

Questionnaire to the UN system agencies, funds and programmes and intergovernmental organizations

Please also include an **executive summary** of your inputs to the 3 main questions below (strict 500-word limit) which will be used for our compilation report submitted to the 2025 session of the PFII.

RESPONSES FROM THE SECRETARIAT OF THE CONVENTION ON BIOLOGICAL DIVERSITY ARE INDICATED IN GREEN Executive Summary

1. This report is submitted by the Secretariat of the Convention on Biological Diversity (SCBD) to address the recommendations of the UN Permanent Forum on Indigenous Issues (PFII). It provides an overview of recent developments under the Convention on Biological Diversity (CBD) of relevance to advancing the goals of the System-Wide Action Plan (SWAP) for a coherent approach to achieving the ends of UN Declaration on the Rights of Indigenous Peoples (UNDRIP). The report focuses on the outcomes of the sixteen meeting of the Conference of the Parties (COP 16) of relevance to the implementation of Article 8(j) and related provisions of the CBD.
2. In a milestone decision, COP 16 adopted a new Programme of Work on Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities until 2030 (the Programme of Work on Article 8(j)) aligned with the Kunming-Montreal Global Biodiversity Framework (KMGBF)¹. It contains 29 actionable tasks that are designed to further the implementation of Article 8 (j) and related provisions of the Convention.
3. Two specific tasks of the Programme of Work on Article 8j are directly aligned with the recommendations of the PFII emanating from its twenty-third meeting in 2024. Task 1.1 calls for the development of guidelines to strengthen the legal and policy frameworks for achieving Targets 2 and 3 of the KMGBF, taking into account indigenous and traditional territories. Task 5.4 mandates the review and update of the *Glossary of key terms and concepts related to Article 8(j) and related provisions* in light of the adoption of the KMGBF (Decision 14/13), with a view to promoting better understanding and consistency in the use of terminology.
4. At COP 16, Parties also decided on the establishment a new permanent Subsidiary Body on Article 8(j) and Other Provisions of the Convention related to Indigenous Peoples and Local Communities (SB8J). The establishment of this SB8J will elevate all issues related to indigenous peoples and local communities and will allow for the effective participation within CBD processes. The modus operandi of the SB8J will be discussed at its first meeting and the outcomes of these discussions will be subsequently submitted to COP17 for its consideration and possible adoption.
5. COP 16 also took note of the observations and recommendations emanating from the twentieth, twenty-first and twenty-second sessions of the PFII and requested the Executive Secretary to continue exchanging information with the PFII on issues of mutual interest with a view to providing information on activities undertaken in the context of the CBD in relation to the rights of indigenous peoples and local communities.
6. The CBD advances various Sustainable Development Goals by addressing the interconnected challenges of biodiversity loss, climate change, land degradation, and pollution. The KMGBF acknowledges the important roles and contributions of indigenous peoples and local

¹ Programme of work on Article 8(j) and other provisions of the Convention on Biological Diversity related to indigenous peoples and local communities to 2030 is annexed to [Decision 16/4](#).

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communities as custodians of biodiversity and is therefore in line with the SWAP and other relevant instruments and agreements.

Please provide information on the following:

A. Recommendations of the Permanent Forum on Indigenous Issues and input to the 2025 session

i. Please provide information on measures taken since your last update to the Forum on the implementation or planned implementation of the recommendations of the PFII.

