



**The ICCA
Consortium**

Recommendations on SBI-1 Agenda Items

The first meeting of the Subsidiary Body on Implementation (SBI-1) is taking place from 2-6 May 2016 in Montréal, Canada. It will consider a range of agenda items relevant to indigenous peoples' and community conserved territories and areas (commonly known as 'ICCAs') and other forms of community conservation. These include, *inter alia*, review of progress in the implementation of the Convention and the Strategic Plan (Item 4), strategic actions to enhance implementation, including the mainstreaming of biodiversity within and across sectors (Item 7), resource mobilisation (Item 9), guidance to the financial mechanism (Item 10), enhancing synergies among biodiversity-related conventions (Item 11), *modus operandi* of the SBI and mechanisms to support review of implementation (Item 12) and national reporting (Item 13).

For each key agenda item, this position paper highlights key issues and additional considerations for the official documents and identifies how to strengthen the draft recommendations to more appropriately recognise and support ICCAs and other forms of community conservation. It was prepared by staff and members of 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) in collaboration with the **ICCA Consortium** (an international association dedicated to promoting appropriate recognition of and support to ICCAs). Both organisations are actively involved in supporting implementation of the Strategic Plan and achievement of the Aichi Targets.

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Community Conservation Resilience Initiative:
[http://globalforestcoalition.org/resources/sup-
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ICCA Consortium: www.iccaconsortium.org

To access the documents referenced in this position paper, please visit: <https://www.cbd.int/doc/?meeting=SBI-01>

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Agenda Item 4: Review of progress in the implementation of the Convention and the Strategic Plan for Biodiversity 2011-2020

Official document: UNEP/CBD/SBI/1/2
Complemented by: UNEP/CBD/SBI/1/2/Add.1-Add.3
UNEP/CBD/SBSTTA/20/2
UNEP/CBD/SBI/1/INF/2

Scheduled for: Monday 2 May, 10:00-13:00

The official SBI document assesses progress towards implementation of the Convention and Strategic Plan for Biodiversity, based on information in the revised and updated NBSAPs and fifth national reports to the CBD. The document SBI/1/2/Add.3 reports on implementation of the Programme of Work on Article 8(j) and Related Provisions, including the Plan of Action on Customary Sustainable Use.

Key Issues & Additional Considerations in the Main Body of the Official Document:

On national biodiversity strategies and action plans (NBSAPs) (Section II.A):

- We **appreciate** the efforts of Parties who have submitted developed or revised NBSAPs since 2010 in light of the Aichi Targets (**para 9**).
- However, we express serious **concern** that **so few NBSAPs** demonstrate that **biodiversity** is being **mainstreamed** significantly into cross-sectoral plans and policies, poverty eradication policies, and sustainable development plans (**para 12**).
- We also express serious **concern** that the **majority of national targets and commitments** in the NBSAPs **are lower** than the Aichi Targets or do not address all elements of each Target (**para 14**) and that, overall, **progress** is currently **not sufficient** to achieve the Aichi Targets (**para 29**).
- We acknowledge that countries' **targets or commitments under other international processes** such as the Intended Nationally Determined Contributions (INDCs) to the Paris Climate Agreement

may also be relevant to certain Aichi Targets (**para 15**) and agree that synergies should be explored where relevant.

- However, we urge Parties and the Executive Secretary of the CBD to **examine such targets and commitments critically** in light of the objectives of the CBD and Strategic Plan for Biodiversity. For example, some INDCs that claim to reduce deforestation or promote reforestation may do so through harmful or perverse incentives or through flawed mechanisms that do not contribute to positive gains for biodiversity and that undermine indigenous peoples' and local communities' conservation efforts, for example, subsidies for large-scale monoculture plantations such as oil palm or acacia.

On progress in implementing Article 8(j) and related provisions, including the plan of action on customary sustainable use (Section II.C):

- We **appreciate** the efforts of the CBD Secretariat and certain Parties to support **capacity-building** activities and **participation** of

indigenous peoples and local communities in the work of the Convention.

