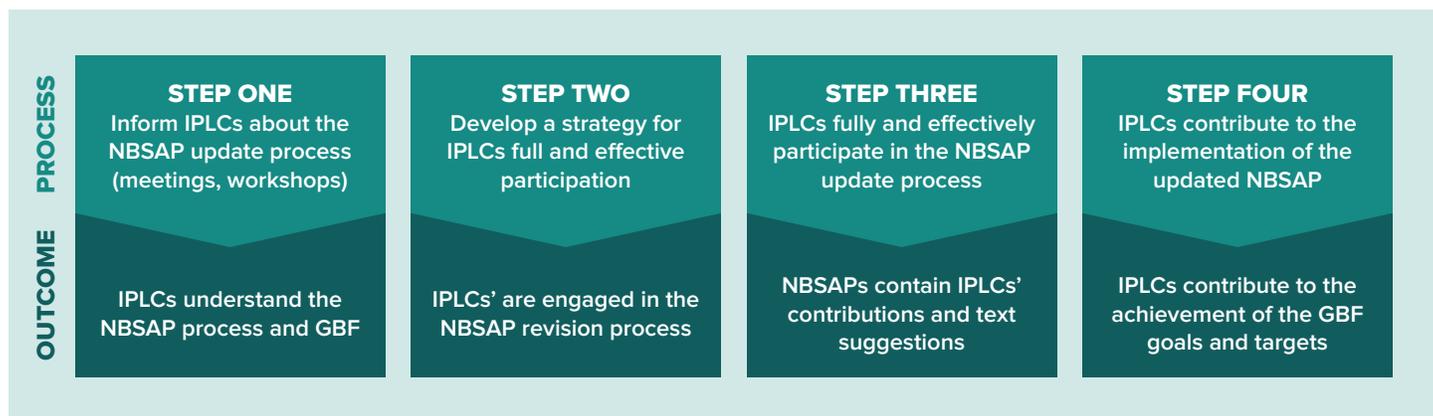


⁵ Decision adopted by the Conference of the Parties to the Convention on Biological Diversity, V/16 Article 8(j) and related provisions. CBD/COP/DEC/V/16. Retrieved from <https://www.cbd.int/decisions/cop/5/16>.

NBSAP Considerations to Support the Inclusion of IPLCs

The main instrument for national implementation of the CBD are National Biodiversity Strategies and Action Plans (NBSAPs). With the adoption of the GBF, all Parties agreed to revise or update their NBSAPs by setting national targets aligned with the GBF by COP16 in 2024.

Implementing the GBF calls for a whole-of-government and whole-of-society approach, which demands support from all levels of government and relies on action and cooperation from all actors in society, particularly the contributions of IPLCs. Further, COP decision 15/3⁶ encourages Parties to support national dialogues with IPLCs on the implementation of the GBF. Policymakers can utilize the following steps to guarantee rights and promote IPLCs' participation in the NBSAP update process:



Inclusion of IPLCs in GBF Goals and Targets and Best Practices

The NBSAP update process provides an opportunity for governments to embed the contributions of IPLCs throughout their national targets and actions. The following principles should be embedded in the “General” section of every updated NBSAP:

- Acknowledge the critical roles, rights, and contributions of IPLCs as custodians of biodiversity and as partners in its conservation, restoration, and sustainable use

- Uphold a rights-based approach for IPLCs in NBSAPs, ensuring that the GBF does not in any manner diminish or extinguish the existing or prospective rights of IPLCs
- Ensure the inclusion of a human rights-based approach that respects and protects the human rights of IPLCs, especially the right to a clean, healthy, and sustainable environment

While IPLCs can make significant contributions to all GBF targets, policymakers should place particular emphasis on the following elements when considering how to guarantee the rights and contributions of IPLCs in NBSAPs:

Benefits from the Utilization of Traditional Knowledge Associated with Genetic Resources (Goal C and Target 13)

Policy importance and relevance to IPLCs:

The CBD has produced several key guidelines and decisions on the use of traditional knowledge as it relates to the equitable sharing of genetic resources, including Articles 8 (j) and 15 of the CBD, as well as the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization,⁷ particularly its articles related to traditional knowledge associated with genetic resources that are held by IPLCs (articles 5, 6, 7, 11, 12, 16). Additionally, the Mo' otz Kuxtal Voluntary Guidelines (adopted by decision XIII/18⁸) outlines mechanisms to ensure the FPIC of IPLCs for accessing their traditional knowledge and practices, for supporting the equitable sharing of benefits arising from the use of their knowledge, and prevention mechanisms and reporting practices for the unlawful appropriation of traditional knowledge.