RECOMMENDATIONS EMANATING FROM THE TWENTY-THIRD SESSION OF THE PERMANENT FORUM ON INDIGENOUS ISSUES (2024) TO THE CONVENTION ON BIOLOGICAL DIVERSITY

7. Following the established practice of the CBD, recommendations from the PFII are to be transmitted to SB8J, which has replaced the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions (WG8J). Subsequently, SB8J will formulate recommendations for the consideration of the CBD COP.
8. During its twelfth session, WG8J considered recommendations from the twentieth, twenty-first and twenty-second sessions of the PFII. A draft decision on this matter was prepared by WG8J-12 and submitted to COP16 for further deliberation. As a result, COP16 adopted decision 16/8 on recommendations from the PFII pertaining to the CBD.
9. COP16 took note of the observations and recommendations emanating from the twentieth, twenty-first and twenty-second sessions of the PFII and requested the Executive Secretary of the CBD to continue to exchange information with the PFII on issues of mutual interest and to provide information to the PFII on activities undertaken in the context of the CBD in relation to the rights of indigenous peoples and local communities ([decision 16/8](#)).
10. The recommendations emanating from the twenty-third session of the PFII in 2024 will be transmitted to the first meeting of the SB8J. This session is scheduled to take place from 27 to 30 October 2025, where the recommendations will be considered by the Parties to CBD.
11. During its twenty-third session, the PFII presented several recommendations pertinent to the CBD, as outlined in paragraphs 49, 53, 80, 120, 126, and 135 of the PFII-23 report.
12. Paragraphs 49, 53, 80 and 126 of the PFII-23 report read as follows:
 49. The Permanent Forum calls upon the Global Environment Facility, the Green Climate Fund, the new Global Biodiversity Framework Fund, the Forest Carbon Partnership Facility Readiness Fund and the locally led Adaptation Fund, among others, to establish a mechanism for enhanced direct access for Indigenous Peoples by limiting intermediary organizations, with flexible access and transparent criteria that correspond to the needs of Indigenous Peoples.
 53. The Permanent Forum is concerned about the harms and injustices caused in certain instances by carbon markets and biodiversity credits on Indigenous Peoples' lands and territories and biodiversity. The Forum urges the secretariats of the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity, and the International Monetary Fund and the World Bank, to demand high-

integrity projects that have clear accountability for carbon emissions and biodiversity as well as measured benefits for Indigenous Peoples. The Forum invites the aforementioned entities to report on their actions at its session in 2025.

80. The Permanent Forum highlights the importance of creating direct and accessible finance for African Indigenous Peoples to implement the three Rio conventions (the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity and the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa) and the Sustainable Development Goals, as specified in the study transmitted in the note by the Secretariat entitled “Financing the future: the financial needs of Indigenous Peoples to support their actions for biodiversity, climate and the protection of Mother Earth” (E/C.19/2024/7).

126. As rights holders to their own lands, territories and resources, Indigenous knowledge is essential for sustainable development, including pertinent international processes and Conferences of the Parties, inter alia, to the United Nations Framework Convention on Climate Change; to the Convention on Biological Diversity; and to the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa. The Forum welcomes the study transmitted in the note by the Secretariat entitled “Financing the future: the financial needs of Indigenous Peoples to support their actions for biodiversity, climate and the protection of Mother Earth” (E/C.19/2024/7).

13. The new Programme of Work on Article 8 (j) contains a specific Element 8² that focuses on enhancing access, including direct access, to funding for indigenous peoples and local communities for the conservation, restoration and sustainable use of biodiversity. Under these elements, two specific tasks are envisaged. Task 8.1 supports the mobilization of financial resources for indigenous peoples and local communities in line with the revised strategy for resource mobilization. Task 8.2 focuses on identifying gaps, promoting good practices, and exploring options for the development or improvement of existing policies, mechanisms and other appropriate initiatives and measures to enhance access, including direct access, to funding by indigenous peoples and local communities for collective actions on biodiversity conservation and sustainable use.
14. COP 16 marked a significant development with the operationalization and subsequent launch of the Cali Fund for the Fair and Equitable Sharing of Benefits from the use of Digital Sequence Information on Genetic Resources. The Cali Fund follows the historic decision at COP15 to establish a multilateral mechanism to promote the fair and equitable benefit-sharing from the utilization of digital sequence information on genetic resources, including a global fund, now referred to as the ‘Cali Fund’. At least half of the funding from Cali Fund should support the self-identified needs of indigenous peoples and local communities, including women and youth within those communities, through government authorities or by direct payments through institutions identified by indigenous peoples and local communities (decision 16/2).
15. COP-16 also adopted a Strategy for Resource Mobilization that identifies a broad range of instruments, mechanisms and institutions that could be tapped to mobilize the funds needed for implementation of the ambitious KMGBF. This includes public finance from national and subnational governments, private and philanthropic resources, multilateral development banks, blended finance, and other novel approaches.