- We also appreciate the **growing acceptance of ICCAs (para 23)**, though we would like to emphasise that ICCAs contribute to achievement of the whole Strategic Plan and not only to protected and conserved areas. It is noted that some peoples and communities prefer to not have ICCAs included in protected area estates. We also encourage Parties to use the fuller and more appropriate phrase “**indigenous peoples’ and community conserved territories and areas**” for ICCAs.
- However, we express **concern** that **only 30%** of analysed NBSAPs referred to indigenous peoples and local communities (**para 23**) and **only 5%** mentioned customary sustainable use (**para 24**). Furthermore, **only two Parties** reported **participation** of indigenous peoples and local communities in their NBSAP Committees (**SBI/1/2/Add.3, para 36**).
- **Indigenous peoples** and **local communities** are **integral** to implementation of the Convention and its Protocols and to the achievement of the Strategic Plan and Aichi Targets (not only Target 18). 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 **de facto 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. For example, few Parties have yet established multi-stakeholder committees for PoWPA and Element 2 (on governance, equity, participation and benefit-sharing) remains the least implemented part of PoWPA.

Suggested Changes to the Draft Recommendation:

1. Participation of indigenous peoples and local communities:

- Following the above points, we encourage Parties to **add** the following provision after the current draft **paragraph 9**:

“9. bis Urges Parties to implement existing decisions and commitments to ensure the full and effective participation of indigenous peoples and local communities in the work of the Convention and at the national level, including in planning, implementation, reporting and review processes and mechanisms;”

- We **welcome** the current **paragraphs 17-19** as drafted.

2. Contributions to the CBD Voluntary Trust Fund:

- We encourage Parties to **add** the following provision after the current draft **paragraph 19** in order to support capacity-building and participation of indigenous peoples and local communities in the work of the Convention (as stated in **paragraph 18**):

“19. bis Invites Parties to generously contribute to the CBD Voluntary Trust Fund for the Participation of Indigenous Peoples and Local Community Representatives in order to support the capacity-building and participation of indigenous peoples and local communities in the work of the Convention.”

For more information about this SBI-1 agenda item and our related recommendations, please contact:

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Agenda Item 7: Strategic actions to enhance implementation of the Convention and the Strategic Plan, including mainstreaming of biodiversity

Official document: UNEP/CBD/SBI/1/5
Complemented by: UNEP/CBD/SBI/1/5/Add.1* and Add.2
UNEP/CBD/SBI/1/7
UNEP/CBD/SBSTTA/20/INF/52

Scheduled for: Tuesday 3 May, 10:00-13:00

The official SBI document provides information on strategic actions to enhance national implementation, with particular focus on strategic actions with respect to mainstreaming biodiversity within and across sectors. It includes a summary of the history of the focus on mainstreaming under the Convention, background and context with respect to key international processes relevant to mainstreaming biodiversity at the national level and strategic actions to enhance implementation of the Convention and its Protocols at the national level (including the role of key actors such as women and indigenous peoples and local communities). The draft recommendation (*Section IV*) includes sections on mainstreaming biodiversity through relevant international processes, mainstreaming biodiversity in the tourism sector, cross-sectoral mainstreaming and engagement of key actors.

** Note that this is the same document as UNEP/CBD/SBSTTA/20/15/Add.1, as used for SBSTTA-20 Agenda Item 13. However, it is not yet fully clear how SBSTTA and SBI discussions on mainstreaming will relate to each other.*

Key Issues & Additional Considerations in the Main Body of the Official Document:

1. **On the role of indigenous peoples and local communities in climate change (Section II.B), and disaster risk reduction (Section II.C):**

- Indigenous peoples and local communities are often on the **frontlines of climate change**. Their traditional knowledge systems and adaptive practices contribute vital wisdom to **localised mitigation and adaptation** to climate change and natural hazards, for example, through protection and conservation of watersheds and forest ecosystems. However, they are also **disproportionately affected** by the impacts of global climate change such as sea level

rise and the increasing frequency and severity of extreme weather events.