⁶ Decision adopted by the Conference of the Parties to the Convention on Biological Diversity, 15/3 Review of progress in the implementation of the Convention and the Strategic Plan for Biodiversity 2011-2020 and the achievement of the Aichi Biodiversity Targets. CBD/COP/DEC/15/3 (19 December 2022). Retrieved from <https://www.cbd.int/doc/decisions/cop-15/cop-15-dec-03-en.pdf>.

⁷ Text of the Nagoya Protocol: <https://www.cbd.int/abs/text/>

⁸ Decision adopted by the Conference of the Parties to the Convention on Biological Diversity, XIII/18 Article 8(j) and related provisions. CBD/COP/DEC/XIII/18 (17 December 2016). Retrieved from <https://www.cbd.int/doc/decisions/cop-13/cop-13-dec-18-en.pdf>.

Example:

In the Mexican state of Querétaro, the Women and Environment association (in the Charape-la Joya Ejido region) formed a partnership with the Regional Centre for Watershed Training, the Autonomous University of Querétaro, and Provital—a Spanish cosmetics company—to develop cosmetic products from aromatic and medicinal plants while preserving local biodiversity and upholding the community’s traditional knowledge. This partnership is in full compliance with the CBD’s Nagoya Protocol guidelines on sustainable use and benefit-sharing of genetic resources, contributing to a supply chain that is both sustainable and equitable.⁹

Action for policymakers:

Policymakers must ensure that the principles regarding the appropriate use of traditional knowledge for equitable benefit sharing of genetic resources—as outlined in Articles 8 (j) and 15 of the CBD, the Nagoya Protocol, and the Mo’ otz Kuxtal Voluntary Guidelines—are integrated into a country’s national targets and throughout its NBSAP.

Participation of IPLCs and Respecting Their Rights in Spatial Planning (Target 1)

Policy importance and relevance to IPLCs:

Recognizing the rights of IPLCs in the management and spatial planning for their land, territories, and resources is key to achieving this target.

Example:

The International Union for the Conservation of Nature (IUCN), in collaboration with Indigenous Peoples organizations from Central America, launched a participatory [Map of Indigenous Peoples, Protected Areas and National Ecosystems of Central America](#). This map helps to identify the overlap between native forest, marine and terrestrial natural resources, protected areas, and Indigenous Peoples’ territories. This map can support governments and communities with their spatial planning. As another example, in Strategic Objective 8 of Guatemala’s 2012-2022 [NBSAP](#) (CONAP Resolution 01-16-2012), the document highlights the integration and generation of scientific and traditional knowledge as elements of territorial planning to enhance development.

Action for policymakers:

Policies that relate to spatial planning efforts should be rooted in traditional knowledge and should include explicit financial and technical support to IPLCs in mapping IPLCs’ areas for production, cultivation, biodiversity conservation areas, medicine collection areas, and sacred sites.

Recognition of Indigenous and Traditional Territories as Areas for Biodiversity Conservation (Target 3)

Policy importance and relevance to IPLCs:

Many Indigenous and traditional territories have been effectively using, managing and conserving biodiversity for centuries. Achieving 30x30 requires the recognition of Indigenous and traditional territories as a third pathway to contribute to the conservation of biodiversity, in addition to protected areas (PAs) and other effective area-based conservation measures (OECMs).

Example:

Indigenous Protected Areas (IPAs)

- As included within Australia’s 2019-2030 [National Biodiversity Strategy and Action Plan](#)

Indigenous Community Conserved Areas (ICCA) under OECMs

- As included in Goal 19 of 2015-2028 [Philippine Biodiversity Strategy and Action Plan 2015-2028](#) (PBSAP)
 - Goal 19 commits to “a 10% increase in total area from 2015 levels of terrestrial including inland wetlands, PAs managed through National Integrated Protected Areas System (NIPAS), and other conservation measures (**indigenous community conserved areas**, local conservation areas, critical habitats) that overlap with KBAs” by 2028.

Indigenous-led conservation areas

- As included in Canada’s [definition](#) of conserved lands and waters

Action for policymakers:

Governments must consider and recognize the contributions of a third pathway for conservation—Indigenous and traditional territories—when implementing target 3. Additionally, PAs and OECMs should not be established without

⁹ UNDP. (2018). ABS is Genetic Resources for Sustainable Development. <https://info.undp.org/docs/pdc/Documents/SVK/ABS-is-Genetic-Resources-for-Sustainable-Development-Publication.pdf> (more information on page 199).

the respect of IPLCs' rights, including their rights to FPIC, territories, land, water, resources, collective rights, customary sustainable use, culture, and knowledge, according to the [United Nations Declaration of Indigenous Peoples Rights](#), CBD 8 (j) decisions, and other international law that recognize IPLCs' rights.