² Programme of Work on Article 8(j) and other provisions of the Convention on Biological Diversity related to indigenous peoples and local communities to 2030. Element 8: Access, including direct access, to funding for indigenous peoples and local communities for the conservation, restoration and sustainable use of biodiversity ([Decision 16/4](#))

16. In line with these efforts, COP-16 decisions contribute to advancing the implementation of the KMGBF, taking into account the need to integrate social equity and gender considerations in view of recognizing the rights of indigenous peoples and local communities. In reinforcing these commitments, COP-16 also adopted a decision on the financial mechanism encouraging the Global Environment Facility to explore opportunities for maximizing its integrated programmes' contributions to the KMGBF. This includes dedicated support for indigenous peoples and local communities, women, and youth (decision 16/33).
17. Paragraphs 119 and 120 of the PFII 23 report read as follows:
119. The Permanent Forum reiterates that it has urged all United Nations entities and States parties to treaties concerning the environment, biodiversity and climate change to eliminate the use of the term “local communities” in conjunction with Indigenous Peoples, and to distinguish between the terms, in ongoing processes, policies and new international agreements at all levels.
120. The Permanent Forum encourages parties to the Convention on Biological Diversity to ensure that progress is made with regard to institutional arrangements that guarantee human rights-based approaches to the Kunming-Montreal Global Biodiversity Framework, with the full and effective participation of Indigenous Peoples. In addition, the Forum calls upon the Conference of Parties to request its relevant subsidiary bodies to convene an ad hoc expert group meeting, with the participation of experts of the three United Nations mechanisms on Indigenous Peoples, to address the conflation of Indigenous Peoples with other groups of society and to develop specific actions to avoid such conflation.
18. In 2011, COP12 decided to use the terminology “indigenous peoples and local communities” in future decisions under the Convention without affecting in any way the legal meaning of Article 8(j) and related provisions. COP12 also decided that this terminology does not alter the legal meaning of Article 8(j) and related provisions of the Convention or imply any change in the rights or obligations of Parties under the Convention (decision XII/12).
19. In 2018, COP14 adopted the *Voluntary Glossary of Key Terms and Concepts Within the Context of Article 8(j) and Related Provisions of the Convention* (the Glossary) (Decision 14/13). This Glossary includes the terminology “indigenous peoples and local communities”. COP14 reiterated that the use of the Glossary is without prejudice to the terminology in the Convention and does not imply any change in the rights or obligations of Parties. The Glossary notes that the Convention does not define the terms “indigenous and local communities” or “indigenous peoples and local communities”. It also highlights that the UNDRIP does not provide a universal definition of “indigenous peoples” and that a definition is not recommended.
20. In 2024, COP16 adopted a Programme of Work on Article 8(j), marking a significant step forward in strengthening the implementation of the KMGBF. As part of this programme, the newly established SB8J is tasked with reviewing and updating, as needed, the Glossary. ([decision 16/4](#)).
21. Paragraphs 135 of the PFII23 report read as follows:
135. The Permanent Forum recommends that Member States strengthen and implement legal and institutional frameworks that recognize and protect the rights of Indigenous Peoples to their lands, territories and resources and ensure their participation in decision-making processes. Such frameworks should adhere to the Declaration and Indigenous and Tribal Peoples Convention, 1989 (No. 169)

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of the International Labour Organization, ensuring Indigenous Peoples' free, prior and informed consent when development, environment, biodiversity and climate change programmes and projects are conducted on their lands and territories.

