



EIGHTH MEETING OF THE WORKING GROUP ON ARTICLE 8(J) AND SEVENTEENTH MEETING OF THE SUBSIDIARY BODY ON SCIENTIFIC, TECHNICAL AND TECHNOLOGICAL ADVICE: 7-18 OCTOBER 2013

The Working Group on Article 8(j) (traditional knowledge) and Related Provisions of the Convention on Biological Diversity (CBD) will convene from 7-11 October 2013 in Montreal, Canada. It will be held back-to-back with the seventeenth meeting of the CBD Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA), which will convene from 14-18 October 2013.

The Article 8(j) Working Group will address: a progress report on the implementation of the work programme on Article 8(j), and mechanisms to promote the effective participation of indigenous and local communities (ILCs) in CBD work; a draft action plan for customary sustainable use; proposed best-practice guidelines facilitating enhancement of repatriation of traditional knowledge; a study on how tasks 7, 10 and 12 of the Article 8(j) work programme (benefit-sharing from, and unlawful appropriation of, traditional knowledge) contribute to the work under the CBD and the Nagoya Protocol; *sui generis* systems for the protection, preservation and promotion of traditional knowledge; and recommendations from the UN Permanent Forum on Indigenous Issues (UNPFII). The Working Group will also feature an in-depth dialogue on connecting traditional knowledge systems and science, such as the Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES), including gender dimensions. The Working Group is expected to produce draft recommendations for consideration by the next meeting of the CBD Conference of the Parties (COP) in October 2014.

SBSTTA 17 is expected to: draw general conclusions on the scientific and technical needs related to the implementation of the Biodiversity Strategic Plan and Aichi Targets; consider ways to enhance its role in assessing the effectiveness of measures taken in accordance with CBD provisions; consider contributions to the intersessional process of the IPBES; and consider progress reports by the CBD Secretariat. SBSTTA 17 is expected to produce conclusions and recommendations for further work, which may inform the work of the COP, SBSTTA itself, the Secretariat, partner organizations, the research community and funding agencies.

BRIEF HISTORY OF THE CONVENTION

The CBD was adopted on 22 May 1992 and entered into force on 29 December 1993. There are currently 193 parties to the Convention, which aims to promote the conservation of biodiversity, the sustainable use of its components, and the fair and equitable sharing of benefits arising from the use of genetic resources. The COP is the governing body of the Convention. It is assisted by SBSTTA, which is mandated, under CBD Article 25, to provide the COP with advice relating to the Convention's implementation. The Convention's work under Article 8(j) (traditional knowledge) commenced at COP 3 (November 1996, Buenos Aires, Argentina). COP 4 (May 1998, Bratislava, Slovakia) established and adopted the terms of reference for an open-ended working group on Article 8(j).

COP 5: At its fifth meeting (May 2000, Nairobi, Kenya), the COP extended the Working Group's mandate to review progress in implementation and adopted a programme of work on Article 8(j), comprising: elements and tasks on participatory mechanisms, status and trends of traditional knowledge, traditional cultural practices for the conservation and sustainable use of genetic resources, benefit-sharing, exchange and dissemination of information, and monitoring and legal elements. In addition, the COP adopted work programmes on dry and sub-humid lands and agricultural biodiversity.

COP 6: At its sixth meeting (April 2002, The Hague, the Netherlands), the COP adopted the Bonn Guidelines on access and benefit-sharing (ABS). The COP identified actions to be taken with respect to the integration of Article 8(j) into the CBD thematic work programmes. In addition, the COP adopted the Convention's Strategic Plan, including the target to reduce significantly the rate of biodiversity loss by 2010; an expanded work programme on forest biodiversity; and guiding principles for invasive alien species.

COP 7: At its seventh meeting (February 2004, Kuala Lumpur, Malaysia), the COP mandated the Working Group on ABS to negotiate an international regime on ABS and agreed on the terms of reference for such a negotiation. The COP also adopted: the Akwé: Kon Guidelines for cultural, environmental and social impact assessments; the Addis Ababa Principles and Guidelines for sustainable use; work programmes on mountain biodiversity, protected areas, and technology transfer and cooperation; and a decision to review implementation of the Convention, its Strategic Plan and progress towards achieving the 2010 target.

COP 8: At its eighth meeting (March 2006, Curitiba, Brazil), the COP instructed the Working Group on ABS to complete its work on the international ABS regime at the earliest possible



time before COP 10; and requested the Working Group on Article 8(j) to contribute to the mandate of the Working Group on ABS. The COP adopted a work programme on island biodiversity and reaffirmed the COP 5 ban on the field-testing of genetic use restriction technologies.

COP 9: At its ninth meeting (May 2008, Bonn, Germany), the COP adopted a roadmap for the negotiation of the international ABS regime before the 2010 deadline. The COP decided that the Working Group on Article 8(j) should work on guidelines for documenting traditional knowledge, a plan of action for retention of traditional knowledge, participatory mechanisms for ILCs in the Convention, elements of *sui generis* systems, elements of a code of ethical conduct, and further work on the composite report. In addition, the COP adopted the Resource Mobilization Strategy for the Convention.

COP 10: At its tenth meeting (October 2010, Nagoya, Japan), the COP adopted as a package: the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization; the CBD Strategic Plan for the period 2011-2020, including a mission, and strategic goals and targets aiming to inspire broad-based action by parties and stakeholders; and a decision on activities and indicators for the implementation of the Resource Mobilization Strategy. The meeting also adopted the Tkarihwaié:ri Code of Ethical Conduct to ensure respect for ILCs' cultural and intellectual heritage relevant for the conservation and sustainable use of biodiversity.

COP 11: At its eleventh meeting (October 2012, Hyderabad, India), the COP adopted an interim target of doubling biodiversity-related international financial resource flows to developing countries by 2015, and at least maintaining this level until 2020, as well as a preliminary reporting framework for monitoring resource mobilization. The COP further requested IPBES to consider ways in which the activities of the platform could, as appropriate, contribute to assessments of the achievement of the Aichi targets and provide information on policy options available to deliver the 2050 vision of the Strategic Plan. In addition, the COP: took note with appreciation of the report of the Expert Group Meeting of Local Communities Representatives; and requested the Article 8(j) Working Group to consider the matter of terminology related to "indigenous peoples and local communities" and all its implications for the CBD and its parties, for further consideration by COP 12.

INTERSESSIONAL HIGHLIGHTS

IPBES 1: The first session of the Plenary of IPBES (21-26 January 2013, Bonn, Germany): elected the IPBES Chair, Bureau and Multidisciplinary Expert Panel (MEP); adopted an initial budget; and agreed on steps toward the development of an initial IPBES work programme, including requesting the MEP and the Bureau to develop a draft work programme for 2014-2018, through an open process, and mandating the MEP to recommend possible procedures and approaches for working with different knowledge systems for consideration by IPBES 2. The IPBES Plenary also adopted a decision on the procedure for receiving and prioritizing requests, whereby: governments and multilateral environmental agreements related to biodiversity and ecosystem services can send requests to IPBES on scientific and technical matters that require the Platform's attention and action; inputs and suggestions from UN bodies related to biodiversity and ecosystem services, as determined by their respective governing bodies, are also welcomed; and inputs and suggestions made by relevant stakeholders, such as non-governmental organizations, indigenous peoples and local communities and the private sector, will also be encouraged and taken into account, as appropriate.

UNPFII 12: At its twelfth session (20-31 May 2013, New York), UNPFII recommended that the CBD, with the World Intellectual Property Organization (WIPO) and others, work closely with indigenous peoples to develop an instrument to protect traditional knowledge and culture-based economic opportunities and activities as a potential way of strengthening the identities of indigenous peoples; and invited UN agencies in cooperation with the CBD and others to convene a workshop on African pastoralism, indigenous peoples' rights and climate adaptation. The draft decisions forwarded by UNPFII to ECOSOC also include renaming the Forum "Permanent Forum on the Rights of Indigenous Peoples" and ensuring that indigenous peoples have equal participation in the drafting of all documents regarding the World Conference on Indigenous Peoples in September 2014.

IPBES WORKSHOP: The IPBES MEP convened an international expert and stakeholder workshop on the contribution of indigenous and local knowledge systems from 9-11 June 2013 in Tokyo, Japan. Participants agreed that substantial effort is needed to satisfy the IPBES Work Programme objective to develop an adequate and comprehensive set of principles and procedures for building synergies between knowledge systems. They recommended: recognizing indigenous peoples and local communities as having a distinct status as knowledge-holders and rights-holders; putting in place mechanisms to ensure attention to gender-specific knowledge and gender balance; establishing a working group composed of indigenous and local knowledge-holders and scientists; and using a wide variety of media, languages, forums and communication processes to maximize participation and learning from indigenous and local knowledge-holders. The workshop report will be presented for further consideration at IPBES 2, to be held from 9-14 December 2013 in Antalya, Turkey.

ITPGR GB 5: At its fifth session (24-28 September 2013, Muscat, Oman), the Governing Body (GB) of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGR) launched an intersessional *Ad Hoc* Working Group to Enhance the Functioning of the Multilateral System (MLS) of ABS. The GB also adopted a resolution on farmers' rights requesting the Secretariat, *inter alia*, to review knowledge, views and best practices, including from farmers' organizations, and systematically derive examples as options for national implementation, as appropriate and according to national legislation, for GB 6 consideration. The GB further adopted a resolution on sustainable use, requesting parties to promote, as appropriate, access of all farmers to genetic resources in the MLS and broadening of genetic diversity of crops in use; and deciding to reconvene its intersessional committee on sustainable use of plant genetic resources for food and agriculture, to provide advice to the Secretariat on the development of the toolbox on sustainable use, and prepare a set of options for parties' consideration in national implementation of farmers' rights.

WIPO GENERAL ASSEMBLY: At its forty-third session (23 September – 2 October 2013, Geneva, Switzerland), the WIPO General Assembly renewed the mandate of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) to continue text-based negotiations, with a view to reporting to the next General Assembly so that it can take stock of progress made and decide on convening a diplomatic conference.



WORKING GROUP ON ARTICLE 8(J) HIGHLIGHTS: MONDAY, 7 OCTOBER 2013

The Working Group on Article 8(j) opened on Monday, 7 October 2013, in Montreal, Canada. Delegates met in plenary throughout the day.

OPENING PLENARY

Otsi.tsa.ken:RA (Charles Patton) of the Mohawk Nation welcomed delegates to Mohawk traditional territory and opened the meeting in the way of his ancestors. Co-Chair Hem Pande (India), on behalf of COP 11 President, urged the Working Group to move forward. CBD Executive Secretary Braulio Diaz highlighted: tasks 7, 10 and 12, and the possibility to develop guidelines on preventing misappropriation of traditional knowledge, prior informed consent (PIC) and benefit-sharing; and task 15 on repatriation of traditional knowledge. He also reported that the Nagoya Protocol attracted 25 ratifications.

ORGANIZATIONAL MATTERS: Delegates adopted the meeting agenda (UNEP/CBD/WG8J/8/1) and organization of work (UNEP/CBD/WG8J/8/1Add.1/Rev.1) without amendment. They elected Boukar Attari (Niger) as Rapporteur of the meeting; and appointed Lucy Mullenkei, Gam Shimray Awungshi, Yvonne Vizina, Polina Shulbaeva, Gunn-Britt Retter, Maria Eugenia Choque Quispe and Gina Malia Sui Lin Nobrega as Indigenous Friends of the Bureau.

GENERAL STATEMENTS: The International Indigenous Forum for Biodiversity (IIFB) called for: increasing targeted funding for full ILC participation in all CBD processes; establishing an expert group to address best-practice guidelines on repatriation of traditional knowledge; including capacity building as a priority action under task 7; and using the term “indigenous peoples and local communities” under the Convention. The Indigenous Women’s Biodiversity Network (IWBN) highlighted the need for full and effective participation of women in all CBD processes, and in international and local projects related to traditional knowledge. INDIGENOUS YOUTH called for greater participation by youth in the CBD.

Lithuania, for the EU, emphasized the role of traditional knowledge in biodiversity conservation, sustainable use, climate change mitigation and adaptation, and health care; and considered participation crucial for decision-making, planning and monitoring of programmes on sustainable use. Bosnia and Herzegovina, for CENTRAL AND EASTERN EUROPE (CEE), recommended addressing socioeconomic consequences of traditional knowledge loss. Kiribati, for ASIA-PACIFIC, highlighted the need for targeted capacity building for full and effective ILC participation, and additional financial and technological resource mobilization. Senegal, for the AFRICAN GROUP, lamented insufficient funds and called for increased ILC participation, especially from Africa, in CBD work. PERU highlighted protection of customary practices, work on *sui*

generis systems, and indicators. INDONESIA and SUDAN reported on ratifying the Nagoya Protocol. WIPO reported on a draft traditional knowledge documentation toolkit and the renewed IGC mandate for 2014-15.

PROGRESS IN IMPLEMENTATION

The Secretariat introduced the progress report on the implementation of Article 8(j) work programme and mechanisms to promote effective ILC participation in CBD work (UNEP/CBD/WG8J/8/2), including progress on indicators (UNEP/CBD/WG8J/8/9).

NORWAY, the EU, NEW ZEALAND, CANADA, BRAZIL, INDIA, CHINA and JORDAN supported holding one inter-sessional meeting of the Article 8(j) Working Group before COP 13. PERU supporting holding it before COP 12 or COP 13. MEXICO called for capacity building based on the Article 8(j) work programme. BRAZIL noted that this is the first time that the Article 8(j) Working Group meeting is financed by the Voluntary Trust Fund, and called for effective use of existing tools.

CANADA recommended considering how community-based monitoring and reporting can contribute to national reporting. The EU urged parties to fully integrate traditional knowledge as a cross-cutting issue in implementing all CBD work programmes and welcomed IIFB work on indicators, noting community-based monitoring and information systems’ contribution to meeting Aichi Target 18 (traditional knowledge). THAILAND proposed inviting IPBES to discuss these contributions and requesting the Secretariat to facilitate international and regional technical workshops, and transmit information to IPBES. The PHILIPPINES drew attention to the International Labour Organization (ILO) work on International Standard Classification of Occupations, which includes traditional occupations. PERU called for a methodology on intercultural dialogue with ILCs on the CBD and its protocols, and greater emphasis on the development of specific operational indicators.

The IIFB called for: contributions to the Voluntary Trust Fund; progress on communication, education and public awareness (CEPA); and integration of traditional knowledge into the policy-science interface. BOLIVIA highlighted the need for clear, effective and transparent participation of indigenous peoples. The IWBN highlighted the importance of recognizing the complementarity of science and traditional knowledge systems.

CUSTOMARY SUSTAINABLE USE

The Secretariat introduced relevant documentation (UNEP/CBD/WG8J/8/7/Rev.1). The EU welcomed the draft plan of action and recommended entitling it “plan of action on customary sustainable use of biological diversity”; and called for increased collaboration between the CBD and ITPGR on sustainable use, including farmers’ rights. The PHILIPPINES proposed a new task for the plan of action to



develop mutually reinforcing mechanisms in the context of Article 8(j) for implementing farmers' rights in collaboration with ITPGR. MEXICO requested an in-depth evaluation of the implementation of the Article 8(j) work programme to identify accomplishments and remaining challenges in mainstreaming traditional knowledge.

Brazil, for GRULAC, prioritized identifying and compiling best practices, before elaborating guidelines. CANADA: called for reporting on implementation of the action plan through national reports; noted that certain issues are dealt with under the Nagoya Protocol and WIPO; and, opposed by the IIFB, suggested limiting financial and technical support to ILCs from developing-country parties. NORWAY favored supporting ILCs in implementing the action plan. BRAZIL preferred to refer to "considerations of special relevance," rather than to "specific principles" in the draft plan of action. The IIFB requested reference to: traditional institutions, focus on women, and respect and protection of territoriality of indigenous peoples.

On identifying best practices, CHINA, SENEGAL, SUDAN and TOGO expressed concern about focusing on protected areas, with CHINA pointing to broader uses outside of protected areas. The IIFB requested reference to PIC.

REPATRIATION OF TRADITIONAL KNOWLEDGE

The Secretariat introduced draft best-practice guidelines for the repatriation of traditional knowledge relevant to the conservation and sustainable use of biodiversity (UNEP/CBD/WG8J/8/5).

JORDAN and COLOMBIA supported the draft best-practice guidelines. THAILAND emphasized engaging institutions holding traditional knowledge in the implementation of the guidelines. Welcoming the draft's explicit inclusion of repatriation of traditional knowledge from gene banks, the PHILIPPINES called for guidelines for entities storing traditional knowledge, and expressed concern about the absence of reference to ILC rights to their inventions.

CANADA: lamented unclear and contradictory concepts in the guidelines; stressed that cultural property does not fall under the Working Group's mandate; and opposed convening an expert meeting. The EU recommended that the guidelines take into account practical implications and the needs of all interested parties.

Lamenting that the proposal does not address future access to repatriated traditional knowledge, BRAZIL, supported by GABON and the IIFB, proposed that: repatriation means sharing traditional knowledge with the ILCs that developed or shared it; repatriation should not affect ILCs' rights, including the right to prevent the use of traditional knowledge without PIC; terms of repatriation should be agreed to by ILCs; dissemination of traditional knowledge should be subject to agreement of ILCs to whom traditional knowledge was repatriated; and repatriation should contribute to the traceability of traditional knowledge.

The IIFB, SAUDI ARABIA, MEXICO and ARGENTINA supported convening an expert group. The IIFB also underscored the need to begin drafting guidelines for national legislation on traditional knowledge associated with biodiversity. GABON, JAPAN and ARGENTINA underlined the need for collaboration with WIPO and UNESCO, with SWITZERLAND noting the need for a common, coherent working definition of traditional knowledge in all fora. JAPAN stressed that repatriation concerns strictly biodiversity-related traditional knowledge. PERU called for a definition of repatriation.

The Secretariat proposed establishing a contact group to continue discussions on the draft recommendation, but not the draft guidelines.

TASKS 7, 10 AND 12

The Secretariat introduced relevant documentation (UNEP/CBD/WG8J/8/4/Rev.2).

Supporting the draft recommendation, JORDAN suggested mobilizing resources. The PHILIPPINES welcomed consideration of international and national mechanisms for ILCs to report unlawful appropriation of traditional knowledge. MEXICO noted the need to consider *sui generis* systems and ensure complementarity with the IGC. BRAZIL suggested addressing the protection of traditional knowledge covered by Article 8(j) beyond "traditional knowledge associated with genetic resources"; and adding reference to *sui generis* systems.

BRAZIL, INDIA, URUGUAY and ARGENTINA considered the development of guidelines useful for building national capacity to implement the Nagoya Protocol. SWITZERLAND preferred a compilation of existing regulations and model clauses to developing guidelines.

The EU called for: focusing on additional measures to complement and support implementation of the Nagoya Protocol; supported by NORWAY, making available the outcome of this meeting to the third meeting of the Intergovernmental Committee for the Nagoya Protocol (ICNP 3); and, with AUSTRALIA, reviewing work to be carried out under tasks 7, 10 and 12 in light of intervening international developments. THAILAND requested that the Secretariat provide an analysis of progress on tasks 7, 10 and 12. CANADA cautioned against duplication of work with the ICNP and, supported by ARGENTINA, with IGC.

The IIFB called for systematic references to "free PIC" in line with UNDRIP and specifying that "approval and involvement" means the same international standard than free PIC. NORWAY preferred using Nagoya Protocol language on "prior informed consent or approval and involvement."

SUI GENERIS SYSTEMS

The Secretariat introduced a note on *sui generis* systems (UNEP/CBD/WG8J/8/6) and draft elements of *sui generis* systems including a glossary (UNEP/CBD/WG8J/8/6/Add.1). JORDAN stressed the importance of *sui generis* systems for protecting cross-border traditional knowledge. BRAZIL requested reference to "community protocols and other forms of legal provisions," and considered a disclosure requirement in patent applications as the most effective measure to protect traditional knowledge. MEXICO requested reference to progress in other fora. AUSTRALIA stressed that work should focus on biodiversity, not IPRs. The EU said that all elements of *sui generis* systems must be in accordance with international obligations and that the IGC is the primary international forum on intellectual property and the protection of traditional knowledge.

On the glossary, BRAZIL noted it is non-exhaustive and suggested drawing also on the WIPO glossary on intellectual property and traditional knowledge (WIPO/GRTKF/IWG/2/INF/2). AUSTRALIA pointed out that a number of terms have evolved, such as "utilization" under the Nagoya Protocol. The EU suggested further work on the glossary under task 12.

IN THE CORRIDORS

The first day of the Article 8(j) Working Group marked an important historic date for indigenous peoples in Canada – the 250-year anniversary of the Royal Proclamation recognizing indigenous rights to land and governance. It also marked a global day of action for the implementation of indigenous rights, and coincided with the first day of the official visit of the UN Special Rapporteur on the Rights of Indigenous Peoples to Canada. Against this backdrop, many indigenous representatives underscored the importance of work under CBD Article 8(j). Other delegates, however, noted that debates about consistent references to "indigenous peoples" and "prior informed consent" under the Convention remain. Some therefore wondered whether these different views will work themselves out during the week, as the Working Group moves towards repositioning its work vis-à-vis the Nagoya Protocol, UNDRIP, ITPGR, WIPO and UNESCO, among others.



WORKING GROUP ON ARTICLE 8(J) HIGHLIGHTS: TUESDAY, 8 OCTOBER 2013

Delegates to the Article 8(j) Working Group met in plenary in the morning to continue discussion of *sui generis* systems, and consider recommendations from the UN Permanent Forum on Indigenous Issues (UNPFII), including the matter of terminology related to “indigenous peoples and local communities” and its implications for the CBD. A contact group on repatriation of traditional knowledge, co-chaired by Valeria Gonzalez Posse (Argentina) and Gam Shimray (IIFB), met in the afternoon.

PLENARY

SUI GENERIS SYSTEMS: The MARITIME ABORIGINAL PEOPLES COUNCIL stressed that protection of traditional knowledge is in the Working Group’s mandate, cautioning against a transfer of this task to WIPO. Noting negotiations under the IGC are still ongoing and not sufficient in and of themselves to cover all aspects of *sui generis* systems of traditional knowledge, BRAZIL underscored the Working Group’s mandate on protection and preservation of traditional knowledge, and, supported by BOLIVIA, the need to go beyond intellectual property rights (IPRs).

PERU called for respecting previous COP decisions regarding *sui generis* systems. SOUTH AFRICA noted potential overlap with work under task 12. INDONESIA underscored that the Working Group’s discussions on *sui generis* systems should be related to other fora, including the IGC, and emphasized *sui generis* systems’ importance in recognizing traditional knowledge as collective property and the need to prevent misappropriation by third parties for commercial purposes. She suggested a careful approach when addressing transboundary traditional knowledge.

The IIFB lamented lack of funds to convene a technical expert group with ILC participation for the preparation of a report on *sui generis* systems, as well as for capacity building. She said: “action on this item requires only the will of parties and donors.”

UNPFII RECOMMENDATIONS: The Secretariat introduced the document containing recommendations from UNPFII 11 and 12 to the CBD (UNEP/CBD/WG8J/8/8).

Argentina, for GRULAC, TOGO, GRENADA, BENIN, GUINEA, GABON and SENEGAL supported the use of the term “indigenous peoples and local communities,” clarifying that there is no need to amend the CBD or the Nagoya Protocol, with FINLAND, AUSTRALIA and SPAIN noting that the new term can be used in CBD future practice. Several others also supported the change in terminology. DENMARK pointed to consistency within the UN System, including with UNDRIP, with BRAZIL also pointing to the Rio+20 outcome document. NORWAY added that Ramsar Convention COP 11 also changed its terminology. THAILAND noted that the change in terminology will enhance communication with other international fora already using the term “indigenous peoples.” JORDAN highlighted that protection of traditional knowledge forms part of human rights. CHINA underlined the need to take into account specific national situations. The International Forum of Local Communities (IFLC) cited Decision XI/14 as evidence of the recognition that indigenous peoples and local communities should be treated and perceived in different ways. SPAIN reaffirmed its commitment to supporting indigenous peoples and their rights. SENEGAL underlined the importance of respecting indigenous peoples’ rights. SWEDEN favored referring to indigenous peoples as a key group of traditional knowledge holders, to provide definitional clarity vis-à-vis ongoing work on local communities.

CANADA opposed the change in terminology, pointing to the record of the negotiations of the CBD and the original and current purpose of Article 8(j), namely to focus on *in situ* conservation. Noting that the term ILC is used in the CBD and Nagoya Protocol, JAPAN requested further information on the need for a change in terminology. INDONESIA opposed reopening the discussion and preferred to use Convention terminology because of possible legal implications. The UK stressed the need to ensure that the change in terminology does not amend the CBD or the Nagoya Protocol explicitly or implicitly; expressed concern that all implications of the change in terminology have not been sufficiently considered; and recommended compiling implications into a document for COP 12 consideration. FRANCE opposed any renegotiation of the CBD and Nagoya Protocol concerning changes in terminology;



stressed that a change in terminology in CBD COP decisions would undermine legal coherence; and cited constraints under the French constitution. SUDAN proposed maintaining CBD terminology, as UNPFII 12 recommendations have not been discussed by the UN Economic and Social Council.