- We encourage Parties to implement **Advice No. 7** (2014) of the Expert Mechanism on the Rights of Indigenous Peoples (A/HRC/27/66), which recognised the **rights of indigenous peoples in disaster risk reduction initiatives**, including to free, prior and informed consent for DRR measures that may affect

their lands, territories and natural resources. It also acknowledged that whether natural hazards become disasters depends on a community's exposure, vulnerability and resilience, and stated that traditional **indigenous knowledge, values and cultures** are important **risk reduction tools**.

2. On possible actions for enhancing cross-sectoral mainstreaming (Section III.E):

➤ We agree that more work is needed to strengthen policies, tools and legislation for cross-sectoral issues (**para 40(a)**). In particular, appropriate **legal and policy recognition of and support for ICCAs** and other community conservation initiatives should be pursued, with the full and effective participation of the indigenous peoples and local communities concerned. This should include **devolving governance, management and enforcement powers** to communities to ensure they can defend their territories and areas against outsiders and encroachment.

➤ We also agree that more work is needed on **incentives (para 40(b))** and on **sustainable consumption and production (para 40(e))**. Mainstreaming biodiversity requires **extensive reform and transformation** of the conventional agriculture, forestry and fisheries industries (among others), particularly by achieving the agreed **milestones to implement Aichi Target 3** on the elimination, phasing out and reform of harmful incentives and perverse subsidies. It also requires **integration of the ecosystem approach** and **precautionary principle** in all sectors that directly or indirectly rely on or impact biodiversity.

3. On the role of key actors in supporting mainstreaming (Section III.F):

➤ We welcome the inclusion of **gender equality** and **empowerment of women** in the CBD more generally – including through the 2015-2020 Gender Plan of Action – and specifically in the context of mainstreaming. Indigenous and local women hold **unique traditional knowledge** (including of medicinal plants and food systems) and contribute significantly to **collective action** and community conservation initiatives. Special provision should be made for the **representation** and **participation** of indigenous and

local women in biodiversity mainstreaming processes, including planning, implementation, reporting and review.

➤ Although the SBI document notes that the **role of indigenous peoples and local communities** in contributing to mainstreaming was addressed in the ninth meeting of the Working Group on Article 8(j), it should still be considered here as well. It is not clear why the conclusions of the WG8(j) discussion on that topic were not forwarded for consideration during this agenda item, alongside other actors.

Suggested Changes to the Draft Recommendation:

1. On strengthening the mainstreaming of biodiversity through international processes:

➤ We encourage Parties to add the following recommendation after what is currently **para 1** in the draft recommendation to COP13:

"1.bis Particularly welcomes the adoption of Sustainable Development Goals 14 and 15, including the target to halt deforestation by 2020, commends the more than 100 countries that, according to the 2015 FAO Forest Resources Assessment, have already succeeded to halt forest cover loss and urges other countries to comply with this target, in line with and guided by the CBD Strategic Plan and the Expanded Work Program on Forest Biodiversity;

2. On the importance of more effective engagement with indigenous peoples and local communities:

➤ We encourage Parties to add the following to the end of the **Preamble**:

"Recognizing the need for more effective and equitable engagement with indigenous peoples and local communities, including women,"

- We urge Parties to take a more balanced approach to the different key actors, and to **prioritise actors** that apply **non-profit-oriented approaches** to biodiversity mainstreaming. More generally, we encourage Parties to **prioritise** the “**livelihood case**” for biodiversity rather than the “business case” for biodiversity.
- Further to the above, we strongly encourage Parties to **include specific provision(s)** regarding **indigenous peoples and local communities** in the section of the recommendation on engagement of key actors to enhance mainstreaming. The absence of any reference to indigenous peoples and local communities is particularly glaring given the draft recommendation includes no less than seven provisions on the business sector.