22. The KMGBF, in Section C, explicitly emphasizes the importance of ensuring the rights of indigenous peoples and local communities in its implementation, including through their full and effective participation in decision-making, in accordance with relevant national legislation, international instruments, including the United Nations Declaration on the Rights of Indigenous Peoples, and human rights law. Section C also underscores the need to respect, protect, promote, and fulfil human rights throughout the implementation of the KMGBF.
 23. Target 3 of the KMGBF contains the recognition of indigenous and traditional territories as a critical component of area-based conservation. It calls for the expansion and enhancement of equitably governed systems of protected areas and other effective area-based conservation measures, explicitly recognizing the role of indigenous and traditional territories. This recognition upholds the vital role of indigenous peoples and local communities in safeguarding biodiversity and ensures their rights, including those over their territories.
 24. In this context, the new Programme of Work on Article 8(j) includes Element 1 on conservation and restoration of biodiversity, which outlines specific tasks for the SB8J. Task 1.1 focuses on developing international guidelines to strengthen legal and policy frameworks for achieving Targets 2 and 3 of the KMGBF, including on indigenous and traditional territories. Additionally, Task 1.2 calls for the development of guidelines for the inclusion and consideration of traditional lands and of resource use in spatial planning processes and environmental impact assessments. These tasks specifically speak to issues related to the role of indigenous and traditional territories, and the need to protect the rights of indigenous peoples and local communities over these territories in biodiversity planning and conservation efforts.
- ii. The theme of the 2025 PFII session is "Implementing the United Nations Declaration on the Rights of Indigenous Peoples within United Nations Member States and the United Nations system, including identifying good practices and addressing challenges." Please include information on any publications, projects, reports, or activities relevant to this theme.
25. The SCBD has been actively working to promote the rights and role of indigenous peoples and local communities in biodiversity conservation and sustainable use. Below are key publications and resources that are of relevance in the light of the theme of the twenty-fourth session of the PFII "Implementing the United Nations Declaration on the Rights of Indigenous Peoples within United Nations Member States and the United Nations system, including identifying good practices and addressing challenges".
 - **Brochure on the new Programme of Work on Article 8(j) and other provisions of the Convention on Biological Diversity related to indigenous peoples and local communities to 2030**, available in English, French and Spanish.
 - English version <https://www.cbd.int/traditional/doc/cbd-8j-brochure-en.pdf>
 - French version <https://www.cbd.int/traditional/doc/cbd-8j-brochure-fr.pdf>
 - Spanish version <https://www.cbd.int/traditional/doc/cbd-8j-brochure-es.pdf>
 - **Kunming-Montreal Global Biodiversity Framework: 2030 Targets with Guidance Notes, which includes specific targets and guidance notes that support national implementation. Available at <https://www.cbd.int/gbf/targets>**

- **CBD Guidelines for implementing Article 8(j) and related provisions.** The CBD has developed several voluntary guidelines to support the implementation of Article 8(j) on traditional knowledge and Article 10(c) on customary sustainable use. These are available at <https://www.cbd.int/traditional/outcomes.shtml> and include:
 - The Akwé: Kon Voluntary Guidelines for the Conduct of Cultural, Environmental and Social Impact Assessments Regarding Developments Proposed to Take Place on, or which are Likely to Impact on, Sacred Sites and on Lands and Waters Traditionally Occupied or Used by Indigenous and Local Communities
 - The Tkarihwaí:ri Code of Ethical Conduct to Ensure Respect for the Cultural and Intellectual Heritage of Indigenous and Local Communities
 - The Mo'otz Kuxtal Voluntary Guidelines for the development of mechanisms, legislation or other appropriate initiatives to ensure the “prior and informed consent”, “free, prior and informed consent” or “approval and involvement”, depending on national circumstances, of indigenous peoples and local communities for accessing their knowledge, innovations and practices, for fair and equitable sharing of benefits arising from the use of their knowledge, innovations and practices relevant for the conservation and sustainable use of biological diversity, and for reporting and preventing unlawful appropriation of traditional knowledge
 - The Rutzolijirisaxik Voluntary Guidelines for the Repatriation of Traditional Knowledge Relevant for the Conservation and Sustainable Use of Biological Diversity.