The GRAND COUNCIL OF THE CREES, speaking for a number of human rights organizations, highlighted that: according to international law, the term “peoples” has particular legal implications since all “peoples” have the right to self-determination; all rights based on customary use should be safeguarded; and distinguishing “established rights” is discriminatory. With the CONGRESS OF ABORIGINAL PEOPLES, he challenged Canada’s position by pointing to the Canadian constitutional reference to “aboriginal peoples.” The IIFB recalled that it had always recommended using the term “indigenous peoples,” since it implies specific rights, such as the right to self-determination, and proposed a new recommendation on using the term in COP 12 decisions and all future documents. ECOROPA supported “indigenous peoples and local communities” as “the spelling for the future.”

CONTACT GROUP ON REPATRIATION

Delegates agreed to the overall structure of the draft recommendation submitted by the Co-Chairs on the development of best-practice guidelines for the repatriation of traditional knowledge relevant to the conservation and sustainable use of biological diversity (UNEP/CBD/WG8J/8/CRP.1). CANADA recommended systematically referring to traditional knowledge “relevant to the conservation and sustainable use of biological diversity.” Preferring not to postpone the adoption of the proposed guidelines to COP 13, the EU suggested starting work on the guidelines for adoption at COP 12. NEW ZEALAND cautioned that budgetary implications arising from the development of the guidelines require agreement at COP 12 first.

BRAZIL suggested a new preambular paragraph acknowledging that repatriation of traditional knowledge through the sharing and exchange of information should be consistent with the rights of ILCs to their knowledge, in particular the right to control access to, and use of, such knowledge and to require PIC and the development of mutually agreed terms for any use of traditional knowledge, with NEW ZEALAND requesting adding “subject to national legislation.” SUDAN and the EU called for a reference to the Nagoya Protocol. CANADA questioned the relevance of the Nagoya Protocol as repatriation is not addressed in the Protocol. Following informal consultations, delegates, supported by the IIFB, agreed to “acknowledge that the repatriation of traditional knowledge through the sharing and exchange of information should be consistent with international agreements, such as the Nagoya Protocol, as well as national legislation.”

On operative text on convening an expert group to develop draft voluntary guidelines on repatriation, the IIFB enquired about the number of indigenous representatives and selection procedure. Co-Chair Gonzalez Posse suggested referring

to established procedure ensuring balanced participation. CANADA, supported by SUDAN, encouraged reflecting the expertise of a broad range of actors involved in the repatriation of traditional knowledge of relevance to conservation and sustainable use of biodiversity.

Delegates then discussed the process for the development of voluntary guidelines, and eventually agreed that the Secretariat: compile views and make them available to the expert group; taking into account the views received, prepare elements of the voluntary guidelines for consideration by the expert group; and transmit the result of the expert group’s work to the next Article 8(j) Working Group, with a view to its consideration by COP 13.

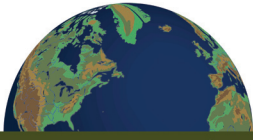
Delegates further debated whether to include a recommendation to encourage governments, subject to the availability of resources, to translate information and best practices on repatriation into local languages. Eventually delegates agreed to this in principle, with one delegation reserving the right to reopen the issue in plenary following consultation with capital.

IN THE CORRIDORS

The Article 8(j) Working Group tried to unpack some of its historic baggage when considering the possibility to split the term “indigenous and local communities” into “indigenous peoples” and “local communities.” A few delegations dug deep into their records of the negotiations of the Convention and contacted senior negotiators back home to refresh their memories on the rationale behind the original choice of the term “ILCs.” A seasoned delegate recalled that the countries that in the 1990s opposed using “indigenous peoples” in the text of the Convention have in the meantime revised their position, whereas some parties that initially did not have a problem with the term now seem to prefer the agreed “ILCs.”

“The irony of this debate,” a participant mused, “is that both sides are concerned about clarity: those favoring a historic interpretation do not wish to create confusion by using ILCs in the text of the Convention and the Nagoya Protocol, and “indigenous peoples and local communities” in future COP decisions; whereas those favoring an evolutive interpretation worried that keeping indigenous and local communities clustered together does not clarify the differences between these two groups.”

On the whole, observers were heartened by the growing and now vast support for the change in terminology to reflect intervening international developments, such as the universal endorsement of UNDRIP and the widespread reference to “indigenous peoples and local communities” in other MEAs. One delegate pondered whether the Working Group best seize the moment by implementing a quick Solomonic solution separating the terms, to avoid an endless debate.



WORKING GROUP ON ARTICLE 8(J) HIGHLIGHTS: WEDNESDAY, 9 OCTOBER 2013

Delegates met in plenary throughout the day. In the morning, they considered draft recommendations on progress in implementation of the Article 8(j) work programme, and customary sustainable use. In the afternoon, delegates participated in an in-depth dialogue “Connecting traditional knowledge systems and science, such as under the IPBES, including gender dimensions.” Informal consultations were held at lunchtime and in the evening on UNPFII recommendations, including consideration of the term “indigenous peoples and local communities.”

UNPFII RECOMMENDATIONS

Co-Chair Pande suggested forming a Friends of the Co-Chairs’ group to continue discussions and invited Norway, Togo, Argentina, Peru, Indonesia, UK, Canada and the IIFB to join the group. SPAIN, FRANCE, LITHUANIA, NEW ZEALAND, NAMIBIA, DENMARK, BOLIVIA, SUDAN, AUSTRALIA, UGANDA, BRAZIL, CHINA and others asked to join the group. Co-Chair Pande then called for informal consultations facilitated by Claire Hamilton (UK) and Valeria Gonzales Posse (Argentina).

PROGRESS IN IMPLEMENTATION

Delegates discussed a draft recommendation (UNEP/CBD/WG8J/8/CRP.3). The IIFB, supported by the EU, SENEGAL, NORWAY, JORDAN, ETHIOPIA and AUSTRALIA, proposed as a theme for the in-depth dialogue to be held at the next Working Group meeting “CEPA, harmonizing traditional knowledge, biodiversity, cultural diversity and well-being.” BRAZIL suggested “protecting shared traditional knowledge across borders.” BOLIVIA recommended “food and food sovereignty.” PERU suggested “education and research with a special focus on traditional knowledge.”

BRAZIL proposed requesting the Secretariat to inform IPBES about advice and recommendations arising from the in-depth dialogue. NORWAY stressed that the outcomes of the in-depth dialogue are only informational as they are not negotiated. ETHIOPIA questioned the usefulness of the proposal, noting that IPBES has already considered traditional knowledge.

On a reference to traditional occupations, CANADA suggested specifying that it refers to occupations related to the conservation and sustainable use of biodiversity, with AUSTRALIA and NEW ZEALAND seeking clarification of the concept of “traditional occupations.” The Secretariat recalled that traditional occupations are one of the traditional knowledge

indicators, and the ILO was unable to assist in collecting information due to lack of funds, leading to the proposal to request governments to provide information on this matter.

SUSTAINABLE USE

Co-Chair Retter introduced a draft recommendation (UNEP/CBD/WG8J/8/CRP.4), noting that throughout the document the terms “customary sustainable use” and “indigenous peoples” have been replaced by the terms “customary sustainable use of biodiversity” and “ILCs,” respectively.

On the operative text, CANADA and AUSTRALIA, opposed by NORWAY and BRAZIL, proposed replacing language that the ecosystem approach is “subject to ILCs’ rights over traditional knowledge” with “subject to the protection of traditional knowledge.” Following informal consultations, delegates agreed to delete reference to “rights” in this context, and add language recognizing that ILCs are the holders of traditional knowledge.

The MARITIME ABORIGINAL PEOPLES COUNCIL, supported by PERU and BENIN but opposed by ARGENTINA and AUSTRALIA, suggested that access to traditional knowledge “shall,” rather than “should,” be subject to PIC. Co-Chair Retter noted that the paragraph in question refers to a general principle, and delegates agreed to retaining “should.”

On the draft plan of action, the IIFB, supported by NEW ZEALAND, proposed clarifying that various elements associated with the traditional management of systems of lands, waters and territories of ILCs, and the access, control and management of these territories by ILCs, should not only be respected, but also secured and protected. NORWAY, opposed by the IIFB, suggested that these elements be “recognized” rather than “respected.” Delegates agreed to the elements being “recognized, secured and protected.” NORWAY, opposed by PERU and BRAZIL, proposed deleting reference to “access, control and management of territories by ILCs.” BRAZIL preferred reference to ILCs’ “involvement in” access, control and management, which was agreed. CANADA suggested, and parties agreed to, replacing reference to “lands, waters and territories” with “areas.”

On ILCs being “ecosystem-based and well placed to efficiently and economically manage ecosystems using the ecosystem approach,” GABON, supported by AUSTRALIA, requested clarification of the term “ecosystem-based.” The Secretariat explained that it refers to ILCs inhabiting a particular ecosystem. AUSTRALIA, supported by the IIFB, suggested, and delegates accepted, referring to “many ILCs.” BOLIVIA suggested including a reference to sustainable management of ecosystems. COLOMBIA, supported by MALAYSIA and MEXICO, proposed referring to ILCs’ livelihoods in the context of the relationship between ILCs and ecosystems.



On traditional knowledge and customary sustainable use being central to the full implementation of the ecosystem approach, which provides an important tool to strengthen communities' capacity to fully practice customary sustainable use, the EU proposed, and delegates accepted, adding "as appropriate" to allow for some restrictions to biodiversity use, such as in protected areas.

PERU suggested, and delegates agreed, to retain text whereby "customary sustainable use provides a source of learning related to socio-ecological systems and possible innovations for productive landscapes and continued human well-being." ARGENTINA recommended, and delegates agreed, to add "ecosystems" to a list of areas to be revitalized and restored with regard to measures to be taken to address unsustainable use of biodiversity.

On the rationale of the draft plan of action, CANADA recommended to refer to protected areas established without the "approval and involvement, or PIC" of ILCs, instead of "approval and involvement, and/or PIC." Delegates agreed to systematically use Nagoya Protocol language on "PIC or approval and involvement."

On a task on promoting and strengthening community-based initiatives and contributing to the implementation of Article 10(c), the IIFB, supported by BRAZIL, NEW ZEALAND and SOUTH AFRICA, suggested, and parties agreed to, including "other forms of support" beyond funding. CANADA, opposed by ETHIOPIA, NORWAY and BRAZIL, proposed to delete reference to the ITPGR in the context of community-based initiatives. Delegates decided to retain the reference.

On a task on identifying best practices, CHINA proposed encouraging the application of traditional knowledge and customary sustainable use not only in protected areas but also in surrounding areas. BRAZIL preferred retaining the original wording as approved by COP 11. The Secretariat pointed to a reference to "surrounding land and seascapes" under possible actions for this task. The IIFB enquired why the reference to guidelines on PIC, as an activity following the compilation of best practices on PIC, had been removed. On promoting the use of community protocols, ARGENTINA proposed, and delegates agreed, to add "in accordance with national legislation."

IN-DEPTH DIALOGUE

John Scott, CBD Secretariat, introduced the panelists. Joji Cariño, Tebtebba Foundation, highlighted opportunities arising from community-based monitoring and information systems and the need for appropriate safeguards, including free PIC and mechanisms for the full and effective participation of indigenous peoples and local communities in knowledge spaces, such as CBD and IPBES, to mitigate risks arising from unequal power relations between cultures and knowledge systems. In response to a question on how to integrate traditional knowledge in education systems, she emphasized: strengthening indigenous ways of knowledge transmission; engaging elders with traditional knowledge in early childhood education; and concentrating on life skills and political education.

Pernilla Malmer, Stockholm Resilience Center, shared experiences from dialogues across knowledge systems, emphasizing trust, respect, reciprocity, equity and transparency in facilitating cross-fertilization for better ecosystem governance and knowledge generation. She advocated a multiple evidence-based approach, complementarity of knowledge systems, and respect for mechanisms within each system to evaluate knowledge. Discussion focused on complementarity of different approaches (integration, parallel approaches and co-production of knowledge) in addressing exchanges between knowledge systems, as well as validation of knowledge systems.

Kathy Hodgson-Smith, Metis National Council, presented a research on Metis women's traditional knowledge, underscoring the need to pay more attention to the gender dimension of traditional knowledge. She explained that the traditional knowledge of women providing, preparing and preserving food, as well as managing land, is often overlooked and underutilized. A discussion followed on norms of respect of knowledge and knowledge holders.

Jennifer Rubis, UNESCO, presented on current activities on indigenous and local knowledge in IPBES, reporting on the June 2013 International Expert and Stakeholder Workshop on the Contribution of Indigenous and Local Knowledge Systems to IPBES, which aimed to rethink relationships between science and indigenous and local knowledge. She referred to a guide on working with different knowledge systems as one of deliverables for IPBES 2. The ensuing discussion addressed: ways in which science and traditional knowledge can work together; the building of confidence and capacity; and the artificial divide between science and traditional knowledge.

Brigitte Baptiste, Alexander von Humboldt Institute, Colombia, advocated building synergies between knowledge systems, pointing to a history of conflict of perspectives but also instances of cooperation. She said that IPBES can help build a global community of learning, warned against a focus on utilitarian goals, and called for new "social contracts" for knowledge co-production. The ensuing discussion focused on: the need for dialogue based on respect for indigenous culture and for empowerment of indigenous peoples; and the use of the term "science" and the types of knowledge systems it covers.

IN THE CORRIDORS

During lunchtime informal consultations, delegates sought to map a way forward on a potential change in terminology to "indigenous peoples and local communities." They reportedly started off by recalling that the COP 11 decision not only invited submissions on the issue, but also requested an analysis of implications by the Secretariat. Some participants pointed out that while the submissions had been compiled, the analysis had not yet been conducted, but was needed to inform such an important decision. Many delegations who indicated that they were ready to make a decision now, expressed willingness to address the concerns of other delegations as long as that did not preclude a final decision on the issue at COP 12. Thus, discussions focused on procedural issues related to recommending the submission of the analysis to COP 12. Certain participants emphasized that the compromise struck at COP 11 actually foresaw an analysis of "legal" implications of a change in terminology, but the term "legal" had somehow been left out of the final text of the decision.

In the corridors, one delegate opined that at the international level the concern is about language consistency, whereas, at the national level, implementation of international commitments is independent of references to "indigenous peoples and local communities" or ILCs under the CBD, since the relevant commitments vis-à-vis indigenous peoples have already been undertaken in other fora.

As the informal consultations resumed in the evening, delegates discussed whether to: note that the term "indigenous peoples" is used in UNDRIP and the Rio+20 outcome document; clarify that there is no intention to reopen the texts of the CBD and Nagoya Protocol; express willingness to consider using "indigenous peoples and local communities" in future COP decisions; and recommend that COP 12 decide on changing the terminology in future COP decisions on the basis of the results of an independent analysis of possible legal implications of this change for the Convention and its Protocols.



WORKING GROUP ON ARTICLE 8(J) HIGHLIGHTS: THURSDAY, 10 OCTOBER 2013

Delegates met in plenary throughout the day to consider draft recommendations on: customary sustainable use; repatriation of traditional knowledge; *sui generis* systems; the contribution of tasks 7, 10 and 12 of the Article 8(j) work programme (benefit-sharing from, and unlawful appropriation of, traditional knowledge) to the work under the CBD and the Nagoya Protocol; and on UNPFII recommendations.

CUSTOMARY SUSTAINABLE USE

Delegates continued consideration of the draft recommendation on customary sustainable use (UNEP/CBD/WG8J/8/CRP.4). Under possible actions for the task to identify best practices, the IIFB, supported by CANADA, suggested adding language on parties that may wish to “scope and compile existing guidelines and operationalize them.” Delegates agreed to the recommendation as amended today and on Wednesday.

REPATRIATION OF TRADITIONAL KNOWLEDGE

Delegates considered a draft recommendation on best-practice guidelines for the repatriation of traditional knowledge (UNEP/CBD/WG8J/8/CRP.1/Rev.1). Contact Group Co-Chair Posse reported that the contact group had proposed to encourage governments to translate information and best-practice guidelines into local languages “to the extent possible,” rather than “subject to resource availability.”

On preambular text “acknowledging that the repatriation of traditional knowledge through the sharing and exchange of information should be consistent with international agreements, such as the Nagoya Protocol, and national legislation relevant to the conservation and sustainable use of biodiversity,” the IIFB and COLOMBIA suggested, and delegates agreed to, deleting “such as the Nagoya Protocol.” Delegates agreed to the recommendation with these and other minor amendments.

SUI GENERIS SYSTEMS

Delegates discussed a draft recommendation (UNEP/CBD/WG8J/8/CRP.5). CANADA requested to refer to protection, preservation and promotion of traditional knowledge “of ILCs.”

Regarding a reference to the draft glossary of terms, SWITZERLAND proposed, and delegates agreed, to take into account the need to further refine the glossary; and, opposed by BRAZIL, to introduce reference to the WIPO glossary of

key terms. On producing a technical series publication on the possible elements of *sui generis* systems, CANADA proposed drawing from a geographically balanced set of existing case studies. Delegates agreed to the recommendation with the agreed amendments.

TASKS 7, 10 AND 12

Delegates discussed a draft recommendation (UNEP/CBD/WG8J/8/CRP.2) on how tasks 7, 10 and 12 of the Article 8(j) work programme could best contribute to work under the CBD and Nagoya Protocol. The EU proposed to add text noting the ongoing preparation for COP/MOP 1 of the Nagoya Protocol and efforts towards its implementation, and requesting the Secretariat to present the outcomes of this Working Group to ICNP 3.

SWITZERLAND, supported by NORWAY, proposed preambular text on avoiding any inconsistencies with the Nagoya Protocol and duplication of work undertaken in international fora, including the IGC. BRAZIL opposed specific reference to the IGC. Delegates agreed to refer only to international fora.

NORWAY suggested preambular text recognizing that the Article 8(j) Working Group can contribute positively to the implementation of the Nagoya Protocol, the scope of which is limited to traditional knowledge associated with genetic resources.

On operative text on implementing tasks 7, 10 and 12 in an integrated manner, SWITZERLAND, supported by NORWAY, suggested adding that this should be mutually supportive with the Nagoya Protocol and the work undertaken in other international fora, such as the IGC. BRAZIL and ETHIOPIA opposed specific reference to the IGC. Following informal consultations, delegates agreed to retain only the general reference to other international fora. NORWAY enquired about what was meant by “integrated” implementation of tasks 7, 10 and 12. The Secretariat explained that task 12 is the umbrella task and tasks 7 and 10 provide elements contributing to it. NORWAY underscored the need for a sequence of actions also in the context of integrated implementation. ARGENTINA recommended specifying that guidelines to be developed will be “voluntary.” CANADA requested stipulating the full and effective ILC participation in the integrated implementation of tasks 7, 10 and 12.

CANADA, supported by NEW ZEALAND, NORWAY, AUSTRALIA and SWITZERLAND but opposed by BRAZIL and ETHIOPIA, proposed moving to the preamble references



to the development of guidelines on PIC or approval and involvement, benefit-sharing, and prevention and reporting of unauthorized access to traditional knowledge; and insert as operative text a request to compile model clauses, best practices and a gap analysis, to prioritize remaining work, avoid duplication and ensure complementarity with the work under the Nagoya Protocol and WIPO.

Following informal consultations, the afternoon plenary considered a revised draft recommendation (UNEP/CBD/WG8J/8/CRP.2/Rev.1). The MARITIME ABORIGINAL PEOPLES COUNCIL emphasized the need to ensure development of guidelines. The Secretariat indicated that the verb “ensure” is used in various parts of the draft recommendation. ARGENTINA suggested, and delegates agreed to, adding reference to the voluntary character of the guidelines.

NIGER asked for a clarification about changed language on developing guidelines for the development of mechanisms, legislation or other appropriate initiatives to ensure that private and public institutions interested in using traditional knowledge obtain ILC’s “prior informed approval,” from previous text referring to “PIC or approval and involvement.” The Secretariat explained that, although “prior informed approval” could be interpreted as “PIC or approval and involvement” in light of subsequent COP decisions and the text of the Nagoya Protocol, some delegations felt more comfortable using the original wording of the work programme.

UNPFII RECOMMENDATIONS

Clare Hamilton (UK) reported on the results of Wednesday’s informal consultations on UNPFII recommendations, including the use of the term “indigenous peoples and local communities” and introduced revised text (UNEP/CBD/WG8J/8/CRP.6). She stressed that the text, which is the result of difficult and polarized discussions and represents a delicate compromise, notes that the term “indigenous peoples” is used in UNDRIP and the Rio+20 outcome document, affirms that there is no intention to reopen or change the text of the Convention or its Protocols, and recommends COP 12 to decide on appropriate use of terminology in future decisions.

Accepting the text as a basis for work at COP 12, FRANCE expressed concern that the change in terminology in future COP decisions and documents may have implications for the scope of Article 8(j) and requested that the Secretariat prepare a study addressing: whether the change in terminology would have the same legal effect as an amendment of Article 8(j); and legal implications for parties if new terminology is used in future COP decisions. The AFRICAN GROUP expressed preference for continuing to use the terminology of the CBD and the Nagoya Protocol, seconding the request to fully analyze legal repercussions of a possible change in terminology.

IN THE CORRIDORS

Thursday’s discussions were dominated by linkages between the Article 8(j) Working Group and the Nagoya Protocol. Plenary’s consideration of the draft recommendation on repatriation of traditional knowledge led to deletion of an explicit reference to the Nagoya Protocol, which surprised some participants, given a lengthy discussion on this very point in yesterday’s contact group. While many remain puzzled as to whether the Nagoya Protocol is at all relevant in the context

of repatriated traditional knowledge, those who believe it is, appeared satisfied that a reference to “consistency with international agreements and national legislation” suffices to allow national ABS legislation implementing the Nagoya Protocol to apply PIC requirements to repatriated knowledge. A few veteran negotiators opined that specifically referring to international agreements and national legislation “relevant to the conservation and sustainable use of biodiversity” is also useful in linking repatriation clearly to MEAs, and not including other international agreements, such as those under WIPO and WTO.

On tasks 7, 10 and 12 of the Article 8(j) work programme, informal consultations were necessary to resolve continued divergence of views on whether the Working Group should develop guidelines on PIC, benefit-sharing and prevention of misappropriation of traditional knowledge. Those against it were of the opinion that this work could overlap with developments under the Nagoya Protocol. Some appeared concerned, in particular, that developing detailed (even if voluntary) guidelines could provide a direction that takes away from the flexibility built into the Nagoya Protocol for parties to choose their preferred way of providing for “PIC or approval and involvement.” On the same side of the debate, others were wary of possible inconsistencies that could arise between the guidelines and the Protocol, particularly before it enters into force.

Advocates of the guidelines, however, emphasized that the scope of work on traditional knowledge under the Working Group is broader than under the Protocol: the latter only applies to traditional knowledge “associated with genetic resources,” whereas the Working Group can explore questions related to other types of traditional knowledge more broadly associated with the conservation and sustainable use of biodiversity. In addition, those in favor of developing the guidelines believed that a better understanding of how to implement PIC and benefit-sharing in relation to traditional knowledge across the board should not wait for the Protocol’s entry into force, as in the meantime many CBD parties that are struggling to come up with national ABS frameworks could be provided with much needed starting points.

Overall, many remained convinced that the Working Group still has a critical role to play in providing ideas for, and contributions to, the implementation of the Convention and its Nagoya Protocol. Some, though, wondered how it could more effectively contribute to linking different knowledge systems. It remains to be seen – a participant wondered – whether any of the discussions entertained under the in-depth dialogue will at all percolate into next week’s deliberations at SBSTTA, including on inputs to IPBES, and into the IPBES negotiations in December.

ENB SUMMARY AND ANALYSIS: The *Earth Negotiations Bulletin* summary and analysis of the Working Group on Article 8(j) will be available on Monday, 21 October 2013, along with the summary of SBSTTA-17, online at: <http://www.iisd.ca/biodiv/sbstta17/>. Daily coverage of SBSTTA-17 will begin on Monday, 14 October 2013.



SBSTTA 17 HIGHLIGHTS: MONDAY, 14 OCTOBER 2013

Delegates met in plenary throughout the first day of the seventeenth meeting of the CBD Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA).

OPENING PLENARY

SBSTTA Chair Gemedo Dalle Tussie (Ethiopia) encouraged delegates to identify specific needs and avoid focusing on additional tasks that may delay implementation. CBD Executive Secretary Braulio Ferreira de Souza Dias urged delegates to use this meeting to: demonstrate that SBSTTA is primarily a scientific body that can provide concrete advice on how to address identified scientific and technical challenges; and better assess the effects of different types of measures and identify actions at national and sub-national levels to achieve the Aichi Targets.

ORGANIZATIONAL MATTERS: On the agenda and organization of work (UNEP/CBD/SBSTTA/17/1, Add.1 and Add.2), NORWAY reiterated continued support for the Convention but, with CANADA, raised concerns regarding the documentation and proposed format of the meeting, underscoring the need to respect relevant COP decisions and ensure transparency. BELGIUM proposed conducting a thorough evaluation of the meeting results to conclude whether the new format adds value. Liberia, for AFRICA, highlighted the need for consistency with COP decisions, but expressed willingness to test the new system. Mexico, for GRULAC, expressed support for the effort to ensure that SBSTTA becomes more scientific and technical in nature. Chair Tussie outlined the proposed new format and organization of work, noting that: the Secretariat will take note in the meeting report of the main issues raised; a limited number of recommendations could also emerge as SBSTTA 17 outcomes; and Friends of the Chair groups will facilitate the drafting of conclusions on Thursday. Plenary then adopted the agenda and organization of work without amendment.