For more information about this SBI-1 agenda item and our related recommendations, please contact:

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Agenda Item 9: Resource mobilisation

Official document: UNEP/CBD/SBI/1/7
Complemented by: UNEP/CBD/SBI/1/7/Add.1-Add.2
UNEP/CBD/SBI/1/INF/6

Scheduled for: Tuesday 3 May, 15:00-18:00

The official SBI document presents conclusions (or draft conclusions) of the activities mandated in COP Decision XII/3 on resource mobilisation, including on financial reporting, capacity-building and technical support, options for strengthening biodiversity-related financial information systems, and synthesis of information on existing legislation and policies governing biodiversity financing mechanisms.

Key Issues & Additional Considerations in the Main Body of the Official Document:

1. On the contributions of and appropriate support for collective action (Section IV.B and Annex III):

- As acknowledged in *Decision XII/3* and *Annex III* of the draft recommendation, indigenous peoples' and local communities' **collective action**, including through ICCAs and other largely voluntary and **non-market-based** community conservation initiatives, **contribute significantly** to achieving the CBD and Strategic Plan.
- The **Dialogue Workshop** in Panajachel, Guatemala (11-13 June 2015) underscored the fact that the monitoring and assessment of the contribution of collective action is **highly context-specific** and that whilst a range of approaches are already being applied, **further methodological work is needed**.
- As one example of such work, from 2015-2019, the **Community Conservation Resilience Initiative** (CCRI) is supporting at least 60 indigenous and communities in at least 20 countries around the world to conduct their own **assessments of the resilience of their conservation initiatives**. It also aims to support these

communities to use their assessments as the basis of **constructive engagement** with external stakeholders to fulfil their self-identified plans and priorities and contribute to achievement of the Aichi Biodiversity Targets. The CCRI's guidance **methodology** includes (*inter alia*) cross-cutting principles and participatory tools for community documentation and communication, mainstreaming gender, and elaborating community protocols and procedures.

- **Reporting on collective action** and non-market-based approaches should be done with the **full and effective participation** and the **free, prior and informed consent** of the indigenous peoples and local communities concerned, especially when concerning sensitive or confidential information such as traditional knowledge, sacred sites or location of certain resources.
- 2. On implementation of milestones for Aichi Target 3 (Section V):**
- **Implementation** of the agreed **milestones for Aichi Target 3** should be considered a **necessary condition** for effective resource mobilisation.

- State Parties may be able to **readily meet resource mobilisation needs** by eliminating, phasing out and/or reforming harmful and perverse incentives and **redirecting financial, legal, policy and other incentives** to support implementation of the CBD and other biodiversity-related conventions. As noted by New Zealand in its national report (UNEP/CBD/SBI/1/7/Add.2), addressing harmful incentives may be a **necessary but not sufficient** measure to improve biodiversity, especially with intensification of market-based industries such as agriculture. Thus, this **also requires mainstreaming of biodiversity** within and across sectors, particularly the primary sectors of agriculture, forestry and fisheries and aquaculture.
- **Other innovative reforms** could strive to **address environmental externalities** of key primary sectors (including agriculture, forests and fisheries), for example, by improving enforcement of existing supportive regulations, imposing stricter sentences for violations and using collected fines to remedy the harm caused.
- 3. **On engaging and ‘incentivising’ indigenous peoples and local communities (Section V, para 24(c)):**
 - **Targeted** legal, policy, financial, technical and other forms of **support for collective action, including ICCAs** – in accordance with the relevant indigenous peoples’ and communities’ self-determined priorities – can be a highly **effective** and **equitable** means of supporting implementation of the CBD and Strategic Plan.
 - Initiatives such as the CCRI and community protocols aim to **support** indigenous peoples and local communities to identify and communicate their **self-determined plans and priorities** to other actors, including State Parties, donors, civil society organisations, and the private sector. External actors should employ such **rights-based approaches** in collaboration with indigenous peoples and local communities to identify and support community-determined funding and other priorities.

- Externally provided **recognition and support** – including financial and technical support – must be done with the **full and effective participation** and **free, prior and informed consent** of the peoples and communities concerned, and in accordance with their **self-determined priorities**. The most important ‘safeguards’ (see **para 24(c)**) are enshrined in the **UN Declaration on the Rights of Indigenous Peoples**.
- Appropriate **policy and legal recognition and support** – for example, for collective land and resource tenure – are **particularly important** for ensuring the resilience and sustainability of ICCAs and other community conservation efforts, particularly when threatened by large-scale private sector activities such as monoculture plantations, logging and fisheries.