iii. Please provide information on efforts to ensure the participation of Indigenous Peoples in the international decades declared by the General Assembly, such as the United Nations Decade on Ecosystem Restoration (2021-2030), the United Nations Decade of Ocean Science for Sustainable Development (2021-2030), the International Decade for Action, “Water for Sustainable Development” (2018-2028), the International Decade of Indigenous Languages (2022 - 2032) and other relevant international decades and processes, including CEDAW General recommendation 39 on Indigenous women and girls.

26. The SCBD continues to facilitate the participation of indigenous peoples and local communities in all CBD processes. This aligns with the KMGBF, which recognizes indigenous peoples and local communities as custodians of biodiversity and essential partners in its conservation, restoration, and sustainable use. Key targets under the KMGBF include:
- Target 21: Ensuring access to the best available data, information, and knowledge, including traditional knowledge, for decision-makers and the public to strengthen awareness, education, and research.
 - Target 22: Promoting equitable, inclusive, and gender-responsive participation of indigenous peoples and local communities in biodiversity decision-making, access to justice, and protection of environmental human rights defenders.
27. The Secretariat is currently undertaking a series of activities to support the implementation of the new Programme of Work on Article 8(j) and the Joint Programme of Work on cultural and biological diversity.

iv. Has your entity responded to the 2022 UNPFII recommendation³ paragraph 85... *The Permanent Forum urges all United Nations entities and States parties to treaties concerning the environment, biodiversity, and the climate to eliminate the use of the term “local communities” in conjunction with indigenous peoples, so that the term “indigenous peoples and local communities” would be abolished.*

If yes, please explain your response in further detail.

³ E/2022/43-E/C.19/2022/11

28. Please refer to the response provided in paragraphs 18 to 20 of the present report.

B. System-Wide Action Plan to achieve the ends of the UN Declaration on the Rights of Indigenous Peoples

Background

As per the Outcome Document of the World Conference on Indigenous Peoples (A/RES/69/2), a [system-wide action plan to ensure a coherent approach to achieving the ends of the UN Declaration on the Rights of Indigenous Peoples](#) was adopted in November 2015 and launched by the Secretary-General at the UN Permanent Forum in May 2016.

In August 2020, the United Nations Executive Committee agreed on the need for accelerated and collective action to strengthen the implementation of the SWAP on Indigenous Peoples. In November 2020, the United Nations Chief Executives Board for Coordination issued a [Call to Action: Building an Inclusive, Sustainable and Resilient Future with Indigenous Peoples](#). Its goal is to ensure collaborative and coherent UN system action to support the rights and well-being of Indigenous Peoples with a focus on furthering the implementation of the SWAP⁴.

i. The Permanent Forum will follow up on progress made on the SWAP implementation as part of its discussion on the outcome document of the World Conference on Indigenous Peoples during its 2025 session. Please provide an analysis of actions taken by your agency, fund and/or programme on the six key elements of the SWAP, since your last update to the Forum⁵.

C. 2030 Agenda for Sustainable Development

i. Please describe any activities your entity has organized since the last reporting period to accelerate progress across a range of SDGs, demonstrating the interlinkages across goals and targets and if applicable, providing examples of translating global goals into local actions. In your response, please consider referring to SDGs relevant to the theme of the 2025 session of the Forum, including SDGs 5, 7, 10, 13 and 16.

29. The implementation of the KMGBF represents a central step in advancing the System-Wide Action Plan (SWAP) and its associated six key elements. The KMGBF supports the achievement of the Sustainable Development Goals (SDGs) and sets out an ambitious pathway to realize the global vision of a world living in harmony with nature by 2050. In particular, the

⁴ Reporting on the activities to implement the CEB Call to Action is through task groups and should not be included in the responses to this questionnaire.