FACILITATING IMPLEMENTATION THROUGH SCIENTIFIC AND TECHNICAL MEANS

The Secretariat introduced documentation on facilitating implementation of the Strategic Plan and Aichi Targets through scientific and technical means, and assessing the effects of measures taken in accordance with the Convention (UNEP/CBD/SBSTTA/17/2 and 3). He highlighted the Article 8(j) Working Group's recommendations concerning traditional knowledge indicators and the draft plan of action on customary sustainable use (UNEP/CBD/WG8J/8/L.2 and L.3), as well as the in-depth dialogue on connecting traditional knowledge systems and science (UNEP/CBD/WG8J/8/L.1/Add.1).

KEYNOTE ADDRESSES: Zakri Abdul Hamid, IPBES Chair, delivered a keynote speech on mobilizing science in support of policies to achieve the Aichi Targets. He stated that properly integrated efforts require dialogue and broad understanding of "planetary boundaries," as well as agreement on choices and solutions. Observing that SBSTTA has not given sufficient attention to "soft" sciences, he stressed the need to influence and change behaviors through ways other than scientific knowledge, and to strengthen the science-policy interface across knowledge systems under IPBES.

Joji Cariño, Forest Peoples Programme, reported on the Article 8(j) Working Group's in-depth dialogue, highlighting innovative ways used by the Working Group to integrate ILC participation as a replicable model for other UN bodies, such as IPBES, and experiences of community-based monitoring and women's wisdom-sharing.

PANEL ON BIODIVERSITY MONITORING: Bob Scholes, Chair of the Group on Earth Observations Biodiversity Observation Network (GEO BON), reported on the expert workshop on enhancing data and observing systems held on 12 October 2013, in Montreal, Canada (UNEP/CBD/SBSTTA/17/INF/14), highlighting difficulties to find data on particular areas and biodiversity aspects, including transboundary trade, safe ecological limits, climate change impacts on biodiversity and marine biodiversity. He prioritized the development of a regionally-tailored kit on biodiversity observation ("BON in a box") and of strategies to integrate data remotely sensed and collected *in situ*.

Eugenia Arguedas Montezuma (Costa Rica) reported that expert workshop participants lamented lack of training, financial resources and limited access to information to implement the Strategic Plan. She supported: capacity building for constant monitoring and harmonization of biodiversity indicators; "BON in a box"; and participation by a wide range of partners.

Marc Paganini, European Space Agency (ESA), highlighted the contribution of remote sensing and observation data in monitoring biodiversity trends. He explained how free, open and public data policies can help addressing lack of data continuity.

Reporting on managing and sharing biodiversity information, Donald Hobern, Global Biodiversity Information Facility (GBIF), stressed that data needs to be appropriately organized and digitally accessible. Noting non-technical barriers, he drew attention to recommendations to governments and funding bodies in the Global Biodiversity Informatics Outlook (UNEP/CBD/SBSTTA/17/INF/4).

Pernilla Malmer (Sweden) presented the Multiple Evidence Base approach as a framework for connecting indigenous, local and scientific knowledge systems. She highlighted benefits of community-based monitoring for assessing the state of traditional knowledge, biodiversity and climate change impacts.



In ensuing discussions, MEXICO stressed challenges in monitoring genetic diversity, particularly for species vital for food security, and, with URUGUAY, noted that monitoring should inform decision making, not be an end in itself.

TAJKISTAN and YEMEN drew attention to limited access to satellite photographs due to high cost, with YEMEN stressing the importance of regional cooperation, and user-friendly and accessible monitoring systems. CANADA called for information on conflict-resolution mechanisms when different knowledge systems reach diverse conclusions. NEW ZEALAND called for information on the integration of ecological data with economic decision making.

Panelists highlighted: the need to acknowledge differing interpretations or lack of consensus; the review of the use of remotely-sensed data for monitoring biodiversity change (UNEP/CBD/SBSTTA/17/INF/16); ongoing attempts to develop guidelines on eliminating barriers to such use; and the need for policy guidance for monitoring activities.

COLOMBIA noted that coastal and marine ecosystems monitoring has not been properly covered. BOLIVIA called for: integrating monitoring systems to make available data on progress in achieving the Aichi Targets; focusing IPBES strictly on scientific issues, rather than on ecosystem services that would commodify Mother Earth; and using inter-scientific dialogue without undervaluing traditional knowledge.

The UK welcomed GEO BON activities and ESA's and NASA's commitment to an open policy regarding remote-sensing data; called for prioritizing a global indicator framework for achieving the Aichi Targets; and encouraged improving cooperation between SBSTTA and IPBES. The IIFB highlighted support by the Article 8(j) Working Group for community-based monitoring and information systems and called for harnessing expertise to extend coverage to other communities. ASIA-PACIFIC invited GEO BON to take note of different capacity needs in monitoring biodiversity status and trends.

The EU highlighted adoption of EU-wide targets in line with the Aichi Targets and a governance system to ensure their implementation, and a 2012 mapping assessment of ecosystems and services.

BIODIVERSITY MAINSTREAMING: Panel discussion: Panel Chair Risa Smith (Canada) opened the panel session on Strategic Goal A (addressing underlying causes of biodiversity loss through biodiversity mainstreaming). Tone Solhaug (Norway) reported on the 2013 Trondheim Conference on Biodiversity (UNEP/CBD/SBSTTA/17/INF/5), underlining the need to: fully understand costs and benefits of policies; address externalities; adopt different values in national reporting systems, beyond GDP, to capture biodiversity values; and showcase positive examples to stimulate better involvement of the private sector. She stressed the opportunity to integrate biodiversity into the post-2015 Development Agenda process and Sustainable Development Goals (SDGs).

Somanegré Nana (Burkina Faso) presented on his country's biodiversity integration into national accounts and NBSAPs and a proposed think tank to promote green economy. Valerie Hickey, World Bank, underscored prioritization of biodiversity by the High-level Panel of Eminent Persons on the Post-2015 Development Agenda and suggested consideration of an indicator for biodiversity resilience. Stanley Asah, University of Washington, presented on awareness and behavioral change. He called for understanding the motivations for, and drivers of, human behavior towards biodiversity, for producing sustainable changes in biodiversity protection.

The GLOBAL FOREST COALITION urged addressing policy incoherences. BOLIVIA cautioned against using a single development model and conceptualizing ecosystems only in terms of environmental services and markets. TUNISIA stressed that public-awareness and behavioural-change campaigns cannot

exist in isolation from supportive measures to benefit local populations. COLOMBIA recommended framing multicultural projects according to the Aichi Targets.

The IIFB emphasized the need for: greater coordination in awareness raising; behavioral change to forge equitable relationships with ILCs; and recognition of multiple knowledge systems. PACIFIC ISLANDS called for capturing both economic and non-economic incentives, and providing assistance for meaningful implementation of Aichi Targets in the region.

Statements: The Secretariat introduced the document on Strategic Goal A (UNEP/CBD/SBSTTA/17/2 Add. 1). PACIFIC ISLANDS called for innovative, targeted and practical capacity building and timely resource mobilization. JAPAN, the REPUBLIC OF KOREA, LITHUANIA, FINLAND, BRAZIL and BELGIUM supported effective use of existing tools rather than developing new ones, with FRANCE suggesting establishment of an inventory and CANADA recommending a pilot study on assessing effects of measures and a compilation of self-assessment methods. The REPUBLIC OF KOREA expressed hope that the meeting's outcome will inform development of a Peyongchang roadmap for the achievement of the Aichi Targets. Liberia, for AFRICA, recommended that the Secretariat: assist parties in training activities; establish regional centers of excellence for biodiversity; and encourage strengthening South-South data-exchange collaboration. INDIA highlighted interoperability of scientific data as a challenge and supported further exchange of experiences on assessments among countries. The UK and NEW ZEALAND supported further work on behavioral change. CHINA called for further understanding of harmful incentives and indicators on sustainable consumption. LITHUANIA called for developing guidance on identifying harmful incentives, while FINLAND prioritized cooperation and information exchange.

LITHUANIA called for reviewing and synthesizing existing awareness-raising methods and developing new methods to translate biodiversity awareness into behavioral change. SWITZERLAND called for assessing and integrating biodiversity aspects into sustainable consumption information. JAPAN highlighted the challenge of translating general global guidance on sustainable production and consumption into tailored national policies. LITHUANIA pointed to effective sector-engagement methods to translate general guidance into national tools. SWEDEN highlighted the Ten-year Framework of Programmes on Sustainable Consumption and Production Patterns.

IN THE CORRIDORS

Uncertainty and anticipation were palpable as SBSTTA 17 opened with a "grand experiment" of restructuring deliberations to sharpen the Body's scientific and technical focus. "National-level preparations and consultations with stakeholders have been impossible without draft recommendations at hand," one delegate complained. Others expressed concern that the "experiment" had not been approved by the COP. More enthusiastic participants, however, were heard saying: "We have been asking for this as long as I can remember!" They appeared already satisfied with the brief and focused statements during the morning's plenary.

As the day's deliberations progressed, many were pleased to note earnest and productive engagement in discussions. "It may take some time," – an optimistic participant added – "but we've just been told that human beings are 'behaviorally modifiable organisms,' so we can adjust to the new format and ensure it leads to optimal results." He preliminarily concluded, "the meeting is off to an excellent start."



SBSTTA 17 HIGHLIGHTS: TUESDAY, 15 OCTOBER 2013

Plenary addressed Strategic Goal B on reducing direct pressures on biodiversity and promoting sustainable use, and Strategic Goal C on improving the status of biodiversity by safeguarding ecosystems, species and genetic diversity. An informal session aimed to identify key building blocks for the meeting's conclusions and recommendations convened in the evening, to be followed by two informal groups to address Strategic Goal A (biodiversity mainstreaming) and B, respectively.

STRATEGIC GOAL B: SUSTAINABLE USE

PANEL DISCUSSION: Yousef Al-Hafedh (Saudi Arabia) chaired the panel on Strategic Goal B. Carlos Alberto de Mattos Scaramuzza (Brazil) presented on reducing deforestation in the Brazilian Amazon, highlighting that remote-sensing centers enable law enforcement, including early-detection systems, forest degradation mapping, and systems to detect logging. Emmanuel Bayani Ngoyi (Gabon) shared his country's strategic and legal measures to reduce pressures from forestry, mining, agriculture and fishing activities. Jake Rice (Canada) shared experiences concerning Aichi Target 6 (sustainable fisheries), emphasizing the need to monitor fish catches, carry out surveys to assess trends, and report on existing policies and measures.

Linda Collette, Secretary of the FAO Commission on Genetic Resources for Food and Agriculture (CGRFA), underscored the need for a more productive and less wasteful agricultural sector, taking advantage of natural biological processes and minimizing pesticide use. Gunn-Britt Retter, Saami Council, welcomed the adoption of the draft plan of action on customary sustainable use by the Article 8(j) Working Group, noting that its implementation is needed for Strategic Goal B and Target 18 (traditional knowledge).

In ensuing discussions, COSTA RICA called attention to measures to avoid "green deserts" and ensure the good state of ecosystems in reforested areas. GUATEMALA identified illegal livestock management as a major driver of deforestation and called for further sharing of lessons learned around protected areas (PAs). MEXICO highlighted the need to work with local communities to ensure law enforcement and avoid corruption.

STATEMENTS: The Secretariat introduced the document on Strategic Goal B (UNEP/CBD/SBSTTA/17/2/Add. 2). THAILAND underscored the importance of monitoring with regard to several targets. LITHUANIA urged focus on identifying gaps and priorities, and use of existing tools, rather than development of new ones. FINLAND called for strengthening implementation of relevant COP 11 decisions and, with BELGIUM, addressing land-use change in a more

integrated way. UGANDA highlighted capacity building for monitoring and valuation, and inter-institutional coordination, in its NBSAP review process. BOLIVIA drew attention to its assessment of ecosystem functions, and monitoring systems drawing on biocultural local initiatives. NEW ZEALAND reported on public-private partnerships, development of biodiversity-offset mechanisms, voluntary schemes for industry, and promotion of research. SWITZERLAND called, with the UK, for improving the indicator system and, with NORWAY, for supporting voluntary peer review. NORWAY highlighted: the need for long-time data series and free and open access to all types of knowledge; and raising awareness through "citizen science."

BRAZIL encouraged promoting available support tools and adjusting them to national circumstances, and increasing collaboration to harmonize the use of indicators across countries. She supported an interactive platform on the CBD website for exchanging parties' experiences in Aichi Targets' implementation. The UK urged exploiting growing accessibility of remote-sensing techniques. BELGIUM called for improving *in situ* observation, availability of indicators, and gathering systems and tools. COLOMBIA called on SBSTTA to promote more actively principles of open and collaborative science, and improve communication of research findings to societies.

On Target 5 (habitat loss), MEXICO expressed the need to strengthen national land-planning instruments and enforcement. JAPAN lamented unclear definition of natural habitat and limited monitoring tools on habitat degradation. CANADA supported development of small-scale monitoring tools and consideration of proposed monitoring guidelines. PACIFIC ISLANDS drew attention to gaps in monitoring habitat loss and in translating global marine spatial planning tools into national and regional contexts.

On Target 6, LITHUANIA recommended coherent action between biodiversity and fisheries stakeholders. MEXICO stressed the need for effective monitoring systems and a comprehensive approach to marine and coastal management. CANADA indicated the need to develop more cost-effective means of monitoring marine biodiversity.

On Target 7 (sustainable agriculture, aquaculture and forestry), THAILAND called for action to achieve policy coherence. LITHUANIA suggested promoting traditional agricultural practices and reviewing existing guidance on sustainable agriculture. FINLAND and MEXICO drew attention to certification schemes. CANADA called for using a small number of globally consistent indicators, and cautioned against creating barriers to trade. PACIFIC ISLANDS urged recognition and consideration of traditional management systems. ETHIOPIA called for a policy tool to help balance the needs to increase



productivity and conserve biodiversity. ARGENTINA stressed benefits from collaborating with production and environmental sectors, and ensuring benefits for local communities.

On Target 8 (pollution), MEXICO called for more work on understanding the correlation between specific ecosystem deterioration and pollutants. SWITZERLAND proposed consideration of soil protection-related standards. EGYPT emphasized water treatment and purification facilities. MALI stressed the need to evaluate the quality of tools adopted. SWEDEN noted that the effects of many pollutants and their combinations on biodiversity are unknown.

On Target 9 on invasive alien species (IAS), LITHUANIA suggested identifying insufficiencies in the current policy framework and developing relevant guidance. FINLAND stressed that Decision XI/28 (IAS) identifies concrete steps to achieve the Target. MEXICO called for moving from identification to management and control of IAS. JAPAN favored focusing on different sectors and cost effectiveness in IAS impact assessments. SWITZERLAND called for integrating the polluter-pays principle. CHINA highlighted lack of verification techniques and technologies, and requested that the Secretariat guide the development of support tools. Noting that existing guidance is not sufficient to prevent introduction and establishment of IAS, SWEDEN called for addressing gaps in the international regulatory framework. URUGUAY called for a step-by-step eradication process. BELGIUM called for guidance and tools for identifying IAS.

On Target 10 (ecosystems impacted by climate change), the EU called for urgent action on coral reefs. SWITZERLAND, supported by AUSTRIA and PERU, stressed that mountain ecosystems should be considered, noting their vulnerability to climate change. PACIFIC ISLANDS highlighted information gaps on ocean acidification.

STRATEGIC GOAL C: IMPROVING THE STATUS OF BIODIVERSITY

PANEL DISCUSSION: Nenenteiti Teariki-Ruatu (Kiribati) chaired the panel discussion on Strategic Goal C. Stressing the difference between ecologically or biologically significant marine areas (EBSAs) and marine PAs, Patrick Halpin, Duke University, reported on scientific workshops informing the EBSA process. Piers Dunstan, Commonwealth Scientific and Industrial Research Organisation, explained next steps, including broader engagement of governments and local communities to access more data. He described possible use of EBSAs for identifying and mapping pressures and threats, prioritizing indicators, modeling causes and effects, and assessing risks and management options. Roxana Solis Ortiz (Peru) reported on her country's experiences in planning PA networks, involving selection of priority zones, stakeholder engagement and studies.

Jane Smart (IUCN) reported on consolidating nationally identified key biodiversity areas of global significance to help achieve all Aichi Targets, but particularly Target 11 (protected areas). Regarding Target 12 (threatened species), she described the IUCN's Red List of Threatened Species as "a wake-up call" and a useful measure of progress. Brad Fraleigh, outgoing CGRFA Chair, presented on CGRFA work relevant to Target 13 (genetic diversity of cultivated plants, farmed and domesticated animals, and their wild relatives), including indicators. Claudia Marcela Sanchez Medina (Colombia) presented on the IUCN's Green List of Well-managed Protected Areas as a means to communicate success in PA management.

TUNISIA pointed out challenges in implementing the Red List due to its non-binding status. COSTA RICA drew attention to challenges in tracking and protecting genetic diversity, particularly due to fragmentation of habitats. The IIFB said

indigenous peoples and local communities are custodians of lands and resources and should be included at all levels of PA management and governance, respecting their free PIC.

STATEMENTS: The Secretariat introduced the document on Strategic Goal C (UNEP/CBD/SBSTTA/17/2/Add.3). BOSNIA AND HERZEGOVINA recommended that the COP support improvement of national data on biodiversity. CHINA stressed the need to enhance capacity for PA management, and requested the Secretariat to provide more technical support and case studies for reference purposes. INDIA highlighted the importance of indigenous livestock breeds, and challenges regarding communication strategies and institutional capacities. The UK urged awareness of, and engagement with, efforts in other fora, such as the Ramsar Convention contributing to Target 11 and the Convention on International Trade in Endangered Species to Target 12. BELGIUM stressed the need to address direct and indirect pressures on species, and to better address illegal trade. SWITZERLAND raised concerns about terminology used in the Secretariat's note under Target 11.

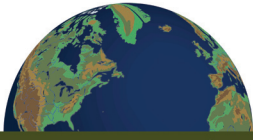
On Target 11, URUGUAY stressed the importance of South-South cooperation. BELGIUM called for further studies on developing guidelines and tools for land and water ecosystems management. ETHIOPIA called for policy tools integrating forest conservation and options for alternative livelihoods. CANADA expressed interest in reporting methods used by other parties. FINLAND called for better integration of indigenous and community conserved areas, improved law enforcement to safeguard PAs threatened by industrial activities, and research on interlinkages between PA management and climate change policies.

On Target 12, CANADA called for better understanding impacts of IAS and climate change, as well as the role of the ecosystem approach in recovery plans. JAPAN emphasized the usefulness of a gap analysis in his country's conservation of threatened species. LITHUANIA noted the broad scope of Target 12 and encouraged data collection on, and effective action to reduce, pressures on affected species.

On Target 13, BELGIUM emphasized *in situ* conservation and called for continued development of tools for identifying species. MEXICO stressed the need to value genetic diversity and acknowledge that traditional production methods add value to agriculture. JAPAN lamented the lack of international mechanisms and global assessments. LITHUANIA called for decreasing market pressures. FINLAND highlighted serious implications for agriculture, food security and climate change adaptation from declining genetic diversity of domesticated species. FRANCE called for *in situ* data collection and participatory science.

IN THE CORRIDORS

On the second day of SBSTTA 17, participants expressed mixed feelings on how discussions are progressing under the new format. Some observed with *ennui* that today's statements were out of sync with the panel presentations. Others felt that more interaction between delegations was needed to prepare the ground for the development of conclusions or recommendations, eyeing with hope the establishment of an informal group to identify priority issues. Meanwhile, many participants assessed positively cross-fertilization with the Article 8(j) Working Group, approving the inclusion of representatives of indigenous peoples and local communities in the expert panels and interventions from the floor on the contribution of traditional knowledge to the Aichi Targets' implementation. Still, one seasoned participant commented: "If we really wish to address the drivers of biodiversity loss, we shouldn't focus on success stories but on obstacles, gaps and continuing difficulties at the national level."



SBSTTA 17 HIGHLIGHTS: WEDNESDAY, 16 OCTOBER 2013

Delegates met in plenary throughout the day to hear a report on Tuesday evening's informal session and engage in panel discussions, followed by delivery of statements, on: Strategic Goal D on enhancing the benefits to all from biodiversity and ecosystem services, and on ecosystem restoration; new and emerging issues; preparations of the fourth edition of the Global Biodiversity Outlook (GBO-4); and the CBD contribution to the IPBES intersessional process. Two Friends of the Chair groups met in the evening.

INFORMAL SESSION REPORT

In the morning, Alexander Shestakov (Russian Federation) reported on Tuesday evening's informal session he co-chaired with Hesiquio Benitez Diaz (Mexico), noting that it produced a draft on identifying scientific and technical needs for the attainment of the Strategic Goals and Aichi Targets. He proposed establishing a drafting group comprising two representatives from each region to draft key findings and some recommendations, and an open-ended informal group to produce an annex on individual Strategic Goals. FINLAND raised concerns over representation and transparency.

In the afternoon, Shestakov reported on a lunch-time Bureau meeting and additional regional consultations, and proposed holding: a "small" Friends of the Chair group comprised of two representatives per region, tasked with addressing the structure of SBSTTA 17 outcome and listing summarized findings arising from plenary discussions; a "big" Friends of the Chair group to consider cross-cutting views and specific elements related to individual Strategic Goals; and plenary on Thursday afternoon to consider the drafts produced by these groups.

PANEL DISCUSSION ON STRATEGIC GOAL D

Brigitte Baptiste (Colombia) chaired the panel discussion on Strategic Goal D. Ben Ten Brink (Netherlands) presented on land restoration in terms of trade-offs, illustrating the dilemma of competing claims on land and assets over the next decades. Xu Jing (China) presented on China's experiences in ecosystem restoration, applying a top-down approach and involving local governments in phased project implementation. Malta Qwathekana (South Africa) presented South Africa's experience with linking conservation, water security and social responsibility through programmes focusing on skill development, job creation, gender empowerment and poverty eradication. Maria Yolanda Teran Maigua (Ecuador) presented examples on how indigenous peoples and local communities develop traditional knowledge and practices to protect biodiversity.

In ensuing discussions, IRAQ drew attention to land rehabilitation and enquired about experiences in management of shortfalls in water flows. YEMEN and others raised questions

about technology for, and costs of, land restoration. BOLIVIA suggested reflecting in the meeting outcome the challenge of putting goods from communities' production systems on the market.

STATEMENTS ON STRATEGIC GOALS

The Secretariat introduced documents on Strategic Goal D and ecosystem restoration (UNEP/CBD/SBSTTA/17/Add.4 and 7). LITHUANIA and FINLAND supported using tools already developed under the CBD and other conventions. AUSTRALIA underlined the relevance of monitoring soil microbial communities and further understanding land-use impacts on soil ecosystems. The CBD ALLIANCE hoped for more regionally balanced expert selection and further stakeholder integration in future meetings. The IIFB recommended acknowledging ecosystems' contribution to cultural values and the contribution of such values to the maintenance of ecosystem services; and addressing the effects of nuclear energy on biodiversity, particularly marine species. The RAMSAR CONVENTION noted the need for global comprehensive wetland mapping.

On Target 14 (ecosystem restoration), NEPAL suggested using tools and methodologies developed under Target 11 (PAs), and urged specific work on mountain ecosystems. SOUTH AFRICA described ecosystem restoration as an indispensable complement to conservation in achieving the Aichi Targets. The UK called for integrating ecosystem restoration with poverty alleviation. GUATEMALA highlighted the need to improve capacity in ecosystem restoration. JAPAN drew attention to the Satoyama Initiative, promoting sustainable use in socio-ecological production landscapes and seascapes. LITHUANIA noted challenges in identifying and prioritizing ecosystem services essential for human well-being, and, with BELGIUM, called for focusing on socioeconomic benefits of ecosystem restoration. FINLAND and the UK recommended enhancing understanding of how ecosystem services provide benefits for human health. THAILAND lamented lack of attention to monitoring ecosystem functions. PACIFIC ISLANDS called attention to the cultural and spiritual value of ecosystems and their role in climate change adaptation. UGANDA explained restoration would benefit from up-scaling ecosystem payments, capacity building and involvement of local communities. MADAGASCAR highlighted the restoration needs of mining and oil exploration sites.

On Target 15 (ecosystem resilience), MEXICO pointed to lack of experience in restoration work, particularly with regard to marine and coastal ecosystems, and urged SBSTTA Chair's involvement in IPBES thematic assessment of degradation and restoration. LITHUANIA noted the need for further development of tools and taking into account the location and extent of degraded lands. FINLAND urged further development of tools to assess benefits for human well-being. THAILAND called for criteria for degraded ecosystems. SOUTH AFRICA said the biodiversity sector needs to address adaptation and vulnerability



of ecosystems to climate change. CANADA urged developing additional indicators on combating desertification and better understanding degraded ecosystems. NORWAY recommended better understanding ecosystem resilience in terms of stocking carbon over time, including an indicator on resilience. BELGIUM suggested compiling restoration methods and best practices.

On Target 16 (Nagoya Protocol), ARGENTINA underscored national efforts to develop an adequate legal framework, as well as progress towards ratifying the Protocol.