Suggested Changes to the Draft Recommendation:

1. **On the contribution of implementing Aichi Target 3 to mobilisation of financial resources (Preamble):**

- Following from the above points about **Aichi Target 3**, we encourage Parties to **strengthen** the provision in the preamble that currently reads: “*Cognizant of the potential contribution of implementing Aichi Biodiversity Target 3 for the mobilization of financial resources,*” by revising it to the following:

“Recognizing the necessity of implementing Aichi Biodiversity Target 3 for the mobilization and effective use of financial resources, ...”

2. **On capacity building and technical support (para (f)):**

- In the paragraph inviting the **Biodiversity Finance Initiative**, *inter alia*, to continue providing technical support and capacity-building for interested Parties, we encourage Parties to **add specific reference to the involvement of indigenous peoples and local communities in identifying funding needs, gaps and priorities and developing national resource mobilisation strategies**.

3. On collective action (para (o)):

- In the paragraph inviting Parties and others to consider establishing **pilot projects** on the contribution of collective action, given several relevant initiatives are already underway and listed in the draft Appendix to Annex III, we encourage Parties to add reference to such initiatives (suggested new text in underline):

“... to consider establishing pilot projects and supporting existing relevant projects and initiatives, including but not limited to those listed in the Appendix to Annex III, on the contribution of collective action ...”

4. On milestones for the full implementation of Aichi Biodiversity Target 3 (paras (s-t)):

- At the end of **para (s)**, we encourage Parties to include the following as an **example of positive incentive measures**:

“... identify opportunities to promote the design and implementation of positive incentive measures, such as appropriate recognition and support for indigenous peoples’ and community conserved territories and areas and other effective community conservation initiatives; ...”

5. On safeguards in biodiversity financing mechanisms (paras (v-w)):

- We **welcome** the suggested activities in **paras (v)** and **(w)** concerning **safeguards** and we look forward to contributing where possible.

6. On the indicative guidelines on assessing the contribution of collective action (Annex III):

We **welcome the indicative guidelines** and suggest the following:

- In **Annex III, para 7**, given the essential role of GEF-SGP in providing financial support to indigenous peoples and local communities and their supporting organisations, we encourage Parties to **include specific mention of GEF-SGP**. If appropriate, we

also encourage Parties to underscore the **need to continue to support ICCAs and other forms of collective action** and non-market-based approaches **in the current and subsequent GEF Operational Phases**.

- We encourage Parties to add the following to the **Appendix** (“Indicative, non-exhaustive list of methodologies for assessing the contribution of collective action”):

“The Community Conservation Resilience Initiative (CCRI) uses a guiding methodology with cross-cutting principles (such as free, prior and informed consent and women and gender) and a non-exhaustive collection of participatory tools for indigenous peoples and local communities to document and communicate their plans, priorities and protocols to maintain and strengthen the resilience of their conservation efforts.”

- We welcome and appreciate the reference in the Appendix to the **ICCA Consortium**. In light of current good practice, we encourage Parties to **update the phrase** “indigenous and community conserved areas” to the fuller and more appropriate “**indigenous peoples’ and community conserved territories and areas**”. We also suggest changing “bio-cultural community protocols” to simply “**community protocols**”, which is used in several COP Decisions.

For more information about this SBI-1 agenda item and our related recommendations, please contact:

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Agenda Item 10: Financial mechanism

Official document: UNEP/CBD/SBI/1/8

Scheduled for: Tuesday 3 May, 15:00-18:00

Complemented by: UNEP/CBD/SBI/1/8/Add.1-Add.2
UNEP/CBD/SBI/1/2 and /5

The official SBI document considers the implementation of several subject matters of the Memorandum of Understanding between the COP and the Council of the Global Environment Facility (GEF), which was adopted in Decision III/8. It includes an update on reporting from GEF, information on the review of the effectiveness of the financial mechanism, activities related to the second assessment of funding needs, and information on inter-secretariat cooperation.