Customary Sustainable Use Within the Use, Harvesting, Management, and Trade of Wild Species (Targets 5 and 9)

Policy importance and relevance to IPLCs:

IPLCs use and harvest wild species “in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements” (CBD decision 14/13).¹⁰ GBF targets 5 and 9 refer to the respect and protection of customary sustainable use by IPLCs to promote practices that are rooted in traditional knowledge while also avoiding criminalization.

Example:

In Costa Rica, Boruca Indigenous Peoples have customary use practices that include—as an example—the use of murex snail which provides a milky liquid that Indigenous women use to dye threads and wicks for their purple fabrics. The liquid that comes from the snail cannot be stored, so the thread must be dyed on the beach itself. For this reason, the conservation of these snails for this ancestral practice is fundamental, and this is done without harming the snail, returning it to the same rock where it was found.¹¹

Action for policymakers:

Policymakers must consider article 10 (c) of the CBD and the Plan of Action on Customary Sustainable Use of Biodiversity adopted by decision XII/12 B, Annex¹² for guidance on respecting IPLCs' sustainable use of wild species and to avoid criminalization.

The Role of Collective Actions by IPLCs Within Financial Resource Mobilization (Target 19)

Policy importance and relevance to IPLCs:

Even though Indigenous Peoples reflect less than 5% of the world's population, they steward 80% of the world's global biodiversity. Mechanisms to support IPLCs financially, including from public sources, are needed to strengthen the role of IPLCs' collective actions and natural resource management.

Example:

The GEF-7 [Inclusive Conservation Initiative](#) (ICI), co-implemented by Conservation International and International Union for Conservation of Nature, is designed to enhance the efforts of IPLCs to manage lands, waters and natural resources, and achieve global environmental benefits by supporting the leadership and institutions of Indigenous communities. ICI serves as a great model of a project designed by IPLCs that provides direct financial support to IPLCs to further community efforts to steward key biodiversity and ecosystem services. ICI initiatives are implemented in 12 countries: Argentina, Chile, Cook Islands, the Democratic Republic of the Congo, Fiji, Guatemala, Kenya, Nepal, Panama, Peru, Tanzania, and Thailand.

As an example of a different structure of a fund, Canada established the [Canada Nature Fund](#)¹³ that supports the protection of Canada's biodiversity through the creation of protected and conserved areas and through initiatives that help to recover species at risk. The Fund is available also for Indigenous organizations.

Action for policymakers:

Governments should aspire to transform business-as-usual funding models, taking note of ICI's inclusive financing mechanism that centers IPLCs' leadership and governance. Policymakers should establish national funds that provide direct funding to IPLCs, mirroring the model of the Canada Nature Fund.

Traditional Knowledge (Target 21)

Policy importance and relevance to IPLCs:

Target 21 recognizes the role and contribution of traditional knowledge to biodiversity management and establishes that traditional knowledge can only be used with FPIC. These messages are supported by the following guidance and decisions:

¹⁰ Decision adopted by the Conference of the Parties to the Convention on Biological Diversity, 14/13 Glossary of relevant key terms and concepts within the context of Article 8(j) and related provisions. CBD/COP/DEC/14/13 (30 November 2018). Retrieved from <https://www.cbd.int/doc/decisions/cop-14/cop-14-dec-13-en.pdf>.

¹¹ Sixth National Report of Costa Rica: <https://s3.amazonaws.com/pdf-cache-prod/chm/246324-5-en.pdf#pdfjs.action=download>

¹² Plan of Action on Customary Sustainable Use of Biological Diversity. UNEP/CBD/COP/DEC/XII/12, B, Annex. Retrieved from: <https://www.cbd.int/doc/publications/cbd-csu-en.pdf>.

¹³ Sixth National Report of Canada: <https://chm.cbd.int/database/record?documentID=241248>

- *Akwé: Kon Guidelines (2004)*: offers guidance for carrying out assessments of the cultural, environmental and social impacts of development projects that take place in sacred places and on lands and waters traditionally occupied or used by IPLCs, and to ensure the full participation of IPLCs in cultural impact assessments.
- *The Code of Ethical Conduct Tkarihwaié:ri (2011)*: ensures respect for the cultural and intellectual heritage of IPLCs relevant to the conservation and sustainable use of biological diversity. It provides elements to guide the evolution of models of codes of ethical conduct for research, access, use, exchange, and information management related to traditional knowledge.
- *Mo' otz Kuxtal Voluntary Guidelines (2019)*: provides guidelines for the development of appropriate mechanisms, legislation or other initiatives to ensure that traditional knowledge is used based on free, prior and informed consent.
- *The Rutzoliirisaxik Voluntary Guidelines (2018)*: provides guidance for “the repatriation of Indigenous and traditional knowledge relevant to the conservation and sustainable use of biological diversity.”