On Strategic Goal B (sustainable use), TANZANIA highlighted the need for transfer of technologies complemented by traditional knowledge. INDONESIA questioned proposed indicators under several targets. GUATEMALA called for sharing experiences in biocultural landscape management.

On Target 11, COSTA RICA reported on improving representativity of its PA network and reviewing management strategies. NEPAL highlighted community-managed forests and successes in transboundary landscape management. SOUTH AFRICA stressed the need to enhance synergies between the CBD and other biodiversity-related conventions.

On Target 12 (threatened species), THAILAND urged protection of habitats. CONSERVATION INTERNATIONAL suggested using camera traps as a low-cost and effective means to monitor biodiversity. UGANDA urged support to update an inventory of threatened species. PACIFIC ISLANDS called for building capacity to utilize at the national level tools developed under the CBD, and exploring innovative ways to address Target 12. WWF expressed concern about the global crisis in species reduction. The IUCN NATIONAL RED LIST GROUP recommended creating and updating national red lists.

On Target 13 (agricultural genetic diversity), THAILAND highlighted the need for further guidance on conservation of resources of socioeconomic importance, and advising farmers on conservation of biodiversity. The PHILIPPINES stressed the importance of smallholder farmers, pastoralists, indigenous peoples and local communities in safeguarding genetic diversity.

NEW AND EMERGING ISSUES

The Secretariat drew attention to a submission on the impacts of neonicotinoid pesticides on pollinators (UNEP/CBD/SBSTTA/17/2). MEXICO, with BRAZIL, suggested either addressing the issue under the pollinator initiative of the work programme on agricultural biodiversity or forwarding it to IPBES for consideration under its proposed fast-track assessment on pollination and food production. LITHUANIA and Liberia, for AFRICA, agreed that IPBES could address the issue, with CANADA and BELGIUM also drawing attention to the work of the IUCN Task Force on Systemic Pesticides.

GLOBAL BIODIVERSITY OUTLOOK 4

Jean-Patrick Le Duc (France) chaired the afternoon's panel discussion. Paul Leadley, University of Paris, presented on the state of work on GBO-4 from the perspective of the Scenarios Consortium, pointing out that the analysis suggests opportunities to protect biodiversity, mitigate climate change and increase human well-being simultaneously. Jan Plesnik (Czech Republic) reported on the second meeting of the GBO-4 Advisory Group held on 13 October 2013 in Montreal, Canada (UNEP/CBD/SBSTTA/17/INF/17). Plesnik explained that the main findings will be presented at the World Water Forum, World Forestry Congress and World Conference on Indigenous Peoples.

The Secretariat introduced documents on progress on the preparation of GBO-4 (UNEP/CBD/SBSTTA/17/5) and EBSAs (UNEP/CBD/SBSTTA/17/6). JAPAN and FRANCE supported including in the GBO a compilation of national reports to assess progress towards the Strategy. GERMANY suggested SBSTTA evaluate the GBO process in light of GBO-4 and ongoing work by IPBES, noting, with NORWAY, the NETHERLANDS and LITHUANIA, that a decision on future GBOs is premature.

CONTRIBUTION TO IPBES

Jerry Harrison, UNEP World Conservation Monitoring Centre, on behalf of the IPBES Interim Secretariat, updated participants on the Platform's conceptual framework and initial work programme. Anne-Helene Prieur-Richard (DIVERSITAS) presented on the international programme for biodiversity science "Future Earth," as a key scientific partner to generate new knowledge for the CBD and IPBES. Robert Lamb, UNEP, presented on the Biodiversity Mapping Tool developed by the Environment Management Group, bringing together contributions from various UN agencies to achieve the Aichi Targets in a collaborative manner.

The Secretariat introduced the relevant documentation (UNEP/CBD/SBSTTA/17/4/Rev.1). BOLIVIA recommended that IPBES: take into account approaches involving balance with Mother Earth; and focus on new management dynamics, sustainable use of biodiversity and assessing relevant tools and methodologies, taking into account a holistic perspective. The UK, with NORWAY, recalled that IPBES work should be policy-relevant, not prescriptive, and serve multiple demands beyond those of the CBD. The NETHERLANDS supported taking a bottom-up approach in the global assessment of ecosystem services; creating links with regional stakeholders; and prioritizing land use, food security and ecosystem restoration. BRAZIL preferred prioritizing: global assessment of the ecological and socioeconomic implications of trends in pollinator populations and assessment of options to achieve Strategic Goal A; development of policy support tools for promoting awareness and change towards sustainable consumption, for integrating soil biodiversity issues into agricultural policies, and for integrating biodiversity values into development and poverty reduction strategies; and research on biodiversity and ecosystem functions and services, and their relationship to human well-being. The RAMSAR CONVENTION, speaking for the Meeting of the Chairs of Scientific Advisory Bodies of Biodiversity-related Conventions, supported prioritization so that IPBES can "speak out to the different MEAs." MEXICO argued that the CBD should prevent important issues, including migratory species, pollinators and insecticides, from "slipping off the page." THAILAND suggested further work on terminology to ensure wider use of ecosystem assessments.

IN THE CORRIDORS

Mid-way through the week, the corridors of the ICAO Headquarters continued to buzz with remarks and concerns about the new format of SBSTTA 17. Certain delegations voiced their uncertainty regarding the proposed outcomes: "What will the conclusions be like? Are we negotiating them? And if we are, why not negotiate recommendations? Should we just identify 'key findings' instead?" One seasoned negotiator observed: "It would have helped if such a radical change in our working method had been planned more in advance." Whereas some showed uneasiness at finding themselves outside their comfort zone, others enjoyed experimenting with a "learning environment." They preferred hearing lively and practical accounts of implementation experiences on the ground, rather than having to find them "buried in dry meeting documents." Smaller delegations also appreciated the opportunity to follow the discussions with greater ease.

As participants of the evening informal groups finally warmed up their drafting and negotiating muscles, delegates were left wondering whether the new SBSTTA format may or may not be the beginning of an actual shift in the science-and-policy interface of the Convention and if it has simply been met with resistance to behavioral change from veteran SBSTTA delegates.



SBSTTA 17 HIGHLIGHTS: THURSDAY, 17 OCTOBER 2013

Delegates met in plenary in the afternoon and evening, to consider a draft recommendation on scientific and technical needs for implementing the Strategic Plan.

SCIENTIFIC AND TECHNICAL NEEDS FOR IMPLEMENTING THE STRATEGIC PLAN

Alexander Shestakov (Russian Federation) reported on Wednesday evening's "small" Friends of the Chair group, which agreed on part of the text of a draft recommendation reflecting key scientific and technical needs in implementing the Convention, as expressed in plenary discussions. Hesiquio Benitez Diaz (Mexico) reported on the "big" Friends of the Chair group, which agreed on two annexes to the draft recommendation, on cross-cutting issues and on a summary of views on the Strategic Goals, respectively. Plenary considered the draft recommendation paragraph by paragraph.

On evaluation and assessment, CHINA proposed underscoring the need for improving methodologies for assessing the status and trends of threatened species and ecosystem hotspots and conservation gaps; with BOLIVIA recommending reference also to "ecosystem functions" and the UK to "ecosystem services and human well-being." CANADA and MEXICO objected to limiting the reference to "threatened" species. Parties eventually agreed to underscoring the need for improving and promoting methodologies for assessing the status and trends of species and ecosystems hotspots, and conservation gaps, as well as ecosystem functions, ecosystem services and human well-being at national, regional and global levels.

On planning and mainstreaming, the AFRICAN GROUP, supported by the RUSSIAN FEDERATION and BELGIUM, preferred improving planning tools through "biodiversity safeguards, methods and tools and spatial planning," rather than through "inclusion of biodiversity concerns in spatial planning." On land use and coastal planning, BELGIUM suggested reference to "marine" planning and mainstreaming biodiversity into sustainable development and "other relevant policy sectors." BOLIVIA requested inclusion of "ecosystem functions." Parties agreed to these amendments.

On maintenance, conservation and restoration of ecosystems, MEXICO, opposed by BELGIUM and NORWAY, requested specific reference to marine and coastal ecosystems in relation to better understanding ecosystem processes, functions and their implications and to improved methodologies and indicators for monitoring ecosystem resilience and recovery. The UK, supported by AUSTRIA and SENEGAL, proposed a broader reference to "vulnerable ecosystems," which delegates approved.

On understanding and using economic instruments, EGYPT proposed a reference to "poverty eradication strategies," which delegates agreed to. BELGIUM suggested referring to the need for guidance and tools for reforms of harmful incentives consistent with the Convention and other relevant international "agreements," rather than "obligations." SWEDEN and LIBERIA suggested reference to "developing positive incentives."

On ways to draw on relevant traditional knowledge to complement scientific knowledge, CANADA, supported by FRANCE, but opposed by MEXICO and BOLIVIA, raised concerns about reference to PIC. CANADA also suggested, opposed by PERU, that traditional knowledge "work with," rather than "complement," scientific knowledge. BOLIVIA called for "including," and GUATEMALA for "valuing," traditional knowledge. PERU called for respecting intellectual property rights of indigenous communities. NORWAY and MEXICO suggested referring to CBD language on "the approval and involvement of the holders of such knowledge, innovations and practices," rather than PIC. Delegates eventually agreed on the need for "better ways to draw on relevant traditional knowledge to complement scientific knowledge in support of the implementation of the Strategic Plan, taking into account the approval and involvement of the holders of such knowledge."

BOLIVIA proposed new text underlining the need to strengthen other visions, models and tools, including non-market-based approaches for the maintenance of ecosystem functions. CANADA and JAPAN questioned reference to non-market-based approaches. SWITZERLAND, FINLAND and the UK cautioned against creating confusion with the "vision" in the Strategic Plan. Following informal consultations, BOLIVIA proposed, and delegates accepted, new text on the need to strengthen non-monetary evaluation tools and methodologies for the maintenance of ecosystem functions.

On SBSTTA taking note of parties' views on cross-cutting issues in annex I and specific Aichi Targets in annex II, AUSTRIA cautioned against de-emphasizing the annexes. BELGIUM expressed concern that the annexes are not consensual. PORTUGAL proposed, and delegates agreed, to recommend that COP 12 take note of them.

On the Aichi Targets providing readily available elements that could be integrated into the sustainable development goals (SDGs), JAPAN, CANADA, SWITZERLAND, the EU, and FINLAND proposed, and delegates agreed, to clarify that SDGs are "still under development."

On Target 10 (ecosystems impacted by climate change), LIBERIA proposed that SBSTTA also consider the systematic review of documents on the impacts of ocean acidification on



biodiversity and ecosystem functions. The EU emphasized that Target 10 is “the only one for 2015.” The UK suggested, and delegates agreed, that SBSTTA 18 “note that it will consider,” rather than “agree to consider,” the urgent need to implement Target 10 to update the specific work plan on coral bleaching.

Regarding a recommendation that COP 12 invite GEO BON to engage with parties on observing systems and biodiversity monitoring, the IIFB suggested, and delegates agreed, that GEO BON also engage with ILCs and other relevant stakeholders. With regard to a list of requests to the Secretariat, delegates debated whether SBSTTA could request the Secretariat directly or should recommend that the COP does so.

Delegates discussed at length a request to organize a meeting of the *Ad Hoc* Technical Expert Group (AHTEG) on Indicators, including the focus and timing of the meeting. The UK suggested SBSTTA request COP 12 to convene the AHTEG, while the RUSSIAN FEDERATION and FINLAND preferred convening it before COP 12, highlighting the urgency of developing missing indicators. SWITZERLAND, with MEXICO, CANADA and COLOMBIA, suggested requesting the Secretariat to prepare the AHTEG’s terms of reference (TORs) for consideration by COP 12. Delegates finally agreed that SBSTTA request the Secretariat to report to COP 12 on progress in carrying out its tasks under Decision XI/3 (monitoring progress in implementing the Strategic Plan) and, taking into account the use of indicators in the fifth national reports and GBO-4, prepare TORs for an AHTEG on indicators.

Delegates addressed a request to continue collaborating with the Biodiversity Indicators Partnership, GEO BON, FAO, IUCN and others to fill gaps in coverage of indicators for all Aichi Targets. SWEDEN supported reference to the IIFB Working Group on Indicators. The UK preferred to facilitate timely collaboration by 2014. The EU preferred that SBSTTA, rather than COP 12, make this request to the Secretariat. Delegates agreed to these amendments. The RUSSIAN FEDERATION recommended that SBSTTA directly request the Secretariat to undertake regional capacity-building activities on biodiversity-related data.

On a request to analyze methodologies used in self-assessments of the Convention’s implementation in fourth national reports, JAPAN recommended also using the fifth national reports, with CANADA suggesting SBSTTA request directly the Secretariat. Eventually, delegates agreed that SBSTTA request the Secretariat to “include in its analysis of the fourth and fifth national reports an analysis of methodologies used in self-assessment on progress towards the Convention’s implementation contained in those reports.” BELGIUM recommended, and parties agreed, to make the information available to the next meeting of the Working Group on Review of Implementation (WGRI) and COP 12, as appropriate.

Delegates debated at length, and eventually agreed to delete, text on SBSTTA preparing TORs for a possible voluntary mechanism to review implementation of the Strategic Plan at the national level with a view to providing targeted guidance to countries. On undertaking pilot assessments of the effects of measures taken in specific thematic areas or case studies, NORWAY and the UK suggested that the task be allocated to WGRI. AUSTRALIA and CANADA proposed, and delegates agreed, to delete the text.

The EU, with SENEGAL, proposed deleting text on reviewing national experience in the evaluation of policy effectiveness. CANADA, with JAPAN, proposed reference to fifth national reports. After consultations, the RUSSIAN FEDERATION suggested, and delegates agreed to, specifying to “review

national experience and use of tools to evaluate effectiveness of policy instruments for the delivery of the Strategic Plan using information in fourth and fifth national reports.”

The EU suggested deleting language on reporting on possible ways and means to address challenges. BRAZIL preferred to address “the key scientific and technical needs identified above,” rather than challenges listed in annex I. BELGIUM underlined that the list was not negotiated. ARGENTINA, supported by INDIA, MALI and SENEGAL, called for retaining language on the capacity-building needs of developing countries, least developed countries, small island developing states and economies in transition. Delegates eventually agreed to “prepare a report on possible ways and means to address the key scientific and technical needs and strengthening scientific and technical capacities and new, predictable and adequate funding.” NORWAY suggested, and delegates agreed to, new language requesting the Secretariat to evaluate the experience of SBSTTA 17.

Delegates considered the annexes. On cross-cutting issues, AFRICA proposed referring not only to tools and methodologies for achieving sustainable production, but also consumption; and not only to integrated land-use planning, but also sustainable land management. INDONESIA recommended referring not only to food security, but also to food sovereignty. ARGENTINA, BELGIUM and BOLIVIA proposed to submit minor corrections to the Secretariat, cautioning against negotiating the text of the annexes. CANADA recalled that the mandate for the Friends of the Chair group was to consider ideas already presented in plenary, and urged delegates to refrain from submitting new ideas. NORWAY, supported by the UK, proposed titling annex I “collation of views from parties on cross-cutting issues.” AFRICA opined that the annexes are a summary. Delegates eventually decided to title the annexes “cross-cutting issues identified by parties” and “views identified by parties on the Strategic Goals,” respectively. A revised recommendation will be presented on Friday.

IN THE CORRIDORS

Reportedly, on Wednesday evening, deliberations – not negotiations – were held in the “small” and “big” Friends of the Chair groups. While the “big” group diligently revised the views expressed on each goal of the Strategic Plan and on other cross-cutting issues, the “small” group distilled key messages on the scientific and technical needs for its implementation. According to an insider, this latter exercise was conducted in a harmonious atmosphere, and was useful in identifying, and creating ownership of, an outcome of great practical relevance. When plenary resumed on Thursday afternoon, delegates engaged for the first time in actual negotiations. On the table were not only these key messages, but also a limited number of more traditional draft recommendations, customarily prepared by the Secretariat on the basis of the exchanges earlier in the week. As evening negotiations progressed, a seasoned participant noted: “At least we are working on only three recommendations: a record low number for SBSTTA!” Another, however, said disgruntledly: “But we are discussing at length how to word the title of the annexes, even if they are not supposed to be negotiated!”

ENB SUMMARY AND ANALYSIS: The *Earth Negotiations Bulletin* summary and analysis of the Working Group on Article 8(j) and SBSTTA 17 will be available on Monday, 21 October 2013, online at: <http://www.iisd.ca/biodiv/sbstta17/>.



SUMMARY OF THE 8TH MEETING OF THE WORKING GROUP ON ARTICLE 8(J) AND 17TH MEETING OF THE SUBSIDIARY BODY ON SCIENTIFIC, TECHNICAL AND TECHNOLOGICAL ADVICE OF THE CONVENTION ON BIOLOGICAL DIVERSITY: 7-18 OCTOBER 2013

The Working Group on Article 8(j) (traditional knowledge) and Related Provisions of the Convention on Biological Diversity (CBD) convened from 7-11 October 2013 in Montreal, Canada. It was held back-to-back with the seventeenth meeting of the CBD Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA 17), which convened from 14-18 October 2013.

Over 200 participants attended the Article 8(j) Working Group and over 400 participants attended SBSTTA 17, representing governments, intergovernmental and non-governmental organizations, indigenous and local communities (ILCs), business and academia. The Article 8(j) Working Group addressed: a progress report on the implementation of the work programme on Article 8(j) and related provisions, and mechanisms to promote effective ILC participation in CBD work; a draft plan of action for customary sustainable use; proposed best-practice guidelines facilitating enhancement of repatriation of traditional knowledge; a study on how tasks 7, 10 and 12 of the Article 8(j) work programme (benefit-sharing from, and unlawful appropriation of, traditional knowledge) contribute to the work under the CBD and Nagoya Protocol; *sui generis* systems for the protection, preservation and promotion of traditional knowledge; and recommendations from the UN Permanent Forum on Indigenous Issues (UNPFII). The Working Group also featured an in-depth dialogue on connecting traditional knowledge systems and science, such as the Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES), including gender dimensions. The Working Group adopted recommendations on all these items, including a draft plan of action on customary sustainable use, for consideration by the twelfth meeting of the CBD Conference of the Parties (COP 12) in October 2014.

SBSTTA 17 considered: scientific and technical needs related to the implementation of the Biodiversity Strategic Plan 2011-2020 and its Aichi Targets; ways to enhance its role in assessing

the effectiveness of measures taken in accordance with CBD provisions; contributions to the intersessional process of the IPBES; and progress reports by the CBD Secretariat on the preparation of the fourth Global Biodiversity Outlook (GBO-4), description of ecologically or biologically significant marine areas (EBSAs) and ecosystem restoration. Following a new format featuring panel presentations, delivery of statements and the convening of two Friends of the Chair drafting groups, SBSTTA 17 identified key scientific and technical needs related to the implementation of the Strategic Plan. SBSTTA 17 adopted three recommendations on: scientific and technical needs for implementing the Strategic Plan; new and emerging issues; and the IPBES.

A BRIEF HISTORY OF THE CBD

The CBD was adopted on 22 May 1992 and entered into force on 29 December 1993. There are currently 193 parties to the Convention, which aims to promote the conservation of biodiversity, sustainable use of its components, and fair and equitable sharing of benefits arising from the use of genetic

IN THIS ISSUE

A Brief History of the CBD.....	1
Article 8(j) Working Group Report.....	2
Progress in Implementation.....	3
Article 8(j) Work Programme.....	4
UNPFII Recommendations.....	8
In-Depth Dialogue.....	9
Closing Plenary.....	10
SBSTTA 17 Report.....	10
Facilitating Implementation of the Strategic Plan.....	11
New and Emerging Issues.....	17
Global Biodiversity Outlook 4.....	18
Contribution to IPBES.....	18
Closing Plenary.....	19
A Brief Analysis of the Meetings.....	19
Upcoming Meetings.....	21
Glossary.....	22

This issue of the *Earth Negotiations Bulletin* © <enb@iisd.org> is written and edited by Beate Antonich, Elena Kosolapova, Ph.D., Elisa Morgera, Ph.D., Nicole Schabus, Eugenia Recio, Elsa Tsoumami, and Asterios Tsoumami, Ph.D. The Digital Editor is Francis Dejon. The Editor is Pamela S. Chasek, Ph.D. <pam@iisd.org>. The Director of IISD Reporting Services is Langston James "Kimo" Goree VI <kimo@iisd.org>. The Sustaining Donor of the *Bulletin* is the European Commission (DG-ENV). General Support for the *Bulletin* during 2013 is provided by the German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU), the Ministry of Environment of Sweden, the New Zealand Ministry of Foreign Affairs and Trade, SWAN International, the Swiss Federal Office for the Environment (FOEN), the Finnish Ministry for Foreign Affairs, the Japanese Ministry of Environment (through the Institute for Global Environmental Strategies - IGES), and the United Nations Environment Programme (UNEP). Funding for translation of the *Bulletin* into French has been provided by the Government of France, the Wallonia, Québec, and the International Organization of La Francophonie/Institute for Sustainable Development of La Francophonie (IOF/IFDD). The opinions expressed in the *Bulletin* are those of the authors and do not necessarily reflect the views of IISD or other donors. Excerpts from the *Bulletin* may be used in non-commercial publications with appropriate academic citation. For information on the *Bulletin*, including requests to provide reporting services, contact the Director of IISD Reporting Services at <kimo@iisd.org>, +1-646-536-7556 or 300 East 56th St., 11D, New York, NY 10022 USA.



<http://enb.iisd.mobi/>

resources. The COP is the governing body of the Convention. It is assisted by the SBSTTA, which is mandated, under CBD Article 25, to provide the COP with advice relating to the Convention's implementation. The Convention's work under Article 8(j) (traditional knowledge) commenced at COP 3 (November 1996, Buenos Aires, Argentina). COP 4 (May 1998, Bratislava, Slovakia) established and adopted the terms of reference for an open-ended working group on Article 8(j).

COP 5: At its fifth meeting (May 2000, Nairobi, Kenya), the COP extended the Working Group's mandate to review progress in implementation and adopted a programme of work on Article 8(j), comprising: elements and tasks on participatory mechanisms, status and trends of traditional knowledge, traditional cultural practices for the conservation and sustainable use of genetic resources, benefit-sharing, exchange and dissemination of information, and monitoring and legal elements. In addition, the COP adopted work programmes on dry and sub-humid lands and agricultural biodiversity.

COP 6: At its sixth meeting (April 2002, The Hague, the Netherlands), the COP adopted the Bonn Guidelines on access and benefit-sharing (ABS) and also considered the role of intellectual property rights (IPRs) in the implementation of ABS arrangements. The COP identified actions to be taken with respect to the integration of Article 8(j) into the CBD thematic work programmes. In addition, the COP adopted the Convention's Strategic Plan, including the target to reduce significantly the rate of biodiversity loss by 2010; an expanded work programme on forest biodiversity; and guiding principles for invasive alien species.

COP 7: At its seventh meeting (February 2004, Kuala Lumpur, Malaysia), the COP mandated the Working Group on ABS to negotiate an international regime on ABS and agreed on the terms of reference for such negotiations. The COP also adopted: the Akwé: Kon Guidelines for cultural, environmental and social impact assessments; the Addis Ababa Principles and Guidelines for sustainable use; work programmes on mountain biodiversity, protected areas, and technology transfer and cooperation; and a decision to review the implementation of the Convention, its Strategic Plan and progress towards achieving the 2010 target.

COP 8: At its eighth meeting (March 2006, Curitiba, Brazil), the COP instructed the Working Group on ABS to complete its work with regard to the international ABS regime at the earliest possible time before COP 10; and requested the Working Group on Article 8(j) to contribute to the mandate of the Working Group on ABS. The COP adopted a work programme on island biodiversity and reaffirmed the COP 5 ban on the field-testing of genetic use restriction technologies.

COP 9: At its ninth meeting (May 2008, Bonn, Germany), the COP adopted a roadmap for the negotiation of the international ABS regime before the 2010 deadline. The COP decided that the Working Group on Article 8(j) should work on: guidelines for documenting traditional knowledge; a plan of action for retention of traditional knowledge; participatory mechanisms for ILCs in the Convention; elements of *sui generis* systems; elements of a code of ethical conduct; and further work on the composite report. In addition, the COP adopted the Resource Mobilization Strategy for the Convention.

COP 10: At its tenth meeting (October 2010, Nagoya, Japan), the COP adopted as a package: the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization; the CBD Strategic Plan for the period 2011-2020, including a mission, and strategic goals and targets aiming to inspire broad-based action by parties and stakeholders; and a decision on activities and indicators for the implementation of the Resource Mobilization Strategy. The meeting also adopted the Tkarihwaï:ri Code of Ethical Conduct to ensure respect for ILCs' cultural and intellectual heritage relevant to the conservation and sustainable use of biodiversity.

COP 11: At its eleventh meeting (October 2012, Hyderabad, India), the COP adopted an interim target of doubling biodiversity-related international financial resource flows to developing countries by 2015, and at least maintaining this level until 2020, as well as a preliminary reporting framework for monitoring resource mobilization. The COP further requested IPBES to consider ways in which the activities of the platform could, as appropriate, contribute to assessments of the achievement of the Aichi Targets and provide information on policy options available to deliver the 2050 vision of the Strategic Plan. In addition, the COP: took note with appreciation of the report of the Expert Group Meeting of Local Communities Representatives; and requested the Article 8(j) Working Group to consider the matter of terminology related to "indigenous peoples and local communities" and all its implications for the CBD and its parties, for further consideration by COP 12.