Key Issues & Additional Considerations in the Main Body of the Official Document:

1. On 'top-down' and 'bottom-up' approaches to setting priorities for the financial mechanism:

- The official document (UNEP/CBD/SBI/1/8) suggests two **approaches to conducting needs assessments** and **setting priorities** for the financial mechanism and seventh replenishment of the GEF Trust Fund (GEF-7): (a) a “top-down” approach in light of the Strategic Plan and Convention’s Protocols; and (b) a “bottom-up” approach based on country submissions (**Section II.C, para 10**; and **Section V, para 25**). However, **no mention** is made of the need to include **indigenous peoples’ and local communities’ views**, which is how ‘bottom-up’ is generally understood.
- We understand that in a traditional multilateral context, country submissions could be considered “bottom-up”. However, the **CBD** procedures and dozens of COP Decisions make **special provision** for the participation of **indigenous peoples and local communities**, who are clearly an **integral** part of achieving the CBD, its Protocols and the Strategic Plan for Biodiversity. Thus,

‘bottom-up’ should be understood more broadly and particularly in light of the role of indigenous peoples and local communities.

2. On including indigenous peoples’ and local communities’ needs and priorities in the programming priorities for GEF-7:

- Given the substantial contributions and the **unique, context-specific needs** of indigenous peoples and local communities, we would strongly urge Parties, in the work on the financial mechanism, to **include explicit provision for indigenous peoples and local communities to identify and contribute their own needs and priorities** to the 4-year framework of programming priorities for GEF-7. This could be done either: (a) **as part of country submissions** to the expert team (which would necessitate effective participation mechanisms); or (b) **as parallel submissions** directly to the expert team, for inclusion in the report to COP13 as a complementary but distinct set of needs and priorities for GEF-7.
- If Parties at SBI-1 support the **expert team’s recommendation** to establish a **funding needs assessment panel** and formalised

process to assess financial requirements for GEF replenishments (**Section V, para 25**), we urge Parties to **include specific provision** for the **participation** of **indigenous peoples and local communities** in such a panel and process.

➤ As a basis for these recommendations, we would like to recall the following **existing CBD Decisions** that specifically refer to funding priorities, GEF and indigenous peoples and local communities:

- (a) **Decision VIII/18, para 29(e)** and **Decision VIII/24, para 22(e)**, which invite GEF to **support community conserved areas** and the immediate, **full and effective participation** of indigenous peoples and local communities in the development of relevant activities;
- (b) **Decision VIII/24, para 18(f)(vii)**, which invites Parties to consider funding mechanisms to **support indigenous [peoples'] and local communities' conserved areas**, as **part of financial plans for protected area systems**;
- (c) **Decision VIII/24, para 27(c)**, which calls for **support for indigenous [peoples'] and local communities' conservation and sustainable use initiatives in implementation of PoWPA**; and
- (d) **Decision XI/14/A, para 9**, which urges Parties (including through GEF and the Small Grants Programme) and invites other donors to **support indigenous [peoples] and local communities to document, map and register their ICCAs** and to prepare and implement their **community conservation plans**, and calls for **support** to be provided **to countries to strengthen their recognition of ICCAs**.

3. **On GEF and SGP support for ICCAs and community conservation:**

- We would like to acknowledge the **vital financial support** of the **GEF Small Grants Program** for ICCAs and other community conservation initiatives to date, and would like to underscore the **critical importance** of **continuing and further expanding** such support in **GEF-7**.
- **Indigenous peoples' and local communities' conservation efforts** should not only be supported by the GEF Small Grants Program.

Indigenous peoples and local communities should also have the opportunity to **fully and effectively participate** in **medium** and **large GEF grants** in close collaboration with State Parties and other actors. Such grants should also provide support for countries to **strengthen appropriate (sub-)national recognition of ICCAs** and other community conservation efforts, as per **Decision XI/14/A, para 9**.