⁵ The six key elements of the SWAP are: 1) Raise awareness of the UNDRIP; 2) Support the implementation of the UNDRIP, particularly at the country level; 3) Support the realization of indigenous peoples' rights in the implementation and review of the 2030 Agenda for Sustainable Development; 4) Map existing standards and guidelines, capacity, training materials and resources within the UN system, international financial institutions and the members of the IASG for the effective implementation of the UNDRIP; 5) Develop the capacity of States, indigenous peoples, civil society and UN personnel; and 6) Advance the participation of indigenous peoples in UN processes.

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KMGBF aligns with elements 1 to 3 of the SWAP, which focus on raising awareness and implementing UNDRIP.

30. The KMGBF, in its Section C, emphasizes that its implementation must ensure respect for the rights, knowledge, including traditional knowledge associated with biodiversity, innovations, worldviews, values, and practices of indigenous peoples and local communities. In relation to element 6 of the SWAP, which aims to advance the participation of Indigenous Peoples in UN processes, the SCBD has continued to facilitate the participation of representatives of indigenous peoples and local communities in key CBD meetings and processes through its Voluntary Funding Mechanism.

ii. Please describe any activities your entity organized in support of the 2024 UN High-Level Political Forum on Sustainable Development and/or reports and activities that supported SDG reporting and monitoring or a VNR process at the national, regional, or global level.

31. The SCBD has actively advanced initiatives to support the implementation of various Sustainable Development Goals (SDGs), primarily through the implementation of the KMGBF. The KMGBF is structured around the three pillars of sustainability: environmental, social, and economic. It emphasizes the interconnectedness of biodiversity, climate change, land degradation, and pollution. It recognizes the critical role of biodiversity-related conventions in its implementation and serves as a complementary tool to the 2030 Agenda for Sustainable Development and other global agreements.

32. On the issue of the Mechanism for Planning, Monitoring, Reporting and Review, COP 16 adopted a decision that outlines how indicators would be measured and used in the context of the implementation of the KMGBF. This will ensure that all Parties are tracking progress in a way that can be interpreted by national policy makers, and it will provide data that can be aggregated up to the global level to provide a global picture of implementation for the KMGBF.

Reminder: Please also include an executive summary of your inputs to the 3 main questions above (strict 500-word limit) which will be used for our compilation report submitted to the 2025 session of the PFII.

ANNEX 1

Agenda of the twenty-fourth session of the Permanent Forum on Indigenous Issues

The Twentieth-fourth session of the Permanent Forum on Indigenous Issues is scheduled to take place from **21 April – 2 May 2025**.

Provisional Agenda

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Discussion on the theme “Implementing the United Nations Declaration on the Rights of Indigenous Peoples within United Nations Member States and the United Nations system, including identifying good practices and addressing challenges”.
4. Discussion on the six mandated areas of the Permanent Forum (economic and social development, culture, environment, education, health and human rights), with reference to the United Nations Declaration on the Rights of Indigenous Peoples and the 2030 Agenda for Sustainable Development.
5. Dialogues:
 - (a) Dialogue with Indigenous Peoples;
 - (b) Dialogue with Member States;
 - (c) Dialogue with the United Nations agencies, funds and programmes;
 - (d) Human rights dialogue with the Special Rapporteur on the rights of Indigenous Peoples and the Expert Mechanism on the Rights of Indigenous Peoples; annual review of progress on the implementation of general recommendation No. 39 (2022);
 - (e) Interregional, intergenerational and global dialogue;
 - (f) Dialogue on Indigenous platforms established within United Nations entities;
 - (g) Thematic dialogue on the financing of Indigenous Peoples’ work and participation across the multilateral and regional system.
6. Future work of the Permanent Forum, including issues considered by the Economic and Social Council, the outcome document of the World Conference on Indigenous Peoples and emerging issues.
7. Provisional agenda of the twenty-fifth session of the Permanent Forum.
8. Adoption of the report of the Permanent Forum on its twenty-fourth session.