ARTICLE 8(J) WORKING GROUP REPORT

On Monday, 7 October 2013, Otsi.tsa.ken:RA (Charles Patton) of the Mohawk Nation welcomed delegates to Mohawk traditional territory and opened the meeting in the way of his ancestors. Co-Chair Hem Pande (India), on behalf of the COP 11 President, urged the Working Group to move forward. CBD Executive Secretary Bráulio Ferreira de Souza Dias highlighted: tasks 7, 10 and 12, and the possibility to develop guidelines on preventing misappropriation of traditional knowledge, prior informed consent (PIC) and benefit-sharing; and task 15 on repatriation of traditional knowledge. He also reported that the Nagoya Protocol has attracted 25 ratifications.

The International Indigenous Forum for Biodiversity (IIFB) called for: increasing targeted funding for full participation of indigenous peoples and local communities in all CBD processes; establishing an expert group to address best-practice guidelines on repatriation of traditional knowledge; including capacity building as a priority action under task 7; and using the term "indigenous peoples and local communities" under the Convention. The Indigenous Women's Biodiversity Network (IWBN) highlighted the need for full and effective participation of women in all CBD processes, and in international and local projects related to traditional knowledge. Indigenous Youth called for greater participation by youth in the CBD.

Lithuania, on behalf of the European Union (EU), emphasized the role of traditional knowledge in biodiversity conservation, sustainable use, climate change mitigation and adaptation, and health care; and considered participation crucial for decision-making, planning and monitoring of programmes on sustainable use. Bosnia and Herzegovina, for Central and Eastern Europe

(CEE), recommended addressing socio-economic consequences of traditional knowledge loss. Kiribati, for the Asia-Pacific Group, highlighted the need for targeted capacity building for full and effective ILC participation, and additional financial and technological resource mobilization. Senegal, for the African Group, lamented insufficient funding and called for increased ILC participation, especially from Africa, in CBD work. Peru highlighted protection of customary practices, work on *sui generis* systems, and indicators. Indonesia and Sudan reported on ratifying the Nagoya Protocol. The World Intellectual Property Organization (WIPO) reported on a draft traditional knowledge documentation toolkit and the renewed mandate of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) for 2014-15.

ORGANIZATIONAL MATTERS: Delegates adopted the agenda (UNEP/CBD/WG8J/8/1) and organization of work (UNEP/CBD/WG8J/8/1/Add.1/Rev.1) without amendment. They elected Boukar Attari (Niger) as Rapporteur; and appointed Lucy Mullenkei, Gam Shimray Awungshi, Yvonne Vizina, Polina Shulbaeva, Gunn-Britt Retter, Beth Tui Shortland and Juan Carlos Jintiach Vargas as Indigenous Friends of the Bureau.

This report summarizes discussions on each agenda item and the recommendations adopted by the Working Group on Friday, 11 October.

PROGRESS IN IMPLEMENTATION

The progress report on the implementation of the Article 8(j) work programme and mechanisms to promote effective ILC participation in CBD work (UNEP/CBD/WG8J/8/2), including progress on indicators (UNEP/CBD/WG8J/8/9), was first discussed in plenary on Monday, 7 October. A draft recommendation (UNEP/CBD/WG8J/8/CRP.3) was discussed in plenary on Wednesday, 9 October.

A number of countries supported holding one meeting of the Article 8(j) Working Group before COP 13. Brazil underscored that the current meeting was financed by the Voluntary Trust Fund for the first time and called for effective use of existing tools, with the IIFB calling for contributions to the Fund.

On community-based monitoring and reporting, Canada recommended consideration of its contribution to national reporting, and the EU to meeting Aichi Target 18 (traditional knowledge). Bolivia underlined the need for effective and transparent participation of indigenous peoples. Peru called for a methodology on developing an intercultural dialogue with ILCs on the CBD and its protocols. The EU urged parties to integrate traditional knowledge as a cross-cutting issue in implementing all CBD work programmes. The IIFB called for integrating traditional knowledge into the policy-science interface. The IWBN underlined the importance of recognizing the complementarity of science and traditional knowledge systems.

The Philippines addressed work undertaken by the International Labour Organization (ILO) on International Standard Classification of Occupations, which includes traditional occupations. Canada suggested specifying that traditional occupations refer to those related to the conservation and sustainable use of biodiversity, while Australia and New Zealand asked for further clarification of the concept. The Secretariat recalled that traditional occupations constitute one

of the traditional knowledge indicators, adding that the ILO was unable to assist in collecting information due to lack of funds, leading to the proposal to request governments to provide information on this issue.

Regarding the theme of the next in-depth dialogue to be held at the next Article 8(j) Working Group meeting, the IIFB, supported by the EU, Senegal, Norway, Jordan, Ethiopia and Australia, proposed “Communication, education and public awareness (CEPA), harmonizing traditional knowledge, biodiversity, cultural diversity and well-being.” Brazil recommended “protecting shared traditional knowledge across borders: challenges and opportunities for regional cooperation.” Bolivia and Peru suggested “food and food sovereignty” and “education and research with a special focus on traditional knowledge,” respectively. On Friday, 11 October, during discussions in plenary, Bolivia proposed, and delegates agreed, to add to the first proposed topic language on “living well in harmony with Mother Nature.” Peru suggested, and delegates agreed, to include reference to the revitalization of traditional knowledge into the second proposed topic.

Thailand proposed inviting IPBES to discuss contributions from the in-depth dialogue. Brazil suggested informing IPBES about advice and recommendations arising from the dialogue. Norway underscored the informational character of the dialogue outcomes. Ethiopia questioned the usefulness of the proposal, noting that IPBES has already considered traditional knowledge.

Final Recommendation: In the recommendation on the progress report on the implementation of Article 8(j) work programme and mechanisms to promote effective ILC participation in CBD work, including progress on indicators (UNEP/CBD/WG8J/8/L.2), the Article 8(j) Working Group recommends that COP 12:

- acknowledge the contribution that the World Indigenous Network can make to linking indigenous expertise and modern technology, and encourage ILC participation in the Network;
- decide to organize one meeting of the Working Group prior to COP 13;
- invite governments, ILCs and organizations to submit information on implementation and request the Secretariat to compile and analyze information and make it available for the Working Group’s next meeting, as well as during the mid-term review of the Strategic Plan;
- welcome the work carried out under the IIFB Working Group on indicators and particularly community-based monitoring and information systems (CBMIS) approach;
- request the Secretariat to continue to organize, subject to availability of funds, and facilitate international technical and regional workshops on indicators and to further explore the added value of the CBMIS and the Multiple Evidence Base approach;
- encourage parties and ILCs to consider how ILCs might effectively participate in the collection of data and to explore possible contributions of the CBMIS and the Multiple Evidence Base approach to future national reports and the mid-term review of the Strategic Plan and its Aichi Targets;
- invite IPBES to discuss potential contributions of the CBMIS to meeting the objectives of the Platform when developing

- work programmes of relevance and/or activities for the Multidisciplinary Expert Panel (MEP);
- invite governments, ILCs, other organizations and stakeholders to submit information and data on status and trends in traditional occupations;
- request the Secretariat to make the compilation available for the next meeting of the Working Group;
- encourage governments, ILCs and others to consider the advice and recommendations of the in-depth dialogue;
- request the Secretariat to consider the advice and recommendations of the in-depth dialogue when implementing the relevant areas of work, report on progress made at the next meeting of the Article 8(j) Working Group, and transmit the summary of the in-depth dialogue to IPBES; and
- decide that the topic for the third in-depth dialogue to be held at the next Working Group meeting be “CEPA: Harmonizing traditional knowledge, biodiversity, cultural diversity and well-being (living well in harmony with Mother Earth)” or “Protecting shared traditional knowledge across borders: challenges and opportunities for regional cooperation and the revitalization of traditional knowledge.”

ARTICLE 8(J) WORK PROGRAMME

CUSTOMARY SUSTAINABLE USE: Plenary considered a draft plan of action for customary sustainable use (UNEP/CBD/WG8J/8/7/Rev.1) on Monday, 7 October. A draft recommendation (UNEP/CBD/WG8J/8/CRP.4) was discussed in plenary on Wednesday and, briefly, on Thursday. The final recommendation was adopted in plenary on Friday, 11 October.

Delegates discussed the relationship between the Article 8(j) Working Group and other international processes. The EU called for increased collaboration between the CBD and ITPGR on sustainable use, including farmers’ rights, with the Philippines proposing a new task for the plan of action to develop mutually reinforcing mechanisms in the context of Article 8(j) for implementing farmers’ rights in collaboration with ITPGR. Canada noted that certain issues are dealt with under the Nagoya Protocol and WIPO.

On a task on promoting and strengthening community-based initiatives and contributing to the implementation of Article 10(c) on customary sustainable use, Canada, opposed by Ethiopia, Norway and Brazil, proposed to delete reference to the ITPGR in the context of community-based initiatives, but delegates decided to retain it.

On linkages between the ecosystem approach and traditional knowledge, Canada and Australia, opposed by Norway and Brazil, proposed replacing language that the ecosystem approach is “subject to ILCs’ rights over traditional knowledge” with “subject to the protection of traditional knowledge.” Following informal consultations, delegates agreed to delete reference to “rights” in this context, and add language recognizing that ILCs are the holders of traditional knowledge.

On customary sustainable use and protected areas, China, Senegal, Sudan and Togo expressed concern about focusing on protected areas when identifying best practices, with China pointing to broader uses outside of protected areas. The EU proposed language allowing for some restrictions to biodiversity use, *inter alia*, in protected areas. Canada recommended to refer to protected areas established without the “approval

and involvement, or PIC” of ILCs, instead of “approval and involvement, and/or PIC,” with delegates eventually agreeing to systematically use Nagoya Protocol language on “PIC or approval and involvement.” On promoting the use of community protocols, Argentina proposed, and delegates agreed, to add “in accordance with national legislation.”

Final Recommendation: The recommendation on Article 10, with a focus on Article 10(c), as major component of the programme of work on Article 8(j) and related provisions of the Convention (UNEP/CBD/WG8J/8/L.3), includes an annex containing a draft plan of action on customary sustainable use of biodiversity divided into sections on the objective, general principles, considerations of special relevance, rationale, elements of the first phase of the plan of action, and guidance for possible actions.

In the recommendation, the Working Group, *inter alia*, recommends that COP 12:

- endorse the plan of action;
- invite governments, ILCs and others to implement the plan of action and report progress to the Secretariat, including through national reporting process; and
- request the Secretariat to compile and analyze information received and, subject to availability of funding, to support implementation of the plan of action through regional and subregional workshops and other capacity-building activities involving ILCs.

Objective: The objective of the draft plan of action is to promote a just implementation of Article 10(c) at local, national, regional and international levels and to ensure full and effective ILC participation at all stages of its implementation.

General principles: General principles include that: the development and implementation of all activities of the plan of action should be taken with full and effective ILC participation, particularly women and youth; traditional knowledge should be valued, respected and considered as useful and necessary for biodiversity conservation and sustainable use as other forms of knowledge; the ecosystem approach is consistent with spiritual and cultural values, as well as customary practices of many ILCs; and recognizing that ILCs are the holders of their traditional knowledge, access to their knowledge should be subject to their PIC or approval and involvement.

Considerations of special relevance: Considerations of special relevance include:

- biodiversity, customary sustainable use and traditional knowledge are intrinsically linked, and ILCs as the holders of traditional knowledge related to customary sustainable use also contribute to the generation of new knowledge for the benefit not only of ILCs but of human wellbeing at large;
- full and effective ILC participation, in particular women, is of primary importance for successfully developing and implementing policies and programmes on customary sustainable use;
- the development and implementation of policies and programmes for customary sustainable use should take fully into account the relevant Aichi Targets, the Nagoya Protocol and the Article 8(j) work programme, with a view to avoiding duplication and ensuring complementarities; and

- cultural, social, economic and ecological elements associated with the traditional management systems of ILCs' lands, waters and territories and their involvement in the management of these areas should be recognized, secured and protected.

Rationale: The rationale of the draft plan of action contains, *inter alia*, the following elements:

- incorporating customary sustainable use with the ILCs' effective participation into national biodiversity strategies and action plans (NBSAPs) is an important and strategic way to integrate Article 10(c) and its implementation as a cross-cutting issue in the Biodiversity Strategic Plan and Aichi Targets;
- many ILCs are engaged in community-based initiatives to enhance Article 10(c) implementation at the national and local levels, and by supporting such initiatives, parties and conservation organizations gain better insights in customary sustainable use in their countries;
- protected areas established without the ILCs' PIC or approval and involvement can restrict access and use of traditional areas, and therefore undermine customary practices and knowledge associated with certain areas or biological resources;
- customary sustainable use of biodiversity and traditional knowledge can contribute to the effective conservation of important biodiversity sites; and
- community protocols and other community procedures can be used by ILCs to articulate their values and priorities.

Elements of the first phase of the draft plan of action:

Elements of the first phase of the draft plan of action are set out in a table, which lists tasks, main actors, possible actions, timeframes for phased implementation, and possible indicators and means of verification. The tasks of the first phase are to:

- incorporate customary sustainable use practices or policies, as appropriate, with full and effective ILC participation, into NBSAPs, as a strategic way to maintain biocultural values and achieve human well-being, and to report on this in national reports;
- promote and strengthen community-based initiatives that support and contribute to the implementation of Article 10(c) and enhance customary sustainable use of biodiversity; and collaborate with ILCs in joint activities to achieve enhanced implementation of Article 10(c);
- identify best practices to: promote, in accordance with national legislation and applicable international obligations, full and effective ILC participation, and also their PIC to, or approval of, and involvement in the establishment, expansion, governance and management of protected areas, including marine protected areas, that may affect ILCs; encourage the application of traditional knowledge and customary sustainable use of biodiversity in protected areas, including marine protected areas, as appropriate and in accordance with national legislation; and
- promote the use of community protocols in assisting ILCs to affirm and promote customary sustainable use of biodiversity in protected areas, including marine protected areas, in accordance with traditional cultural practices and in line with national legislation.

REPATRIATION OF TRADITIONAL KNOWLEDGE:

On Monday, 7 October, the Secretariat introduced documentation on draft best-practice guidelines for the repatriation of traditional knowledge and related information relevant to the conservation and sustainable use of biodiversity (UNEP/CBD/WG8J/8/5). A contact group, co-chaired by Valeria Gonzalez Posse (Argentina) and Gam Shimray (IIFB), considered the draft recommendation (UNEP/CBD/WG8J/8/CRP.1) on Tuesday, 8 October, but not the annexed draft best-practice guidelines. Plenary considered a revised draft recommendation (UNEP/CBD/WG8J/8/CRP.1/Rev.1) on Thursday, 10 October, and adopted the final recommendation on Friday, 11 October, with minor amendments.

On the draft best-practice guidelines, Jordan and Colombia expressed support. Thailand emphasized engaging institutions holding traditional knowledge. The Philippines expressed concern about the absence of reference to ILCs' rights to their inventions. Peru called for a definition of repatriation. Brazil, supported by Gabon and the IIFB, proposed that: repatriation should mean sharing traditional knowledge with the ILCs that developed or shared it; repatriation should not affect ILCs' rights, including the right to prevent the use of traditional knowledge without PIC; terms of repatriation should be agreed to by ILCs; dissemination of repatriated traditional knowledge should be subject to agreement of ILCs to whom it was repatriated; and repatriation should contribute to the traceability of traditional knowledge.

Gabon, Japan and Argentina underlined the need for collaboration with WIPO and the United Nations Educational, Scientific and Cultural Organization (UNESCO), with Switzerland noting the need for a common, coherent working definition of traditional knowledge in all fora. Japan stressed that repatriation concerns strictly biodiversity-related traditional knowledge. Canada noted unclear and contradictory concepts in the guidelines and stressed that cultural property does not fall under the Working Group's mandate. The EU recommended that the draft guidelines take into account practical implications and the needs of all interested parties and suggested starting work on the draft guidelines for adoption at COP 12. New Zealand cautioned that budgetary implications arising from the development of the guidelines require agreement at COP 12 first.

Delegates eventually agreed on the overall structure of the draft guidelines, but decided not to continue with a discussion of the content of the draft guidelines at this stage. They instead focused on the draft recommendation accompanying the text of the draft guidelines. The IIFB, Saudi Arabia, Mexico and Argentina supported convening an expert group, which Canada initially opposed.

On the process for the development of voluntary guidelines, the contact group discussed and agreed that the Secretariat: compile views and make them available to the expert group; taking into account the views received, prepare elements of the voluntary guidelines for consideration by the expert group; and transmit the result of the expert group's work to the next Article 8(j) Working Group, with a view to its consideration by COP 13.

Discussions focused on a preambular paragraph proposed by Brazil to acknowledge that repatriation of traditional knowledge through the sharing and exchange of information should be consistent with the rights of ILCs to their knowledge,

in particular the right to control access to, and use of, such knowledge, and to require PIC and the development of mutually agreed terms for any use of traditional knowledge, with New Zealand requesting adding “subject to national legislation.” Sudan and the EU called for reference to the Nagoya Protocol. Canada questioned the relevance of the Nagoya Protocol since repatriation is not addressed in it. Following informal consultations, delegates, supported by the IIFB, agreed to “acknowledge that the repatriation of traditional knowledge through the sharing and exchange of information should be consistent with international agreements, such as the Nagoya Protocol, as well as national legislation.” On Thursday, 10 October, in plenary, the IIFB, supported by Colombia, recommended, and delegates agreed, to delete reference to the Nagoya Protocol.

On Friday, 11 October, Colombia proposed, and delegates agreed, to invite UNPFII, in addition to other organizations, to submit relevant information and participate in the process for the development of voluntary guidelines.

Final Recommendation: In the recommendation on developing best-practice guidelines for the repatriation of traditional knowledge relevant to the conservation and sustainable use of biodiversity (UNEP/CBD/WG8J/8/L.4), the Working Group recommends that COP 12, *inter alia*:

- acknowledge that the repatriation of traditional knowledge of ILCs through the sharing and exchange of information should be consistent with international agreements relevant to the conservation and sustainable use of biodiversity and with national legislation;
- decide to convene a meeting of a regionally-balanced group of government nominated experts, with full and effective ILC participation, UNESCO, WIPO, UNPFII and other organizations, with a view to developing draft voluntary guidelines to promote and enhance the repatriation of traditional knowledge relevant to the conservation and sustainable use of biodiversity for consideration by the next meeting of the Article 8(j) Working Group;
- invite governments, UNESCO, WIPO, UNPFII, ILCs and other organizations to submit to the Secretariat information, including on best practices, and their views on the development of the draft voluntary guidelines; and
- request the Secretariat to: compile the information and views received and prepare draft elements of voluntary guidelines for the expert meeting; transmit the compilation and the result of the work of the technical expert group to the next Working Group meeting; and make the compilation of information available on a dedicated web page of the Traditional Knowledge Portal as a tool to assist ILCs and potential entities repatriating traditional knowledge.

TASKS 7, 10 AND 12: This item concerns the possible contribution of tasks 7, 10 and 12 of the Article 8(j) work programme to the work under the Convention and the Nagoya Protocol. Task 7 consists of developing guidelines on “prior informed approval” on, and benefit-sharing from, the use of traditional knowledge; task 10 consists of developing guidelines for reporting and preventing unlawful appropriation of traditional knowledge; and task 12 consists of developing guidance for national mechanisms to implement Article 8(j).

Delegates discussed this item on Monday, 7 October (UNEP/CBD/WG8J/8/4/Rev.2), and considered a draft recommendation on Thursday, 8 October (UNEP/CBD/WG8J/8/CRP.2). Following informal consultations, plenary considered a revised draft recommendation (UNEP/CBD/WG8J/8/CRP.2/Rev.1) on Thursday and adopted the final recommendation without amendments on Friday, 11 October.

The Philippines welcomed consideration of international and national mechanisms for ILCs to report unlawful appropriation of traditional knowledge. Mexico noted the need to consider *sui generis* systems and ensure complementarity with the IGC. Noting that the protection of traditional knowledge covered by Article 8(j) goes beyond “traditional knowledge associated with genetic resources,” Brazil suggested reference to *sui generis* systems. The EU proposed to add text noting the ongoing preparation for the Nagoya Protocol COP/MOP 1 and efforts toward its implementation, and requesting the Secretariat to present the outcomes of this Working Group to the third meeting of the Intergovernmental Committee for the Nagoya Protocol (ICNP 3). Switzerland, supported by Norway, proposed preambular text on avoiding any inconsistencies with the Nagoya Protocol and duplication of work undertaken in other international fora, including the IGC. Brazil opposed specific reference to the IGC. Delegates agreed to refer only to international fora. Norway suggested preambular text recognizing that the Article 8(j) Working Group can contribute positively to the implementation of the Nagoya Protocol, the scope of which is limited to traditional knowledge associated with genetic resources.

On an operative paragraph on implementing tasks 7, 10 and 12 in an integrated manner, Switzerland, supported by Norway, suggested adding that this should be mutually supportive with the Nagoya Protocol and the work undertaken in other international fora, such as the IGC. Brazil and Ethiopia opposed specific reference to the IGC. Delegates agreed to retain only the general reference to other international fora. Norway enquired about what was meant by “integrated” implementation of tasks 7, 10 and 12. The Secretariat explained that task 12 is the umbrella task and tasks 7 and 10 provide elements contributing to it. Norway underscored the need for a sequence of actions, also in the context of integrated implementation. Canada requested stipulating full and effective ILC participation.

On developing guidelines, Brazil, India, Uruguay and Argentina considered the development of guidelines useful for building national capacity to implement the Nagoya Protocol. Switzerland preferred a compilation of existing regulations and model clauses to developing guidelines. Argentina suggested, and delegates agreed to, adding reference to the voluntary character of the guidelines. The EU called for: focusing on additional measures to complement and support implementation of the Nagoya Protocol; supported by Norway, making available the outcome of this meeting to ICNP 3; and, with Australia, reviewing work to be carried out under tasks 7, 10 and 12 in light of intervening international developments. Thailand requested that the Secretariat provide an analysis of progress on tasks 7, 10 and 12. Canada cautioned against duplication of work with the ICNP and, supported by Argentina, with the IGC. The IIFB suggested systematic references to “free PIC”

in line with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and specifying that “approval and involvement” means the same international standard as free PIC. Norway preferred using Nagoya Protocol language on “prior informed consent or approval and involvement.”

Canada, supported by New Zealand, Norway, Australia and Switzerland, but opposed by Brazil and Ethiopia, proposed moving to the preamble references to sub-tasks regarding the development of guidelines on PIC or approval and involvement, benefit-sharing, and prevention and reporting of unauthorized access to traditional knowledge; and insert as operative text a request to compile model clauses, best practices and a gap analysis, to prioritize remaining work, avoid duplication and ensure complementarity with the work under the Nagoya Protocol and WIPO. Following informal consultations, delegates agreed to keep the specific sub-tasks in the operative text. Delegates eventually agreed to refer to guidelines on “prior informed approval,” with the Secretariat explaining that this language could be interpreted as “PIC or approval and involvement” in light of subsequent COP decisions and the text of the Nagoya Protocol, and that some delegations felt more comfortable using the original wording of the work programme, namely “prior informed approval,” to refer to the guidelines to be developed.

Final Recommendation: In the recommendation on how tasks 7, 10 and 12 could best contribute to work under the Convention and Nagoya Protocol (UNEP/CBD/WG8J/8/L.5), the Working Group notes the ongoing preparation for Nagoya Protocol COP/MOP 1 and requests the Secretariat to present the outcomes of this Article 8(j) Working Group meeting to ICNP 3 for its consideration.

The Working Group also recommends that COP 12, *inter alia*, note that:

- there is no centralized mechanism for ILCs to report unauthorized access to their traditional knowledge;
- there is a need to advance tasks 7, 10 and 12 in a manner that avoids any inconsistencies with the Nagoya Protocol, avoids duplication and overlap of work undertaken in other fora, and takes into account relevant developments, including under the Nagoya Protocol, the UNPFII and IGC;
- the Nagoya Protocol applies to traditional knowledge associated with genetic resources; and
- the Working Group positively contributes to the implementation of the Nagoya Protocol.

The Working Group recommends that the COP decide to implement tasks 7, 10 and 12 in an integrated manner that is mutually supportive of the Nagoya Protocol and the work undertaken in other international fora through the development of voluntary guidelines with full and effective ILC participation that will assist governments in the development of legislation or other mechanisms, including NBSAPs and *sui generis* systems, as appropriate, for the effective implementation of Article 8(j) and its related provisions that recognize, safeguard and fully guarantee ILCs’ rights over their knowledge, innovations and practices.

It further recommends that the COP include the following tasks for the Article 8(j) Working Group in priority order:

- in Phase I, developing: guidelines for the development of

mechanisms, legislation or other appropriate initiatives to ensure that private and public institutions interested in using traditional knowledge obtain ILCs’ prior informed approval; guidelines for the development of mechanisms, legislation or other appropriate initiatives to ensure that ILCs obtain a fair and equitable share of benefits arising from the use and application of their knowledge; standards and guidelines for reporting and preventing unlawful appropriation of traditional knowledge; and a glossary of relevant key terms and concepts to be used within the context of Article 8(j); and

- in Phase II, consider further work in light of the above sub-tasks on advancement and identification of obligations of countries of origin, as well as governments where traditional knowledge is used.