Suggested Changes to the Draft Recommendation:

1. **On relevant Decisions (Preamble):**

- Following the above points regarding COP Decisions on funding mechanisms and indigenous peoples and local communities, we encourage Parties to add reference to the following COP Decisions in the Preamble: **VIII/18, VIII/24** and **XI/14/A**.

2. **On indigenous peoples' and local communities' needs and priorities (para 5):**

- Following the above points regarding the importance of including indigenous peoples' and local communities' needs and priorities in the programming priorities for GEF-7, we encourage Parties to add the following text to what is currently **para 5**:

"Encourages the expert team to take into account ... further submissions from recipients, including indigenous peoples and local communities and other relevant organizations, and to finalize the assessment report ..."

For more information about this SBI-1 agenda item and our related recommendations, please contact:

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Agenda Item 11: Enhancing synergies among biodiversity-related conventions

Official document: UNEP/CBD/SBI/1/9

Scheduled for: Wednesday 4 May, 10:00-13:00

Complemented by: UNEP/CBD/SBI/1/9/Add.1
UNEP/CBD/SBI/1/INF/21, INF/36 and INF/37

The official SBI document outlines the preparation and results of a workshop on synergies among the biodiversity-related conventions (held in February 2016) and presents considerations for developing recommendations to COP 13. It does not provide a draft recommendation as such.

Key Issues & Additional Considerations in the Main Body of the Official Document:

1. **On the role of indigenous peoples and local communities across biodiversity-related conventions:**

- **Indigenous peoples and local communities** play a **significant role** in achieving the objectives of **each of the biodiversity-related conventions**, and to the achievement of the Sustainable Development Goals (SDGs). They do so particularly through **collective action** and **non-market-based approaches**, including **ICCAs** and other effective community conservation initiatives. For example, they are the guardians of extraordinary **genetic diversity** of indigenous and local crop varieties and livestock breeds. They also protect, conserve and restore extensive territories and areas, some of which overlap wholly or partly with **World Heritage Sites** or **Ramsar Sites** (wetlands of international importance) and provide important refuges for **migratory** and **endangered species**.
- **Appropriate recognition** of and **support** for **collective action** such as ICCAs is thus an **effective option** to **enhance synergies** among biodiversity-related conventions.
- More broadly, we urge Parties to each of the biodiversity-related conventions to ensure the **full and effective participation** and

free, prior and informed consent of indigenous peoples and local communities in decisions that affect them, including (*inter alia*) incentives and financing mechanisms, protected and conserved areas, and restoration. Human rights violations in the name of conservation are still a regrettably common occurrence.

2. **On participation of indigenous peoples and local communities in work on synergies across biodiversity-related conventions:**

- We appreciate the **inclusion of representatives** of indigenous peoples and local communities at the workshop on synergies among the biodiversity-related conventions.
- We encourage Parties to **continue to provide and further strengthen inclusive mechanisms** for indigenous peoples and local communities in this process, including through national, regional and international consultations and workshops, and collaborative mechanisms such as the Biodiversity Liaison Group.

For more information about this SBI-1 agenda item and our related recommendations, please contact:

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Agenda Item 12: Modus operandi of the SBI and mechanisms to support review of implementation

Official document: UNEP/CBD/SBI/1/10
Complemented by: UNEP/CBD/SBI/1/10/Add.1-Add.3
UNEP/CBD/SBI/INF/27

Scheduled for: Wednesday 4 May, 10:00-13:00

The official SBI document provides a draft *modus operandi* of SBI. It considers further procedural elements suggested for inclusion, substantive elements of the *modus operandi* based on the functions of SBI and options to strengthen the review of progress in implementation.

Key Issues & Additional Considerations in the Main Body of the Official Document:

1. On the voluntary peer-review mechanism (Section II.B, para 26; and Section II.E, para 41):

- We **welcome efforts** to develop a methodology for a voluntary **peer-review process**, as part of overall efforts to strengthen effective implementation of the Convention and its Protocols and Decisions.
- We encourage Parties to include in the process **explicit mechanisms** for the **participation of indigenous peoples and local communities** and other relevant civil society organisations, including women's organisations. This could include, for example, providing for the submission to the review team of 'alternative' civil society reports and of civil society comments on country reports, as is allowed in the UN Human Rights Council's Universal Periodic Review (SBI/10/Add.3).
- We encourage Parties to consider extending the peer-review process to **include peer-review of national reports**, in addition to NBSAPs. This should also provide for participation of indigenous

peoples and local communities and other relevant civil society organisations, including women's organisations.