Example:

Ecuador developed national measures to protect traditional knowledge and has a legal regulation, adopted in 2016, referred to as the Código Orgánico de la Economía Social de los Conocimientos (Organic Code of Social Economy of Knowledge Creativity and Innovation), which recognizes and safeguards the collective rights of communities over their traditional knowledge.

Action for policymakers:

When devising national biodiversity policies, policymakers should integrate the guidance above on the equitable application of traditional knowledge. In addition, policymakers should consider the use of four traditional knowledge indicators that are not part of the GBF monitoring framework but were adopted under the CBD:

- Trends of linguistic diversity and numbers of speakers of indigenous languages;¹⁴
- Trends in land-use change and land tenure in the traditional territories of indigenous and local communities;¹⁵
- Trends in the practice of traditional occupations;¹⁶ and
- Trends in which traditional knowledge and practices are respected through their full integration, safeguards, and the full and effective participation of Indigenous and local communities in the national implementation of the Strategic Plan.¹⁷

IPLCs' Participation and Representation in Biodiversity Decision Making (Target 22)

Policy importance and relevance to IPLCs:

IPLCs' representation and participation in decision making processes ensures that their traditional knowledge, values, rights, and customary practices are embedded within effective biodiversity conservation strategies.

Example:

In Finland, the Sámi have their own representative cultural self-governance body, the Sámi Parliament. The Parliament is responsible for the issues related to Sámi culture and language as well as their status as Indigenous Peoples. The Ministry of the Environment has convened a working group on Article 8 (j). This working group prepares matters relating to the traditional knowledge, innovations, and practices of the Sámi people, assists in international work, and introduces these issues to the National Biodiversity Working Group.¹⁸

Action for policymakers:

Mechanisms to ensure the full and effective participation of IPLCs in decisionmaking should be established to support the implementation of this target. Policymakers should establish IPLCs governmental working groups and other self-governance bodies that can address matters related to IPLCs' rights, knowledge, and relationship to nature. These entities should be well-integrated within other parts of the government. One Indigenous policymaker in the government is not sufficient and cannot represent all Indigenous communities. There is a need for a mechanism that ensures the full and effective participation of IPLCs—particularly Indigenous women and youth—in biodiversity decision making.

¹⁴ Decision adopted by the Conference of the Parties to the Convention on Biological Diversity, XII/28 Indicators for the Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets. CBD/COP/DEC/XIII/28 (12 December 2016). Retrieved from <https://www.cbd.int/doc/decisions/cop-13/cop-13-dec-28-en.pdf>.

¹⁵ Decision adopted by the Conference of the Parties to the Convention on Biological Diversity, XI/43 Multi-year programme of work on the implementation of Article 8(j) and related provisions of the Convention on Biological Diversity. CBD/COP/DEC/XI/43 (2010). Retrieved from <https://www.cbd.int/kb/record/decision/12309?Event=COP-10>.

¹⁶ Ibid.

¹⁷ Decision adopted by the Conference of the Parties to the Convention on Biological Diversity, XIII/28 Indicators for the Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets. CBD/COP/DEC/XIII/28 (12 December 2016). Retrieved from <https://www.cbd.int/doc/decisions/cop-13/cop-13-dec-28-en.pdf>.

¹⁸ Sixth National Report of Finland: <https://chm.cbd.int/database/record?documentID=243215>

In terms of reporting, governments should set indicators aligned with the Monitoring Framework for the GBF (decision 15/5¹⁹) to assess national contributions to the achievement of goals and targets of the GBF. In particular, governments should include the following specific indicators related to IPLCs:

- Indicators related to linguistic diversity, number of speakers of Indigenous language and cultural vitality (complementary indicator for goal B)
- Percentage of the population in traditional occupation (headline indicator for target 9)
- SDG indicator 1.4.2 (Proportion of total adult population with secure tenure rights to land, (a) with legally recognized documentation, and (b) who perceive their rights to land as secure, by sex and type of tenure) (component indicator for target 3)

Conclusion

Policymakers can utilize the guidance in this brief to recognize the roles, rights, and contributions of IPLCs in their efforts to conserve biodiversity in the NBSAP update process. IPLCs should be viewed as key partners for the successful implementation and achievement of the goals and targets of GBF.

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¹⁹ Decision adopted by the Conference of the Parties to the Convention on Biological Diversity, 15/5 Monitoring framework for the Kunming-Montreal Global Biodiversity Framework. CBD/COP/DEC/15/5 (19 December 2022). Retrieved from <https://www.cbd.int/doc/decisions/cop-15/cop-15-dec-05-en.pdf>.