The Working Group further recommends that the COP:

- decide to address and adopt the voluntary guidance developed under each sub-task as a standalone but complementary element of the overarching task to ensure that advances made can contribute in a timely fashion to effective implementation of the CBD, Strategic Plan and Aichi Targets, as well as the Nagoya Protocol;
- invite parties, ILCs and others to submit their views, including information on model clauses, best practices, experiences and practical examples for obtaining PIC or approval and involvement for access to ILCs’ traditional knowledge relevant to the conservation and sustainable use of biodiversity and for sharing the benefits arising from the above sub-tasks;
- request the Secretariat to: compile and analyze the views taking into account relevant work in related international processes; draft guidelines for: ILCs’ prior informed approval to access knowledge, benefit-sharing, and reporting and prevention of unlawful appropriation of traditional knowledge; draft a glossary, following a gap analysis; and make them available at the next Article 8(j) Working Group; and
- invite the Working Group to use the elements of *sui generis* systems, as appropriate, in its work on the sub-tasks.

SUI GENERIS SYSTEMS: The documentation on *sui generis* systems for the protection, preservation and promotion of traditional knowledge (UNEP/CBD/WG8J/8/6) and draft elements of *sui generis* systems including a glossary (UNEP/CBD/WG8J/8/6/Add.1 and Corr.1) were discussed in plenary on Monday and Tuesday, 7-8 October. A draft recommendation (UNEP/CBD/WG8J/8/CRP.5) was discussed in plenary on Thursday, 10 October. The final recommendation was adopted in plenary on Friday, 11 October, with minor amendments.

Delegates discussed the importance of *sui generis* systems, as well as relations with other fora, including WIPO. Jordan stressed the importance of *sui generis* systems for protecting cross-border traditional knowledge. Indonesia emphasized *sui generis* systems’ importance in recognizing traditional knowledge as collective property and preventing misappropriation by third parties for commercial purposes. Brazil requested reference to “community protocols and other forms of legal provisions,” considering a disclosure requirement in patent applications as the most effective measure to protect traditional knowledge. Australia noted that work should focus on biodiversity, not IPRs. The IIFB lamented lack of funds to

convene a technical expert group with ILC participation for the preparation of a report on *sui generis* systems, as well as for capacity building.

On relations with other fora, Indonesia and Mexico underscored that the Working Group's discussions should be related to other fora. The EU underlined that the IGC is the primary international forum on intellectual property and protection of traditional knowledge, noting that all elements of *sui generis* systems must be in accordance with international obligations. The Maritime Aboriginal Peoples Council stressed that protection of traditional knowledge is in the Working Group's mandate, cautioning against a transfer of this task to WIPO. Brazil underlined that negotiations under the IGC are still ongoing and not sufficient in and of themselves to cover all aspects of *sui generis* systems and, supported by Bolivia, the need to go beyond IPRs.

On the glossary, the EU suggested further work on it under task 12 and Switzerland suggested, and delegates agreed, to take into account the need to further refine the glossary. Brazil noted that the glossary is non-exhaustive and proposed drawing also on the WIPO glossary on intellectual property and traditional knowledge, emphasizing that it was not endorsed by WIPO members. Australia stressed that a number of terms, such as "utilization," have evolved under the Nagoya Protocol. Switzerland, opposed by Brazil, proposed to introduce reference to the WIPO glossary of key terms.

Final Recommendation: In the recommendation on *sui generis* systems (UNEP/CBD/WG8J/8/L.6), the Working Group recommends that COP 12: acknowledge the contribution of *sui generis* systems for the protection, preservation and promotion of traditional knowledge to the achievement of Aichi Target 18; take note of the revised elements for *sui generis* systems and invite parties to make use of them as may be appropriate in their circumstances; and recognize the relevance of revised elements for *sui generis* systems and the draft glossary to tasks 7, 10 and 12. It further recommends that COP 12:

- invite parties, ILCs and others to submit to the Secretariat views on the revised elements and experiences regarding *sui generis* systems, including community protocols and other forms of legal provisions;
- request the Secretariat to produce a technical series publication drawing from a regionally balanced set of existing case studies and examples related to possible elements of *sui generis* systems, taking into account the information submitted and experiences gathered on a broad range of *sui generis* systems, with a view to informing the work of parties, ILCs and others on the development of *sui generis* systems, including future priority work on tasks 7, 10 and 12, and to provide for peer review of the final draft;
- urge governments to recognize, support and encourage the development of local *sui generis* systems by ILCs, including through the development of community protocols, as part of NBSAPs and report on them through national reporting processes;
- encourage governments to develop mechanisms to promote compliance with *sui generis* systems at the national level, as well as tools to promote international cooperation; and

- request the Secretariat to continue to inform the IGC on CBD work on *sui generis* systems, including working modalities for future consideration of this item, and other matters of mutual interest, with a view to ensuring complementarity and avoiding overlaps.

UNPFII RECOMMENDATIONS

On Tuesday, 8 October, the Secretariat introduced the document containing recommendations from UNPFII 11 and 12 to the CBD (UNEP/CBD/WG8J/8/8). Following discussions in plenary, the item was taken up in informal consultations, facilitated by Clare Hamilton (UK) and Valeria Gonzalez Posse (Argentina), on Wednesday, 9 October, and subsequently addressed in plenary on Thursday, 10 October (UNEP/CBD/WG8J/8/CRP.6). The recommendation was adopted by plenary on Friday, 11 October, without amendments.

Discussions focused on whether to use the term "indigenous peoples and local communities" under the CBD, and on the need for further analysis of possible legal implications before COP 12. The majority of delegations supported the use of the term "indigenous peoples and local communities." The Latin American and Caribbean Group (GRULAC), Togo, Grenada, Benin, Guinea, Gabon and Senegal stated that there is no need to amend the CBD or Nagoya Protocol. Finland, Australia and Spain noted that the new term can be used in CBD COP decisions. Thailand noted that the change in terminology will enhance communication with other international fora already using the term "indigenous peoples." Denmark pointed to consistency of terminology use within the UN system, including with UNDRIP, with Brazil also pointing to the Rio+20 outcome document. Norway added that Ramsar Convention COP 11 also changed its terminology. Senegal underlined the importance of respecting indigenous peoples' rights. Sweden favored referring to indigenous peoples as a key group of traditional knowledge holders, to provide definitional clarity vis-à-vis ongoing work on local communities. The International Forum of Local Communities cited Decision XI/14 as evidence of recognition that indigenous peoples and local communities should be treated and perceived in different ways. China underlined the need to take into account specific national situations.

Canada opposed the change in terminology, pointing to the record of the negotiations of the CBD and the original and current purpose of Article 8(j), namely to focus on *in situ* conservation. Noting that the term ILC is used in the CBD and Nagoya Protocol, Japan requested further information on the need for a change in terminology. Indonesia opposed reopening the discussion and preferred to use Convention terminology because of possible legal implications. The UK stressed the need to ensure that the change in terminology does not explicitly or implicitly amend the CBD or Nagoya Protocol; expressed concern that all implications of the change in terminology have not been sufficiently considered; and recommended compiling implications into a document for COP 12 consideration. France opposed any renegotiation of the CBD and Nagoya Protocol concerning changes in terminology; stressed that a change in terminology in CBD COP decisions would undermine legal coherence; and cited constraints under the French constitution. Sudan proposed maintaining CBD terminology.

The Grand Council of the Crees, speaking for a number of indigenous and human rights organizations, highlighted that: according to international law, the term “peoples” has particular legal implications since all peoples have the right to self-determination; all rights based on customary use should be safeguarded; and distinguishing “established rights” is discriminatory. With the Maritime Aboriginal Peoples Council, he challenged Canada’s position by pointing to the Canadian constitutional reference to “aboriginal peoples.” The IIFB recalled that it had always recommended using the term “indigenous peoples,” since it implies specific rights, such as the right to self-determination, and proposed a new recommendation on using the term in COP 12 decisions and all future documents. Ecoropa supported “indigenous peoples and local communities” as “the spelling for the future.”

During informal consultations, delegates agreed to note that the term “indigenous peoples” is used in UNDRIP and the Rio+20 outcome document, and clarify that there is no intention to reopen the texts of the CBD and its Protocols. They discussed whether to express willingness to consider using “indigenous peoples and local communities” in future COP decisions; and recommend that COP 12 decide on changing the terminology in future COP decisions on the basis of the results of an independent analysis of possible legal implications of this change for the Convention and its Protocols.

Plenary accepted the outcome of the informal consultations, whereby many parties expressed willingness to use the term “indigenous peoples and local communities” in future COP decisions, and some parties needed further information and analysis of the legal implications of the change in terminology in order to make a decision; and the Working Group requested the Secretariat to prepare an independent analysis of such implications, including by seeking advice from the UN Office of Legal Affairs, for COP 12 consideration. France expressed concern that the change in terminology in future COP decisions and documents may have implications for the scope of Article 8(j) and requested that the Secretariat prepare a study addressing: whether the change in terminology would have the same legal effect as an amendment of Article 8(j); and legal implications for parties if new terminology is used in future COP decisions. The African Group expressed preference for continuing to use the terminology of the CBD and Nagoya Protocol, seconding the request to fully analyze legal repercussions of a possible change in terminology.

Final Recommendation: On UNPFII recommendations (UNEP/CBD/WG8J/8/L.7), the Working Group:

- notes the use of the term “indigenous peoples” in UNDRIP and the Rio+20 outcome document;
- affirms that there is no intention to reopen or change the text of the Convention or its Protocols, while noting that many parties expressed willingness to use the terminology “indigenous peoples and local communities” in future decisions and secondary documents under the Convention, and that some parties needed further information on, and analysis of, the legal implications of the use of the term for the Convention and its Protocols in order to make a decision;
- requests the Secretariat to prepare an independent analysis, including by seeking advice from the UN Office of Legal

Affairs, and to make it available to COP 12, to facilitate further consideration of the matter; and

- recommends that the COP: note UNPFII 11 and 12 recommendations; request the Secretariat to continue to inform UNPFII of developments of mutual interest; and decide, at its twelfth meeting, based on the results of the analysis and advice, on the appropriate terminology for future decisions and secondary documents under the Convention.

IN-DEPTH DIALOGUE

On Wednesday, 9 October, John Scott, CBD Secretariat, introduced the panelists for the in-depth dialogue “Connecting traditional knowledge systems and science, such as under the IPBES, including gender dimensions.”

Joji Cario, Forest Peoples Programme, highlighted opportunities arising from community-based monitoring and information systems (CBMIS) and the need for appropriate safeguards, including free PIC and mechanisms for the full and effective participation of indigenous peoples and local communities in knowledge spaces, such as the CBD and IPBES, to mitigate risks arising from unequal power relations between cultures and knowledge systems. In response to a question on how to integrate traditional knowledge in education systems, she emphasized: strengthening indigenous ways of knowledge transmission; engaging elders with traditional knowledge in early childhood education; and concentrating on life skills and political education.

Pernilla Malmer, Stockholm Resilience Center, shared experiences from dialogues across knowledge systems, emphasizing trust, respect, reciprocity, equity and transparency in facilitating cross-fertilization for better ecosystem governance and knowledge generation. She advocated a Multiple Evidence Base approach, complementarity of knowledge systems and respect for mechanisms within each system to evaluate knowledge. Discussion focused on complementarity of different approaches (integration, parallel approaches and co-production of knowledge) in addressing exchanges between knowledge systems, as well as validation of knowledge systems.

Kathy Hodgson-Smith, Metis National Council, presented a research on Metis women’s traditional knowledge, underscoring the need to pay more attention to the gender dimension of traditional knowledge. She explained that the traditional knowledge of women providing, preparing and preserving food, as well as managing land, is often overlooked and underutilized. A discussion followed on norms of respect of knowledge and knowledge holders.

Jennifer Rubis, UNESCO, presented on current activities on indigenous and local knowledge in IPBES, reporting on the June 2013 International Expert and Stakeholder Workshop on the Contribution of Indigenous and Local Knowledge Systems to IPBES, which aimed to rethink relationships between science, and indigenous and local knowledge. She referred to a guide on working with different knowledge systems as one of deliverables for IPBES 2. The ensuing discussion addressed: ways in which science and traditional knowledge can work together; the building of confidence and capacity; and the artificial divide between science and traditional knowledge.

Brigitte Baptiste, Alexander von Humboldt Institute, Colombia, advocated building synergies between knowledge

systems, pointing to a history of conflict of perspectives but also instances of cooperation. She said that IPBES can help build a global community of learning, warned against focusing on utilitarian goals, and called for new “social contracts” for knowledge co-production. The ensuing discussion focused on: the need for dialogue based on respect for indigenous cultures and for empowerment of indigenous peoples; and the use of the term “science” and the types of knowledge systems it covers.

On Friday, 11 October, plenary took note of the summary of the in-depth dialogue (UNEP/CBD/WG8J/8/L.1/Add.1), with Bolivia requesting to add reference to the importance of inter-cultural dialogue and dialogues among different knowledge systems.

CLOSING PLENARY

On Friday, 11 October, plenary adopted the report of the meeting (UNEP/CBD/WG8J/8/L.1), with minor amendments. Japan called attention to the analysis of legal implications of the change in terminology, noting the challenge of giving full consideration to the analysis outcome and making a decision at COP 12.

Canada reiterated his commitment to respecting obligations under the host country agreement and ensuring full participation at CBD meetings, including by facilitating visa procedures.

GRULAC underscored the need to keep the Article 8(j) Working Group active and maintain its particular openness to dialogue with different stakeholders; called for more support to Working Group participants, particularly through capacity building for ILCs to better exercise their rights; emphasized the adoption of the draft plan of action on customary sustainable use; and urged a decision at COP 12 on adopting the term “indigenous peoples and local communities.” Central and Eastern Europe called for increased international cooperation in the implementation of the Article 8(j) work programme, noting the contribution of the Working Group to the achievement of Aichi Target 1 (biodiversity mainstreaming).

The EU welcomed the draft action plan on customary sustainable use; noted progress on the draft guidelines on repatriation, on the contribution of tasks 7, 10 and 12 to the Convention and Nagoya Protocol, and on *sui generis* systems; and remarked that the recommendation on the change in terminology paves the way for a decision to be taken at COP 12. The African Group stressed the need for: an in-depth analysis of the legal implications of a change in terminology; more clarity on repatriation; increased financial resources and facilitation of visa procedures to ensure effective participation at CBD meetings; and the convening of the Article 8(j) Working Group back-to-back with Nagoya Protocol meetings.

The IIFB called for: the change in terminology as a recognition of the identity of indigenous peoples, respect for their cultural diversity and recognition of their historic struggle; further work on *sui generis* systems through community protocols and CEPA; increased work on repatriation, fully respecting indigenous peoples’ rights on traditional knowledge and cultural heritage; continued support for CBMIS; and immediate implementation of the draft plan of action on customary sustainable use. The Asia-Pacific Group congratulated delegates on having achieved consensus on issues on which agreement was impossible a decade ago, and on the inclusive

process allowing contributions from ILCs. The Coordination of the Indigenous Organizations of the Amazon Basin (COICA) urged: the change in terminology under the CBD; collaboration among organizations, parties and the Secretariat in sharing information and building capacity at the local level for the CBD and Nagoya Protocol implementation; and full and effective ILC participation in all work under the Nagoya Protocol.

The International Forum of Local Communities underscored: the need to communicate achievements of the Working Group in a manner accessible to communities on the ground; community protocols; and benefit-sharing as a key to conservation and sustainable use.

CBD Executive Secretary Dias singled out as accomplishments of the meeting: the draft plan of action on customary sustainable use; agreement on the way forward on tasks 7, 10 and 12, which will complement the Nagoya Protocol and other international agreements by fleshing out free PIC and benefit-sharing for traditional knowledge associated with genetic resources; and progress on repatriation, which is a challenging area of work where the CBD can make a difference. He expressed satisfaction at the partnership between parties and ILC representatives during the meeting, noting its importance for the implementation of the Aichi Targets.

Co-Chair Pande congratulated delegates for the constructive atmosphere throughout the week, which allowed keeping to regular business hours; thanked ILCs for being the protectors of nature; and gavelled the meeting to a close at 11:50 am.

SBSTTA 17 REPORT

On Monday, 14 October, SBSTTA Chair Gemedo Dalle Tussie (Ethiopia) encouraged delegates to identify specific scientific and technical needs for the implementation of the Strategic Plan, and avoid focusing on additional tasks that may delay implementation. CBD Executive Secretary Dias urged delegates to use this meeting to: demonstrate that SBSTTA is primarily a scientific body that can provide concrete advice on how to address identified scientific and technical challenges; and better assess the effects of different types of measures and identify actions at national and sub-national levels to achieve the Aichi Targets.

ORGANIZATIONAL MATTERS: On the agenda and organization of work (UNEP/CBD/SBSTTA/17/1 and Add.1-2), Norway reiterated continued support for the Convention but, with Canada, raised concerns about the documentation and proposed format of the meeting, underscoring the need to respect relevant COP decisions and ensure transparency. Belgium proposed conducting a thorough evaluation of the meeting results to conclude whether the new format adds value. Liberia, for the African Group, highlighted the need for consistency with COP decisions, but expressed willingness to test the new format. Mexico, for GRULAC, expressed support for the effort to ensure that SBSTTA becomes more scientific and technical in nature.

Chair Dalle Tussie outlined the proposed new format and organization of work, noting that: the Secretariat will take note in the meeting report of the main issues raised; a limited number of recommendations could also emerge as SBSTTA 17 outcomes; and Friends of the Chair groups could facilitate the drafting of

conclusions on Thursday. Plenary then adopted the agenda and organization of work without amendment.

ELECTION OF OFFICERS: On Friday, 18 October, plenary approved the following nominations to the SBSTTA Bureau, to serve for a term commencing at the end of SBSTTA 17 until the end of SBSTTA 19: Andrew Bignell (New Zealand) for the Western European and Others Group; Lourdes Coya de la Fuente (Cuba) for GRULAC; Moustafa Fouda (Egypt) for the African Group; Snezana Prokic (Serbia) for CEE; and a representative from the Republic of Korea to be named at a later stage, for Asia and the Pacific. Remaining Bureau members include: SBSTTA Chair Gemedo Dalle Tussie (Ethiopia); Alexander Shestakov (Russian Federation); Jean-Patrick Le Duc (France); Brigitte Baptiste (Colombia); and Yousef Saleh Al-Hafedh (Saudi Arabia).

FACILITATING IMPLEMENTATION OF THE STRATEGIC PLAN

Delegates addressed the scientific and technical means for facilitating implementation of the Strategic Plan and its Aichi Targets throughout the week. Following a general introduction, including keynote addresses and a panel on biodiversity monitoring on Monday, 14 October, plenary considered: Strategic Goal A (biodiversity mainstreaming), on Monday; Strategic Goals B (reducing direct pressures on biodiversity and promoting sustainable use) and C (improving the status of biodiversity) on Tuesday, 15 October; and Strategic Goal D (enhancing benefits from biodiversity to all) on Wednesday, 16 October. On Wednesday, each of these Strategic Goals was addressed through a panel presentation followed by country statements. On Wednesday evening, a “small” Friends of the Chair group, comprised of two representatives per region and chaired by Alexander Shestakov (Russian Federation), discussed part of a draft recommendation, regarding the identification of key scientific and technical needs related to the implementation of the Strategic Plan; and a “big” open-ended Friends of the Chair group, chaired by Hesiquio Benitez Diaz (Mexico), agreed on two annexes to the draft recommendation on cross-cutting issues and views on Strategic Goals A to D, identified by parties. Plenary addressed a draft recommendation on Thursday, 17 October, and agreed on a revised draft on Friday, 18 October.

On Monday, the Secretariat introduced documentation on facilitating the implementation of the Strategic Plan and Aichi Targets through scientific and technical means, and assessing the effects of measures taken in accordance with the Convention (UNEP/CBD/SBSTTA/17/2 and 3). He highlighted the Article 8(j) Working Group’s recommendations concerning traditional knowledge indicators and the draft plan of action on customary sustainable use (UNEP/CBD/WG8J/8/L.2 and L.3), as well as the in-depth dialogue on connecting traditional knowledge systems and science (UNEP/CBD/WG8J/8/L.1/Add.1).

KEYNOTE ADDRESSES: IPBES Chair Abdul Hamid Zakri delivered a keynote speech on mobilizing science in support of policies to achieve the Aichi Targets. He stated that properly integrated efforts require dialogue and broad understanding of “planetary boundaries,” as well as agreement on choices and solutions. Observing that SBSTTA has not given sufficient attention to “soft” sciences, he stressed the need to influence and

change behaviors through ways other than scientific knowledge, and to strengthen the science-policy interface across knowledge systems, particularly under IPBES.

Joji Carino, Forest Peoples Programme, reported on the Article 8(j) Working Group’s in-depth dialogue, highlighting innovative ways used by the Working Group to integrate ILC participation as a replicable model for other UN bodies, such as IPBES, and experiences of community-based monitoring and women’s wisdom-sharing.

BIODIVERSITY MONITORING: Robert Scholes, Chair of the Group on Earth Observations Biodiversity Observation Network (GEO BON), reported on the expert workshop on enhancing data and observing systems held on 12 October 2013, in Montreal, Canada (UNEP/CBD/SBSTTA/17/INF/14), highlighting difficulties to find data on particular areas and biodiversity aspects, including transboundary trade, safe ecological limits, climate change impacts on biodiversity, and marine biodiversity. He prioritized the development of a regionally tailored kit on biodiversity observation (“BON in a box”) and of strategies to integrate data remotely sensed and collected *in situ*.

Eugenia Arguedas Montezuma (Costa Rica) reported that expert workshop participants lamented limited training, financial resources and access to information to implement the Strategic Plan. She supported: capacity building for constant monitoring and harmonization of biodiversity indicators; “BON in a box”; and participation by a wide range of partners.

Marc Paganini, European Space Agency (ESA), highlighted the contribution of remote sensing and observation data in monitoring biodiversity trends. He explained how free, open and public data policies can help addressing lack of data continuity.

Reporting on managing and sharing biodiversity information, Donald Hobern, Global Biodiversity Information Facility, stressed that data needs to be appropriately organized and digitally accessible. Noting non-technical barriers, he drew attention to recommendations to governments and funding bodies in the Global Biodiversity Informatics Outlook (UNEP/CBD/SBSTTA/17/INF/4).

Pernilla Malmer (Sweden) presented the Multiple Evidence Base approach as a framework for connecting indigenous, local and scientific knowledge systems. She highlighted benefits of community-based monitoring for assessing the state of traditional knowledge, biodiversity and climate change impacts.

In ensuing discussions, Mexico stressed challenges in monitoring genetic diversity, particularly for species vital for food security and, with Uruguay, noted that monitoring should inform decision making, not be an end in itself.

Tajikistan and Yemen drew attention to limited access to satellite photographs due to high cost, with Yemen stressing the importance of regional cooperation, and user-friendly and accessible monitoring systems. Canada called for information on conflict-resolution mechanisms when different knowledge systems reach diverse conclusions. New Zealand called for information on integration of ecological data with economic decision-making.

Panelists highlighted: the need to acknowledge differing interpretations or lack of consensus; the review of the use of remotely-sensed data for monitoring biodiversity change

(UNEP/CBD/SBSTTA/17/INF/16); ongoing attempts to develop guidelines on eliminating barriers to such use; and the need for policy guidance for monitoring activities.

Colombia noted that coastal and marine ecosystems monitoring has not been properly covered. Bolivia called for: integrating monitoring systems to make available data on progress in achieving the Aichi Targets; focusing IPBES strictly on scientific issues, rather than on ecosystem services that would commodify Mother Earth; and using inter-scientific dialogue without undervaluing traditional knowledge.

The UK welcomed GEO BON activities and the commitment of ESA and the National Aeronautics and Space Administration (NASA) to an open policy regarding remote-sensing data; called for prioritizing a global indicator framework for achieving the Aichi Targets; and encouraged improving cooperation between SBSTTA and IPBES. The IIFB highlighted support by the Article 8(j) Working Group for community-based monitoring and called for harnessing expertise to extend coverage to other communities. The Asia-Pacific Group invited GEO BON to take note of different capacity needs in monitoring biodiversity status and trends. The EU highlighted: the adoption of EU-wide targets in line with the Aichi Targets, and a governance system to ensure their implementation; and a 2012 mapping assessment of ecosystems and ecosystem services. Finland and Lithuania called for effective use of existing tools under each Strategic Goal.

STRATEGIC GOAL A – BIODIVERSITY

MAINSTREAMING: Panel Discussion: On Monday, Panel Chair Risa Smith (Canada) opened the session on Strategic Goal A. Tone Solhaug (Norway) reported on the 2013 Trondheim Conference on Biodiversity (UNEP/CBD/SBSTTA/17/INF/5), underlining the need to: fully understand costs and benefits of policies; address externalities; adopt different values in national reporting systems, beyond Gross Domestic Product (GDP), to capture biodiversity values; and showcase positive examples to stimulate better involvement of the private sector. She stressed the opportunity to integrate biodiversity into the post-2015 Development Agenda process and Sustainable Development Goals (SDGs).