2. On compliance mechanisms:

- More broadly, the Convention is **lacking** in **effective mechanisms to ensure compliance and to address non-compliance**. We urge Parties to be **proactive** and **ambitious** in developing robust mechanisms for compliance and non-compliance, for example, with reference to the UNFCCC's more systematic and stringent review mechanisms (SBI/10/Add.3). This is a matter of **urgency**, given the limited time remaining to achieve the Strategic Plan and Aichi Targets.

For more information about this SBI-1 agenda item and our related recommendations, please contact:

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Agenda Item 13: National reporting

Official document: UNEP/CBD/SBI/1/11

Scheduled for: Wednesday 4 May, 15:00-18:00

Complemented by: UNEP/CBD/SBI/1/11/Add.1*

The official SBI includes a review of experiences and lessons learned from the fourth and fifth rounds of national reporting under the Convention, introduces the content and format of the sixth national report and presents proposed modalities for future reporting. Draft guidelines for the sixth national report are contained in SBI/1/11/Add.1.

* Note that this is the same document as UNEP/CBD/SBSTTA/20/13/Add.1, as used for SBSTTA-20 Agenda Item 11.

Key Issues & Additional Considerations in the Main Body of the Official Document:

1. On contributions of indigenous peoples and local communities:

- Indigenous peoples and local communities have sophisticated **knowledge and monitoring systems** attuned to changes over time. In addition, they are often on the frontlines of biodiversity conservation efforts and are particularly vulnerable to biodiversity loss and degradation. They are **very well placed to contribute** observations and assessments **to national reports**. However, very **few references** to indigenous peoples and local communities, or to their conserved territories and areas or ICCAs, were included in the **fourth edition** of *Global Biodiversity Outlook*, despite multiple rounds of inputs to the peer review process.
- It is thus essential to have **stronger representation** of **indigenous peoples' and communities' considerations** in the sixth national reports, especially since the reports will provide the basis for the final review of implementation of the Strategic Plan and for the development of a follow-up to the Strategic Plan.

2. On the guidelines for the sixth national report:

- In the guidelines for the sixth national report (UNEP/CBD/SBI/1/11/Add.1), we strongly agree that **indigenous peoples and local communities**, *inter alia*, **should be involved** in the preparation of the national report (**Section I, para 3**).
- However, the **guidelines** only provide a template for the structure and format of the sixth national report; they **fail to provide guidance on the process** to be undertaken **to prepare the report**. National reporting processes should involve **extensive consultations** and **participatory methods** in collaboration with indigenous peoples and local communities. They should respect and include **diverse worldviews** and **knowledge systems**, including those of **women**, and incorporate the findings of indigenous peoples' and local communities' **own assessments** of change and of progress towards the Aichi Targets, using both quantitative and qualitative data.
- In addition, the **global indicators** for the Aichi Targets should be used as a **flexible framework** and **minimum standard**. **Additional indicators** and information that shed light on achievement of the

Aichi Targets beyond the global indicators **should also be considered and reported** in the national reports.

- The guidance should also state that teams that compile the national reports should include people with the **necessary skills and experience** to engage with indigenous peoples and local communities and to appropriately consolidate their contributions along with all others into the reports.

For more information about this SBI-1 agenda item and our related recommendations, please contact:

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Suggested Changes to the Draft Recommendation:

1. **On participation of indigenous peoples and local communities:**
 - We appreciate the request to Parties to involve relevant stakeholders in the preparation and review of the sixth national report (*para 7*). We encourage Parties to **add specific reference to indigenous peoples, local communities, women and supporting civil society organisations**. These groups can contribute significantly to the national reporting process, but are often not as involved as governmental organisations.