Somanegré Nana (Burkina Faso) presented on his country's biodiversity integration into national accounts and NBSAPs and a proposed think tank to promote green economy. Valerie Hickey, World Bank, underscored prioritization of biodiversity by the High-level Panel of Eminent Persons on the Post-2015 Development Agenda and suggested consideration of an indicator for biodiversity resilience. Stanley Asah, University of Washington, presented on awareness and behavioral change. He called for understanding the motivations for, and drivers of, human behavior towards biodiversity, in order to produce sustainable changes in biodiversity protection.

The Global Forest Coalition urged addressing policy incoherence. Bolivia cautioned against using a single development model and conceptualizing ecosystems only in terms of environmental services and markets. Tunisia stressed that public-awareness and behavioral-change campaigns cannot exist in isolation from supportive measures to benefit local populations. Colombia recommended framing multicultural projects according to the Aichi Targets.

The IIFB emphasized the need for: greater coordination in awareness raising; behavioral change to forge equitable relationships with ILCs; and recognition of multiple knowledge systems. Pacific Islands called for capturing both economic and non-economic incentives, and providing assistance for meaningful implementation of the Aichi Targets in the region.

Statements: The Secretariat introduced the document on Strategic Goal A (UNEP/CBD/SBSTTA/17/2/Add.1). Pacific Islands called for innovative, targeted and practical capacity building and timely resource mobilization. Japan, the Republic of Korea, Lithuania, Finland, Brazil and Belgium supported effective use of existing tools rather than developing new ones, with France suggesting establishing an inventory and Canada recommending a pilot study on assessing the effects of measures and a compilation of self-assessment methods. The Republic of Korea expressed hope that the meeting's outcome will inform the possible development of a Pyeongchang roadmap for achieving the Aichi Targets to be adopted at COP 12. Liberia, for the African Group, recommended that the Secretariat: assist parties in training activities; establish regional centers of excellence for biodiversity; and encourage strengthening South-South collaboration on data-exchange.

India highlighted interoperability of scientific data as a challenge and supported further exchange of national experiences on assessments. The UK and New Zealand supported further work on behavioral change. China called for further understanding harmful incentives and developing indicators on sustainable consumption. Lithuania called for developing guidance on identifying harmful incentives, while Finland prioritized cooperation and information exchange.

Lithuania called for reviewing and synthesizing existing awareness-raising methods and developing new methods to translate biodiversity awareness into behavioral change. Switzerland called for assessing and integrating biodiversity aspects into sustainable consumption information. Japan highlighted the challenge of translating general global guidance on sustainable production and consumption into tailored national policies. Lithuania pointed to effective sector-engagement methods to translate general guidance into national tools. Sweden highlighted the Ten-year Framework of Programmes on Sustainable Consumption and Production Patterns.

STRATEGIC GOAL B – SUSTAINABLE USE: Panel Discussion: On Tuesday, 15 October, Yousef Saleh Al-Hafedh (Saudi Arabia) chaired the panel on Strategic Goal B. Carlos Alberto de Mattos Scaramuzza (Brazil) presented on reducing deforestation in the Brazilian Amazon, highlighting that remote-sensing centers enable law enforcement, including early-detection systems, forest degradation mapping, and systems to detect logging. Emmanuel Bayani Ngoyi (Gabon) shared his country's strategic and legal measures to reduce pressures from forestry, mining, agriculture and fishing activities. Jake Rice (Canada) shared experiences concerning Aichi Target 6 (sustainable fisheries), emphasizing the need to monitor fish catches, carry out surveys to assess trends, and report on existing policies and measures.

Linda Collette, Secretary of the Food and Agricultural Organization (FAO) Commission on Genetic Resources for Food and Agriculture (CGRFA), underscored the need for a more

productive and less wasteful agricultural sector, taking advantage of natural biological processes and minimizing pesticide use. Gunn-Britt Retter, Saami Council, welcomed the adoption of the draft plan of action on customary sustainable use by the Article 8(j) Working Group, noting that its implementation is needed for Strategic Goal B and Target 18 (traditional knowledge).

In ensuing discussions, Costa Rica called attention to measures to avoid “green deserts” and ensure the good state of ecosystems in reforested areas. Guatemala identified illegal livestock management as a major driver of deforestation and called for further sharing lessons learned around protected areas (PAs). Mexico highlighted the need to work with local communities to ensure law enforcement and avoid corruption.

Statements: The Secretariat introduced the document on Strategic Goal B (UNEP/CBD/SBSTTA/17/2/Add.2). Thailand underscored the importance of monitoring with regard to several targets. Finland called for strengthening implementation of relevant COP 11 decisions and, with Belgium, addressing land-use change in a more integrated way. Uganda highlighted capacity building for monitoring and valuation, and inter-institutional coordination, in its NBSAP review process. Bolivia drew attention to its assessment of ecosystem functions, and monitoring systems drawing on biocultural local initiatives. New Zealand reported on public-private partnerships, development of biodiversity-offset mechanisms, voluntary schemes for industry, and promotion of research. Switzerland called, with the UK, for improving the indicator system and, with Norway, for supporting voluntary peer review. Norway highlighted: the need for long-time data series and free and open access to all types of knowledge; and raising awareness through “citizen science.” Tanzania highlighted the need for transfer of technologies complemented by traditional knowledge, and stakeholder involvement.

Brazil encouraged promoting available support tools and adjusting them to national circumstances, and increasing collaboration to harmonize the use of indicators across countries. She supported an interactive platform on the CBD website for exchanging parties’ experiences in implementing the Aichi Targets. The UK urged exploiting growing accessibility of remote-sensing techniques. Belgium called for improving *in situ* observation, availability of indicators, and gathering systems and tools. Colombia called on SBSTTA to promote more actively principles of open and collaborative science, and improve communication of research findings to societies.

On Target 5 (habitat loss), Mexico expressed the need to strengthen national land-planning instruments and enforcement. Japan lamented unclear definition of natural habitat and limited monitoring tools on habitat degradation. Canada supported development of small-scale monitoring tools and consideration of proposed monitoring guidelines. Pacific Islands drew attention to gaps in monitoring habitat loss and in translating global marine spatial planning tools into national and regional contexts.

On Target 6, Lithuania recommended coherent action between biodiversity and fisheries stakeholders. Mexico stressed the need for effective monitoring systems and a comprehensive approach to marine and coastal management. Canada indicated the need to develop more cost-effective means of monitoring marine biodiversity.

On Target 7 (sustainable agriculture, aquaculture and forestry), Thailand called for action to achieve policy coherence. Lithuania suggested promoting traditional agricultural practices and reviewing existing guidance on sustainable agriculture. Finland and Mexico drew attention to certification schemes. Canada called for using a small number of globally consistent indicators, and cautioned against creating barriers to trade. Pacific Islands urged recognition and consideration of traditional management systems. Ethiopia called for a policy tool to help balance the needs to increase productivity and conserve biodiversity. Argentina stressed the benefits from collaborating with production and environmental sectors, and ensuring benefits for local communities.

On Target 8 (pollution), Mexico called for more work on understanding the correlation between specific ecosystem deterioration and pollutants. Switzerland proposed consideration of soil protection-related standards. Egypt emphasized water treatment and purification facilities. Mali stressed the need to evaluate the quality of tools adopted. Sweden noted that the effects of many pollutants and their combinations on biodiversity are unknown.

On Target 9 on invasive alien species (IAS), Lithuania suggested identifying insufficiencies in the current policy framework and developing relevant guidance. Finland stressed that Decision XI/28 (IAS) identifies concrete steps to achieve the Target. Mexico called for moving from identification to management and control of IAS. Japan favored focusing on different sectors and cost effectiveness in IAS impact assessments. Switzerland called for integrating the polluter-pays principle. China highlighted lack of verification techniques and technologies, and requested that the Secretariat guide the development of support tools. Noting that existing guidance is not sufficient to prevent introduction and establishment of IAS, Sweden called for addressing gaps in the international regulatory framework. Uruguay called for a step-by-step eradication process. Belgium called for guidance and tools for identifying IAS.

On Target 10 (ecosystems impacted by climate change), the EU called for urgent action on coral reefs. Switzerland, supported by Austria and Peru, stressed that mountain ecosystems should be considered, noting their vulnerability to climate change. Pacific Islands highlighted information gaps on ocean acidification.

STRATEGIC GOAL C – IMPROVING THE STATUS OF BIODIVERSITY: Panel Discussion: On Tuesday, 15 October, Nenenteiti Teariki-Ruatu (Kiribati) chaired the panel on Strategic Goal C. Patrick Halpin, Duke University, stressed the difference between ecologically or biologically significant marine areas (EBSAs) and marine PAs. Piers Dunstan, Commonwealth Scientific and Industrial Research Organisation, described possible use of EBSAs for identifying and mapping pressures and threats, prioritizing indicators, modeling causes and effects, and assessing risks and management options. Roxana Solis Ortiz (Peru) reported on her country’s experiences in planning PA networks, involving selection of priority zones, stakeholder engagement and studies.

Jane Smart, IUCN, reported on consolidating nationally identified key biodiversity areas of global significance to help

achieve all Aichi Targets, but particularly Target 11 (PAs). Regarding Target 12 (threatened species), she described the IUCN's Red List of Threatened Species as "a wake-up call" and a useful measure of progress. Brad Fraleigh, outgoing CGRFA Chair, presented on CGRFA work relevant to Target 13 (genetic diversity of cultivated plants, farmed and domesticated animals, and their wild relatives), including indicators. Claudia Marcela Sanchez Medina (Colombia) presented on the IUCN's Green List of Well-managed Protected Areas as a means to communicate success in PA management.

Tunisia pointed out challenges in implementing the Red List due to its non-binding status. Costa Rica drew attention to challenges in tracking and protecting genetic diversity, particularly due to fragmentation of habitats. The IIFB said indigenous peoples and local communities are custodians of lands and resources and should be included at all levels of PA management and governance, respecting their free PIC.

Statements: Bosnia and Herzegovina recommended that the COP support the improvement of national data on biodiversity. China stressed the need to enhance capacity for PA management, and requested the Secretariat to provide more technical support and case studies for reference purposes. India highlighted the importance of indigenous livestock breeds, and challenges regarding communication strategies and institutional capacities. Belgium stressed the need to address direct and indirect pressures on species, and to better address illegal trade.

On Target 11 (PAs), Switzerland raised concerns about terminology used in the Secretariat's note. Canada expressed interest in reporting methods used by other parties. Belgium called for further studies on developing guidelines and tools for land and water ecosystems management. Costa Rica reported on improving representativity of its PA network and reviewing management strategies. Finland called for better integration of indigenous and community-conserved areas, improved law enforcement to safeguard PAs threatened by industrial activities, and research on interlinkages between PA management and climate change policies. Ethiopia called for policy tools integrating forest conservation and options for alternative livelihoods. Nepal highlighted community-managed forests and successes in transboundary landscape management. South Africa stressed the need to enhance synergies between the CBD and other biodiversity-related conventions, with the UK noting the Ramsar Convention. Uruguay stressed the importance of South-South cooperation.

On Target 12 (threatened species), Canada called for better understanding the impacts of IAS and climate change, as well as the role of the ecosystem approach in recovery plans. The UK urged awareness of, and engagement with, the Convention on International Trade in Endangered Species (CITES). Lithuania noted the broad scope of Target 12 and encouraged data collection on, and effective action to reduce, pressures on affected species. Pacific Islands called for exploring innovative ways and building capacity to utilize, at the national level, tools developed under the CBD. Conservation International suggested using camera traps as a low-cost and effective means to monitor biodiversity. Japan emphasized the usefulness of a gap analysis in his country's conservation of threatened species. Thailand urged protection of habitats. Uganda urged support to update

an inventory of threatened species. The IUCN National Red List Group recommended creating and updating national red lists. WWF expressed concern about the global crisis in species reduction.

On Target 13 (genetic diversity of cultivated plants, farmed and domesticated animals, and their wild relatives), France called for *in situ* data collection and participatory science. Belgium emphasized *in situ* conservation and called for continued development of tools for identifying species. Japan lamented the lack of international mechanisms and global assessments. Lithuania called for decreasing market pressures. Finland highlighted serious implications for agriculture, food security and climate change adaptation from declining genetic diversity of domesticated species. Mexico stressed the need to value genetic diversity and acknowledge that traditional production methods add value to agriculture. The Philippines stressed the importance of smallholder farmers, pastoralists, and indigenous peoples and local communities in safeguarding genetic diversity. Thailand highlighted the need for further guidance on conservation of resources of socio-economic importance, and advising farmers on conservation of biodiversity.

STRATEGIC GOAL D – ENHANCING BENEFITS:

Panel Discussion: Brigitte Baptiste (Colombia) chaired the panel discussion on Wednesday, 16 October. Ben Ten Brink (Netherlands) presented on land restoration in terms of trade-offs, illustrating the dilemma of competing claims on land and assets over the next decades. Jing Xu (China) presented on China's experiences in ecosystem restoration, applying a top-down approach and involving local governments in phased project implementation. Malta Qwathekana (South Africa) presented South Africa's experience with linking conservation, water security and social responsibility through programmes focusing on skill development, job creation, gender empowerment and poverty eradication. Maria Yolanda Terán Maigua (Ecuador) presented examples on how indigenous peoples and local communities develop traditional knowledge and practices to protect biodiversity.

In ensuing discussions, Iraq drew attention to land rehabilitation and enquired about experiences in management of shortfalls in water flows. Yemen and others raised questions about technology for, and costs of, land restoration. Bolivia suggested reflecting in the outcome of the meeting the challenge of putting goods from communities' production systems on the market.

Statements: Australia underlined the relevance of monitoring soil microbial communities and further understanding land-use impacts on soil ecosystems. The CBD Alliance hoped for more regionally-balanced expert selection and further stakeholder integration in future meetings. The IIFB recommended acknowledging ecosystems' contribution to cultural values and the contribution of such values to the maintenance of ecosystem services; and addressing the effects of nuclear energy on biodiversity, particularly marine species. The Ramsar Convention noted the need for global comprehensive wetland mapping.

On Target 14 (ecosystem restoration), Nepal suggested using tools and methodologies developed under Target 11, and urged specific work on mountain ecosystems. South Africa described ecosystem restoration as an indispensable

complement to conservation in achieving the Aichi Targets. The UK called for integrating ecosystem restoration with poverty alleviation. Guatemala highlighted the need to improve capacity in ecosystem restoration. Japan drew attention to the Satoyama Initiative, promoting sustainable use in socio-ecological production landscapes and seascapes. Lithuania noted challenges in identifying and prioritizing ecosystem services essential for human well-being and, with Belgium, called for focusing on socio-economic benefits of ecosystem restoration. Finland and the UK recommended enhancing understanding of how ecosystem services provide benefits for human health. Thailand lamented lack of attention to monitoring ecosystem functions. Pacific Islands called attention to the cultural and spiritual value of ecosystems and their role in climate change adaptation. Uganda explained restoration would benefit from up-scaling ecosystem payments, capacity building and involvement of local communities. Madagascar highlighted restoration needs of mining and oil exploration sites.

On Target 15 (ecosystem resilience), Mexico pointed to lack of experience in restoration work, particularly with regard to marine and coastal ecosystems, and urged the SBSTTA Chair's involvement in IPBES thematic assessment of degradation and restoration. Lithuania noted the need for further development of tools and taking into account the location and extent of degraded lands. Finland urged further development of tools to assess benefits for human well-being. Thailand called for criteria for degraded ecosystems. South Africa said that the biodiversity sector needs to address adaptation and vulnerability of ecosystems to climate change. Canada urged developing additional indicators on combating desertification and better understanding degraded ecosystems. Norway recommended better understanding ecosystem resilience in terms of stocking carbon over time, including an indicator on resilience. Belgium suggested compiling restoration methods and best practices.

On Target 16 (Nagoya Protocol), Argentina underscored national efforts to develop an adequate legal framework, as well as progress towards ratifying the Protocol.

DISCUSSION OF THE DRAFT RECOMMENDATION:

On Thursday, 17 October, Alexander Shestakov reported to plenary on Wednesday evening's "small" Friends of the Chair group, which agreed on part of the text of a draft recommendation reflecting key scientific and technical needs in implementing the Convention, as expressed in plenary discussions. Hesiquio Benitez Diaz reported on the "big" Friends of the Chair group, which agreed on two annexes to the draft recommendation, on cross-cutting issues and on a summary of views on the Strategic Goals, respectively. Plenary considered the draft recommendation paragraph by paragraph.

With regard to the identified key scientific and technical needs, China proposed underscoring the need for improving methodologies for assessing the status and trends of threatened species and ecosystem hotspots, and conservation gaps; with Bolivia recommending reference also to "ecosystem functions" and the UK to "ecosystem services and human well-being." Canada and Mexico objected to limiting the reference to "threatened" species. Parties eventually agreed to underscore the need for improving and promoting methodologies for assessing the status and trends of species and ecosystem hotspots, and

conservation gaps, as well as ecosystem functions, ecosystem services and human well-being at the national, regional and global levels.

On planning and mainstreaming, the African Group, supported by the Russian Federation and Belgium, preferred improving planning tools through "biodiversity safeguards, methods and tools and spatial planning," rather than through "inclusion of biodiversity concerns in spatial planning." Belgium suggested adding reference to mainstreaming biodiversity into sustainable development and "other relevant policy sectors," as well as adding reference to "marine" planning with regard to land use and coastal planning. Bolivia requested reference to "ecosystem functions," along with ecosystem services. Parties agreed to these amendments.

On maintenance, conservation and restoration of ecosystems, Mexico, opposed by Belgium and Norway, requested specific reference to marine and coastal ecosystems in relation to better understanding ecosystem processes, functions and their implications and to improved methodologies and indicators for monitoring ecosystem resilience and recovery. The UK, supported by Austria and Senegal, proposed a broader reference to "vulnerable ecosystems," which delegates approved.

On understanding and using economic instruments, Egypt proposed adding reference to their use in poverty eradication strategies, which delegates agreed to. Sweden and Liberia suggested reference to the need for tools to develop positive incentives.

On ways to draw on relevant traditional knowledge to complement scientific knowledge, Canada and France, opposed by Mexico and Bolivia, raised concerns about reference to PIC. Following lengthy discussions, Norway and Mexico suggested, and delegates agreed to, referring to CBD language on "the approval and involvement of the holders of such knowledge, innovations and practices," rather than PIC.

Bolivia proposed new text underlining the need to strengthen other visions, models and tools, including non-market-based approaches for the maintenance of ecosystem functions. Canada and Japan questioned reference to non-market-based approaches. Switzerland, Finland and the UK cautioned against creating confusion with the "vision" of the Strategic Plan. Following informal consultations, Bolivia proposed, and delegates accepted, new text on the need to strengthen non-monetary valuation tools and methodologies for the maintenance of ecosystem functions.

Delegates addressed the status of the annexes, including Annex I on cross-cutting issues identified by parties and Annex II on views on Strategic Goals. Austria cautioned against de-emphasizing the annexes. Belgium expressed concern that the annexes are not consensual. Portugal proposed, and delegates agreed, to recommend that COP 12 "take note of" them.

On the Aichi Targets providing readily available elements that could be integrated into the SDGs, Japan, Canada, Switzerland, the EU and Finland proposed, and delegates agreed, to clarify that SDGs are "still under development."

On Target 10, the EU emphasized the Target's 2015 deadline. The UK suggested, and delegates agreed, to note that SBSTTA 18 will consider the urgent need to implement Target 10 as part of its work to update the specific work plan on coral bleaching.

Liberia proposed that SBSTTA also consider the issue in the context of the systematic review document on the impacts of ocean acidification on biodiversity and ecosystem functions.

With regard to a list of requests to the Secretariat, delegates debated whether SBSTTA could request the Secretariat directly or should recommend that the COP do so. Regarding a recommendation that COP 12 invite GEO BON to engage with parties on observing systems and biodiversity monitoring, the IIFB suggested, and delegates agreed, that GEO BON should also engage with ILCs and other relevant stakeholders.

Delegates discussed at length a request to organize a meeting of the *Ad Hoc* Technical Expert Group (AHTEG) on Indicators, including the focus and timing of the meeting. The UK suggested that SBSTTA request COP 12 to convene the AHTEG, while the Russian Federation and Finland preferred convening it before COP 12, highlighting the urgency of developing missing indicators. Switzerland, with Mexico, Canada and Colombia, suggested requesting the Secretariat to prepare the AHTEG's terms of reference (TORs) for consideration by COP 12. Delegates finally agreed that SBSTTA would request the Secretariat to report to COP 12 on progress in carrying out its tasks under Decision XI/3 (monitoring progress in implementing the Strategic Plan) and, taking into account the use of indicators in the fifth national reports and GBO-4, prepare TORs for a meeting of the AHTEG on Indicators.

Regarding a request to continue collaborating with the Biodiversity Indicators Partnership, GEO BON, FAO, IUCN and others to fill gaps in coverage of indicators for all Aichi Targets, Sweden supported reference to the IIFB Working Group on Indicators. The UK preferred to facilitate timely collaboration, with a view to filling the gaps by 2014. The EU preferred that SBSTTA, rather than COP 12, make this request to the Secretariat. Delegates agreed to these amendments.

On a request to analyze methodologies used in self-assessments of the Convention's implementation in fourth national reports, Japan recommended also using the fifth national reports, with Canada suggesting that SBSTTA request the Secretariat directly. Eventually, delegates agreed that SBSTTA would request the Secretariat to include in its analysis of the fourth and fifth national reports an analysis of methodologies used in self-assessments of progress towards the Convention's implementation contained in those reports. Belgium recommended, and parties agreed, to make the information available to the next meeting of the Working Group on Review of Implementation (WGRI) and COP 12, as appropriate.

Delegates debated at length, and eventually agreed to delete, text on SBSTTA preparing TORs for a possible voluntary mechanism to review implementation of the Strategic Plan at the national level, with a view to providing targeted guidance to countries. On undertaking pilot assessments of the effects of measures taken in specific thematic areas or case studies, Norway and the UK suggested that the task be allocated to the WGRI. Australia and Canada proposed, and delegates agreed, to delete the text.

The EU, with Senegal, proposed deleting a request to review national experience in the evaluation of policy effectiveness. Canada, with Japan, proposed using information contained in the fifth national reports. After consultations, the Russian Federation

suggested, and delegates agreed to, recommending that the COP request the Secretariat to review national experiences in the use of tools to evaluate effectiveness of policy instruments for the delivery of the Strategic Plan, using information in the fourth and fifth national reports.

The EU suggested deleting the request for a report on possible ways and means to address challenges. Brazil preferred the report to address the key scientific and technical needs identified. Argentina, supported by India, Mali and Senegal, called for retaining language on the capacity-building needs of developing countries, in particular least developed countries and small island developing states, and countries with economies in transition. Delegates eventually agreed to recommend that the COP request the Secretariat to prepare a report on possible ways and means to address the key scientific and technical needs and to strengthen scientific and technical capacities and new, predictable and adequate funding. Norway suggested, and delegates agreed to, new language requesting the Secretariat to evaluate the experience of SBSTTA 17.

On Annex I on cross-cutting issues, the African Group proposed referring to tools and methodologies for achieving not only sustainable production, but also consumption; and not only integrated land-use planning, but also sustainable land management. Indonesia recommended referring not only to food security, but also to food sovereignty. Argentina, Belgium and Bolivia proposed to submit minor corrections to the Secretariat, cautioning against negotiating the text of the annexes. Canada recalled that the mandate of the Friends of the Chair group was to consider ideas already presented in plenary, and urged delegates to refrain from submitting new ideas. Norway and the UK proposed titling Annex I "Collation of views from parties on cross-cutting issues." The African Group opined that the annexes are a summary of parties' views. Delegates eventually decided to title Annex I and II "Cross-cutting issues identified by parties" and "Views on the Strategic Goals identified by parties," respectively.

On Friday morning, plenary considered a revised draft recommendation. Debate focused on language stating that addressing scientific and technical needs will require "new, predictable and adequate funding." Canada, with Switzerland and Sweden, argued that funding-related issues do not fall under SBSTTA's mandate, and requested deletion. Argentina, Peru, Senegal, Egypt, Bolivia, Brazil, China, Malaysia, India and Peru underlined that the language was already agreed during Thursday's proceedings. Supporting the text, South Africa, the Russian Federation, Mexico and Belgium noted that the text reflected a statement of fact, rather than a request for funding. As a compromise, Argentina, supported by Austria, suggested retaining the reference and, in turn, deleting reference to funding needs as part of the Secretariat's report on possible ways and means to address the key scientific and technical needs and strengthen capacities. Following informal consultations and on the basis of the Argentinian proposal, plenary agreed to: retain the former reference and delete the reference to funding needs in relation to the recommended Secretariat report on ways and means to address scientific and technical needs and strengthen capacities.

On requesting the Secretariat to conduct an evaluation of the SBSTTA 17 approach and format, Belgium supported reporting to COP 12. Under cross-cutting issues identified by parties, Canada proposed, and delegates agreed, to delete specific reference to countries that are centers of origin, with regard to establishing and sustaining biodiversity observing systems at national, global and regional levels. Under views on Strategic Goal A, on measures to foster policy coherence among different sectors, Canada proposed, and delegates agreed to, revised text on such measures having “proved useful, for example, in balancing agricultural intensification and in promoting small-scale ecosystem-related production systems.” Plenary then adopted the recommendation as amended.

Final Recommendation: In the recommendation on scientific and technical needs related to the implementation of the Strategic Plan (UNEP/CBD/SBSTTA/17/L.2), SBSTTA states that it considers these needs in the overarching context of the vision of the Strategic Plan; any actions or measures to address these needs should focus on sharing and applying existing tools and methodologies that may require adaptation to specific national circumstances, respecting the sovereign right of countries to choose their own approaches, visions, models and tools; and addressing these needs will require strengthening scientific and technical capacities and new, predictable and adequate funding.

SBSTTA identifies key scientific and technical needs, including on:

- better ways to draw on social sciences;
- more accessible, affordable, comprehensive, reliable and comparable data and information streams;
- evaluation and assessment of the status and trends of species and ecosystems;
- improvement of planning and mainstreaming;
- better integration of science and policy-making;
- better understanding of ecosystem processes and functions and their implications for ecosystem conservation and restoration;
- better understanding of the performance of economic instruments, and improved guidance and tools to develop positive incentives and eliminate harmful ones;
- better ways to include relevant traditional knowledge systems;
- fostering improved scientific and technical cooperation; and
- strengthening non-monetary valuation tools and methodologies for the maintenance of ecosystem functions.

SBSTTA also recommends that COP 12 take note of the key scientific and technical needs and of the collation of parties’ views in the annexes; and invite GEO BON to engage with parties, ILCs and other relevant stakeholders on building observation systems and biodiversity monitoring. It further recommends that the COP request the Secretariat to: prepare a report on ways and means to address scientific and technical needs and strengthen capacities; further enhance the Convention’s Clearing-house Mechanism; convene a meeting of the AHTEG on Indicators; and review national experience in the use of tools to evaluate the effectiveness of policy instruments for delivering the Strategic Plan.

SBSTTA requests the Secretariat to:

- facilitate timely collaboration with the Biodiversity Indicators Partnership, GEO BON and other relevant organizations, including the IIFB Working Group on Indicators, with a view

to filling gaps in coverage of indicators for all Aichi Targets by 2014;

- undertake regional capacity-building activities and training on monitoring and managing biodiversity;
- prepare possible TORs for a meeting of the AHTEG on Indicators for consideration by COP 12;
- report to WGRI and COP 12 on the methodologies used in self-assessments of progress included in the fourth and fifth national reports; and
- conduct an evaluation of the approach and format used in SBSTTA 17.

It further notes that the Aichi Targets provide readily available elements for the SDGs currently under development; and that Target 10 will be considered at SBSTTA 18 as part of the process of updating the specific work plan on coral bleaching and in the context of the systematic review document on the impacts of ocean acidification on biodiversity and ecosystem functions.

Annex I contains cross-cutting issues identified by parties, including on: policy tools and guidance; data, monitoring, observation systems and indicators; challenges; success stories; and assessing the effects of types of measures taken under the Convention. Annex II contains views identified by parties on each individual target under Strategic Goals A through D.

NEW AND EMERGING ISSUES

This item was first taken up in in plenary on Wednesday, 16 October, and a draft recommendation was considered in plenary on Friday, 18 October. The Secretariat drew attention to a submission on the impacts of neonicotinoid pesticides on pollinators (UNEP/CBD/SBSTTA/17/2). Mexico, with Brazil, suggested either addressing the issue under the pollinator initiative of the work programme on agricultural biodiversity or forwarding it to IPBES for consideration under its proposed fast-track assessment on pollination and food production. Lithuania and the African Group agreed that IPBES could address the issue, with Canada and Belgium also drawing attention to the work of the IUCN Task Force on Systemic Pesticides.

During Friday’s plenary, Argentina suggested clarifying that SBSTTA will not take up the issue of the impacts of neonicotinoid insecticides on biodiversity as a new and emerging issue. Delegates agreed to note that while the issue meets the criteria for new and emerging issues, SBSTTA recommends to the COP that this issue should not be put on the SBSTTA agenda as a new and emerging issue, but could be addressed within the framework of the CBD work programme on agricultural biodiversity and its International Initiative for the Conservation and Sustainable Use of Pollinators.

On an invitation to IPBES to address the issue, the UK recommended that COP 12, rather than SBSTTA, invite IPBES. Mexico noted that COP 12 will meet after the IPBES work programme is defined at the upcoming IPBES second plenary meeting in December 2013. He suggested that the invitation be made to the MEP, with France adding that SBSTTA could request the SBSTTA Chair in his capacity as member of the MEP to bring the matter to the attention of IPBES and the MEP. Mexico recommended that the Secretariat inform COP 12 of the results. Belgium proposed including reference to relevant work on the impact of systemic pesticides, such as the IUCN Task Force on Systemic Pesticides.

Final Recommendation: In the recommendation on new and emerging issues (UNEP/CBD/SBSTTA/17/L.3), SBSTTA recommends to the COP that the impacts of neonicotinoid insecticides on biodiversity, while meeting the criteria for new and emerging issues, should not be considered as a new and emerging issue for the SBSTTA agenda, but should be addressed within the framework of the work programme on agricultural biodiversity and its International Initiative for the Conservation and Sustainable Use of Pollinators. SBSTTA further requests the Secretariat and the SBSTTA Chair in his capacity as member of the MEP to bring the matter of the impacts of neonicotinoid insecticides on biodiversity, and in particular on pollinators, to the attention of the IPBES Secretariat and the MEP, and to report to COP 12. SBSTTA finally recommends taking into account relevant work on impact of systemic pesticides, such as the work of the IUCN Task Force on Systemic Pesticides.

GLOBAL BIODIVERSITY OUTLOOK 4

Progress in the preparation of GBO-4 was discussed in plenary through a panel discussion on Wednesday, 16 October, chaired by Jean-Patrick Le Duc (France), on the basis of a progress report by the Secretariat (UNEP/CBD/SBSTTA/17/5). A report on EBSAs was also presented (UNEP/CBD/SBSTTA/17/6). GBO-4 was considered in the draft recommendation on IPBES, while EBSAs were addressed in the summary of views on Strategic Goal C in the annex to the recommendation on scientific and technical needs for implementing the Strategic Plan.

Paul Leadley, University of Paris, presented on the state of work on GBO-4 from the perspective of the Scenarios Consortium, pointing out that the analysis suggests opportunities to protect biodiversity, mitigate climate change and increase human well-being simultaneously. Jan Plesnik (Czech Republic) reported on the second meeting of the GBO-4 Advisory Group (UNEP/CBD/SBSTTA/17/INF/17) and said main findings will be presented at the World Water Forum, World Forestry Congress and World Conference on Indigenous Peoples.

Japan and France supported including in the GBO a compilation of national reports to assess progress towards the Strategic Plan. Germany suggested SBSTTA evaluate the GBO process in light of GBO-4 and ongoing work by IPBES, noting, with Norway, the Netherlands and Lithuania, that a decision on future GBOs is premature.

CONTRIBUTION TO IPBES

The CBD contribution to the IPBES intersessional process was first addressed in plenary on Wednesday, 16 October, through a panel discussion, on the basis of the document jointly prepared by the Secretariats of the Convention and IPBES (UNEP/CBD/SBSTTA/17/4/Rev.1). A draft recommendation was addressed and adopted in plenary on Friday, 17 October. Parties discussed, among other issues: ways to collaborate with IPBES in setting priorities for its assessments, and interlinkages between IPBES assessments and the GBO.

Jerry Harrison, UN Environment Programme (UNEP) World Conservation Monitoring Centre (WCMC), on behalf of the IPBES Interim Secretariat, updated participants on the Platform's conceptual framework and initial work programme. Anne-Helene Prieur-Richard, DIVERSITAS, presented on the international

programme for biodiversity science, "Future Earth," as a key scientific partner to generate new knowledge for the CBD and IPBES. Robert Lamb, UNEP, presented on the Biodiversity Mapping Tool developed by the Environment Management Group, bringing together contributions from various UN agencies to achieve the Aichi Targets in a collaborative manner.

Bolivia recommended that IPBES: take into account approaches involving balance with Mother Earth; and focus on new management dynamics, sustainable use of biodiversity and assessing relevant tools and methodologies, taking into account a holistic perspective. The UK, with Norway, recalled that IPBES work should be policy-relevant, not prescriptive, and serve multiple demands beyond those of the CBD. The Netherlands supported taking a bottom-up approach in the global assessment of ecosystem services, and creating links with regional stakeholders.

The Ramsar Convention, speaking for the Meeting of the Chairs of Scientific Advisory Bodies of Biodiversity-related Conventions, supported their involvement in prioritization of themes for IPBES assessment, so that IPBES can "speak out to the different multilateral environmental agreements." The Netherlands proposed prioritizing land use, food security and ecosystem restoration for IPBES assessment.

Brazil, supported by Argentina, said the relevant meeting document required further work and did not agree with issues prioritized for IPBES assessment. Brazil preferred prioritizing:

- global assessment of ecological and socio-economic implications of trends in pollinator populations and assessment of options to achieve Strategic Goal A;
- development of policy support tools for promoting awareness and change towards sustainable consumption, for integrating soil biodiversity issues into agricultural policies, and for integrating biodiversity values into development and poverty reduction strategies; and
- research on biodiversity and ecosystem functions and services, and their relationship to human well-being.

Mexico argued that the CBD should prevent important issues, including migratory species, pollinators and insecticides, from "slipping off the page." Thailand suggested further work on terminology to ensure wider use of ecosystem assessments.

During Friday's plenary, Argentina, supported by Brazil, suggested deleting language noting that the relevant meeting document provides information relevant to the Convention that may be considered as IPBES develops its work programme.

On welcoming IPBES assessments, Mexico suggested welcoming not only regional and global, but also "thematic" assessments, as well as the development of tools. Mexico, Brazil and South Africa supported inclusion of Objectives 2 and 3 of the IPBES draft programme of work (strengthening the science-policy interface at and across subregional, regional and global levels, and with regard to thematic and methodological issues). Switzerland, supported by Norway and Sweden, recommended a general statement to welcome the proposed work programme of IPBES without singling out objectives. Colombia and Norway proposed, and delegates eventually agreed, that SBSTTA welcome the draft work programme, in particular the proposed regional, global and thematic assessments; development of tools; and capacity-building activities.

On noting that the proposed IPBES assessments are expected to provide useful and authoritative information for the Convention, the African Group, supported by Bolivia, objected to “authoritative” information, the EU proposed “peer reviewed,” and the Czech Republic “scientifically robust and evidence-based.” Norway opposed reference to “scientifically robust” information, noting that this excludes other knowledge systems. Delegates eventually agreed to refer to “evidence-based” information.

Delegates then discussed text on the importance of intercultural dialogue and of including different visions in IPBES work. The Russian Federation recommended explicit reference to the role of traditional knowledge systems, and Sweden suggested that such systems “complement,” rather than “improve,” scientific information. Delegates agreed on these two proposals.

India suggested reference not only to intercultural, but also to “intracultural” dialogue, and Bolivia also to “interscientific” dialogue. Delegates agreed to emphasize the importance of the role of traditional knowledge systems, as well as of intercultural and scientific dialogues, and of including a broad range of approaches, visions and models related to the conservation and sustainable use of biodiversity at multiple scales in IPBES work, to complement scientific information, tools and methodologies for policy making.

Regarding an evaluation of the GBO scope and process by SBSTTA, delegates agreed to a suggestion by Belgium to frame the task as a recommendation to the COP, and a suggestion by Japan that the report to COP 13 inform consideration of modalities of future GBO editions.

Final Recommendation: In the recommendation on IPBES (UNEP/CBD/SBSTTA/17/L.4), the SBSTTA welcomes the IPBES draft work programme, in particular the proposed regional, global and thematic assessments, development of tools and capacity-building activities; and notes that the draft work programme is expected to provide useful and evidence-based information for the Convention.

SBSTTA emphasizes the role of: traditional knowledge systems and of intercultural and scientific dialogues; and the inclusion of a broad range of approaches, visions and models related to biodiversity conservation and sustainable use at multiple scales in IPBES work to complement information, tools and methodologies for policy making.

SBSTTA requests the Secretariat to: enhance collaboration with IPBES regarding the IPBES work programme, avoiding duplication of work; and transmit to IPBES the key findings on scientific and technical needs for the implementation of the Strategic Plan. SBSTTA further recommends that the COP request SBSTTA to evaluate the scope and process of the GBO, following the publication of GBO-4, and in light of, and avoiding duplication with, the IPBES’ ongoing work on a global assessment on biodiversity and ecosystem services, and report to COP 13 to inform consideration of future GBO editions.

CLOSING PLENARY

Rapporteur Maadjou Bah (Guinea) introduced the report of the meeting (UNEP/CBD/SBSTTA/17/L.1), which delegates adopted with minor amendments. Expressing satisfaction with “new ways of working and more dynamic discussions,” Colombia, for GRULAC, called for increasing the impacts of

SBSTTA results and taking into account lessons learned from SBSTTA 17. Liberia, for the African Group, welcomed the new approach, noting it stimulated good interest among parties and may require more time to be fully acceptable. He also highlighted the capacity and technical needs identified in both the Article 8(j) Working Group and SBSTTA 17 meetings, and requested the Secretariat to work with relevant institutions in addressing these needs and strengthening capacities.

Kiribati, for the Asia-Pacific Group, welcomed as a significant outcome the identification of key scientific and technical needs for implementing the Strategic Plan and the Aichi Targets at the national, regional and global levels. Emphasizing that successful implementation of the recommendations requires capacity development and adequate funding in developing-country parties, including least developed countries and small island developing states, and economies in transition, she drew attention to sustainable consumption and called for consideration of food sovereignty and security under Aichi Target 3 (incentives), Target 7 and Target 13. As to the format, the Asia-Pacific Group suggested improving transparency and representative balance among panelists and issues considered, increasing time allocated for discussions with presenters, and focusing not only on success stories, but also on challenges in implementation, particularly by developing countries.

Noting the positive elements of the new format, including a more open and focused debate and science-based consideration of the agenda, the Russian Federation, for CEE, remarked that the question is not whether the format is right or wrong, but rather how to inform delegations about their role in the process. The IIFB welcomed the global action plan on customary sustainable use; expressed disappointment at the limited inclusion of ILCs in SBSTTA discussions; and observed that the Strategic Plan cannot be achieved without full and effective ILC participation, adding that she was not convinced of the value of the new format. The Republic of Korea, as COP 12 host, expressed hope that COP 12 will generate momentum for the achievement of the Aichi Targets through a Pyeongchang roadmap; and that the high-level segment can help ensure that the Aichi Targets are integrated into the SDG framework.

David Cooper, on behalf of the CBD Executive Secretary, commended participants for engaging in discussions in a positive spirit, thanked observers and ILCs for coping with time constraints in delivering their views, and emphasized the Secretariat’s commitment to ensuring full and effective ILC participation and an all-inclusive process. SBSTTA Chair Dalle Tussie drew delegates’ attention to the Secretariat’s assessment of the new format by way of a questionnaire addressed to SBSTTA 17 participants; and gavelled the meeting to a close at 4:56 pm.

A BRIEF ANALYSIS OF THE MEETINGS

FITTING THE BILL

“Everything needs to change, so everything can stay the same.” As in Tomasi di Lampedusa’s novel *Il Gattopardo* (*The Leopard*), CBD delegates in Montreal found themselves at a crossroads between adapting to changing times and resistance to change. To preserve their roles, both the Working Group on

Article 8(j) and SBSTTA had to consider whether and how to position themselves vis-à-vis recent international developments within and outside the CBD regime.

With the exception of the draft action plan on customary sustainable use by the Working Group on Article 8(j), neither meeting adopted major substantive outcomes. But dynamics and discussions in both meetings provided useful indications as to the readjustments that both CBD processes may undertake in the near future to better fit into an ever-evolving international policy landscape. This brief analysis will explore, in turn, how each body addressed: recent developments affecting its work; long-standing concerns about their effectiveness; and new challenges.

FITTING IN

Since the adoption of the Nagoya Protocol on Access and Benefit-Sharing (ABS), it has become clear that CBD work on traditional knowledge and related provisions needs to be recalibrated. This is due to the inevitable migration of discussions on “traditional knowledge associated with genetic resources” to the Intergovernmental Committee for the Nagoya Protocol (ICNP) and in due course to the Protocol’s COP/MOP. On the one hand, this can be considered one of the major achievements of the Article 8(j) Working Group, which contributed to the development of strong and more detailed legally binding provisions on traditional knowledge under the Protocol. On the other hand, the Working Group must now shift focus away from ABS to issues under its mandate that are more strictly related to conservation and sustainable use. This move was confirmed by the well-received adoption of the draft plan of action to implement Article 10(c) on customary sustainable use, which had been considered “neglected” while ABS-related issues were taking the lion’s share of the Working Group’s agenda during the negotiation of the Nagoya Protocol. At the same time, several parties stressed that the scope of Article 8(j) is broader than “traditional knowledge associated with genetic resources” covered under the Nagoya Protocol. In recognition of the Convention’s broader scope, delegates agreed that the Working Group should develop guidelines for prior informed approval, benefit-sharing and prevention of misappropriation of traditional knowledge (Tasks 7, 10 and 12), which can be of use under the Nagoya Protocol, but will also contribute to implementing the conservation and sustainable use obligations of the Convention, by, for instance, focusing on traditional resource management practices.

On this and other agenda items, the Working Group faced a long-standing hurdle—whether to fully integrate international human rights terminology in its outcomes, particularly in light of the adoption and subsequent universal endorsement of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). In discussions on the future development of the guidelines, for instance, delegates discussed at length whether to refer to “prior informed consent” (PIC), as in UNDRIP, or to “PIC or approval and involvement,” as in the Nagoya Protocol. Eventually, delegates decided to use the relatively “old” language used in the Article 8(j) work programme (“prior informed approval”). This solution was meant to provide comfort to some CBD parties that still feel uneasy about importing UNDRIP language into the Convention, wishing to maintain flexibility in national implementation. As to other parties that wished

to embrace UNDRIP language, the Secretariat offered as an explanation that “prior informed approval” can be interpreted as “PIC or approval and involvement” in light of subsequent COP decisions and the text of the Nagoya Protocol. Similar concerns underpinned the polarized discussions on whether to change the CBD terminology of “indigenous and local communities” to the more human rights-cognizant “indigenous peoples and local communities.” A majority favored the change in terminology in future COP decisions, but some expressed concern about “implicitly amending the Convention” or “creating confusion” by using “indigenous and local communities” in the Convention and the Nagoya Protocol and other expression in COP decisions. It remains to be seen whether these “arguments” and/or any underlying human rights politics will remain in the way of aligning the wording of CBD decisions with relevant international legal developments, since COP 12 will consider an analysis of legal implications to be provided by the Secretariat with the advice of the UN Office of Legal Affairs. After all, as a participant observed, a change in terminology under the CBD is not going to change the obligations and commitments that each CBD party has vis-à-vis indigenous peoples under other international instruments.

As opposed to these recurring debates, the Working Group also ventured off the beaten track: its in-depth dialogue provided the first opportunity to discuss how to integrate traditional knowledge in scientific processes, including IPBES. While the in-depth dialogue did not produce a negotiated outcome, it did make a visible and immediate impression on the subsequent SBSTTA meeting, thanks to a combination of presentations by ILC representatives in the expert panels and interventions from the floor on the contribution of traditional knowledge and community-based monitoring to the Aichi Targets’ implementation. The successful cross-fertilization between the two bodies was also illustrated by Sweden’s pledge of SEK200,000 to community-based monitoring of the Aichi Targets.

RE-FIT FOR PURPOSE

SBSTTA 17 found that the time was right to reassess its role vis-à-vis the changing landscape of biodiversity-related science and policy processes. In the lead-up to the mid-term review of the Strategic Plan scheduled for COP 12, this SBSTTA meeting was framed as an opportunity for an open exchange on the scientific and technical needs for implementation of the Aichi Targets. It also aimed to address enduring concerns about SBSTTA being a predominantly policy forum (and generally serving as a pre-COP), rather than an avenue for scientific and technical discussions. In a “grand experiment” to sharpen the Body’s scientific and technical focus, SBSTTA 17 featured expert panel presentations on all agenda items, followed by statements on the official meeting documents, with a view to mainly producing “conclusions” rather than recommendations.

Notably, the Secretariat had not prepared draft recommendations as part of the meeting’s documentation. Fundamentally aimed at moving away from negotiating mode, the new format took many by surprise. Critics lamented that preparations and consultations with stakeholders had been impossible without draft recommendations, particularly for those parties with highly structured coordination systems. They

also argued that the format had not been specifically approved by the COP and did not allow for sufficient participation by all stakeholders, due to limited time for observers' statements. This was also the case for the "small" Friends of the Chair group, consisting only of two representatives per region, which identified and drafted the key scientific and technical needs for the implementation of the Strategic Plan. Furthermore, many delegates were generally confused about the procedure to develop the meeting's outcomes.

Enthusiasts, however, appreciated the quality and lively presentations both on academic perspectives and on practical implementation experiences. Some also noted that the statements were concise and focused, and that one-person delegations could follow the discussions with greater ease. Overall, many considered that the experiment was useful in generating more open and learning-oriented interactions among delegates, and noted that stakeholders were able to discuss in plenary the key needs identified by the "small" group, allowing thus for a sense of ownership among delegations of an outcome of great practical relevance—the technical and scientific needs that need to be addressed to enhance implementation of the Strategic Plan.

A veteran negotiator noted that the experiment could have encountered less resistance if it had been planned more in advance and delegates had known what to expect. He drew a parallel with the process customarily followed by the CITES scientific bodies: the first intersessional meeting allowing for scoping and exploring issues in an open-minded manner, and the second for approving policy-relevant scientific advice in a more negotiation-oriented mode.

The experiment also led to the consideration of new elements at SBSTTA 17, namely the inclusion of the social sciences, resulting in first-time acknowledgment of the need for better understanding of behavioral change, strengthened focus on consumption and production patterns, and balance of economic and alternative (non-market) approaches. As an insider observed, perhaps these social sciences-related issues would not have been accepted by delegations if they had been presented in a traditional recommendation pre-drafted by the Secretariat; instead, they were gradually taken up by delegations as a result of sharing reflections and hearing about others' implementation successes and challenges. Inclusion of the social sciences may also facilitate the integration of traditional knowledge and "conventional" knowledge systems, and potentially provide the innovative hooks needed both for defining the interface between biodiversity policy and natural sciences and for providing insights on trade-offs between biodiversity and other policies.

With the IPBES in the process of defining its initial work programme, SBSTTA also seized the opportunity to explore whether IPBES could assist in streamlining the notoriously heavy SBSTTA agenda. Delegates transmitted to IPBES their key findings—an indication of their priority scientific needs; they also concluded that IPBES could take up a potentially new and emerging issue, namely the impacts of neonicotinoid insecticides on biodiversity, in particular on pollinators like bees. By inviting IPBES to consider these issues, SBSTTA delegates also realized that the participation of the SBSTTA Chair as a member of the IPBES' Multidisciplinary Expert Panel could be a useful channel to bring matters to the attention of IPBES in time

for their inclusion in the draft work plan, without having to wait until the next COP meeting.

FIT AS A FIDDLE?

By the end of the two weeks, delegates seemed to be in agreement that both the Article 8(j) Working Group and SBSTTA will adapt to changing times. The Article 8(j) Working Group is still considered critical in further developing the Convention and contributing to the Nagoya Protocol, particularly thanks to its unique procedural openness to ILC representatives, although delegates acknowledged they would need to remain alert about possible duplication of efforts and substantial inconsistencies in outcomes, especially with the ICNP.

As to SBSTTA's effectiveness, the first test of its new format is coming up soon: in December 2013, lessons will no doubt be learned when the IPBES meets and SBSTTA delegates find out whether and how the Platform will take on board SBSTTA's conclusions and recommendations. And as the next meeting of the SBSTTA will likely be back to pre-COP business-as-usual mode, with a heavy policy agenda before it (including items such as marine biodiversity and climate change that have proven quite time-consuming in the past), it will then be up to the WGRI and COP 12 to engage in a review of the SBSTTA 17 experience in the context of a broader discussion on "smart" CBD processes. Delegates may consider whether SBSTTA 17 effectively served as a *passerelle* putting the Article 8(j) Working Group in touch with IPBES, and whether it managed to open a constructive dialogue between scientists, decision-makers and funders—all key implementation partners whose ideas are often "lost in translation" when trying to communicate with one another. Questions of more predictable, participatory and transparent working methods will certainly be addressed in the context of this review. As the closing statements highlighted, this experiment involves trial and error. After all, as *Il Gattopardo* said, "We're just human beings in a changing world."

UPCOMING MEETINGS

41st meeting of the CMS Standing Committee: The Standing Committee of the Convention on the Conservation of Migratory Species of Wild Animals (CMS) will prepare for the next Conference of the Parties. **dates:** 27-28 November 2013 **location:** Bonn, Germany **contact:** Barbara Schoenberg **phone:** +49-228-815-2401 **fax:** +49-228-815-2449 **email:** bschoenberg@cms.int **www:** http://www.cms.int/notifications/2013/008_stc41_dates_e.pdf

IPBES Stakeholder Meeting: A stakeholder meeting will be convened by the interim IPBES Secretariat. The meeting will provide first-time IPBES Plenary participants with an opportunity to understand the way IPBES works as well as to discuss the engagement of stakeholders in IPBES. **dates:** 7-8 December 2013 **location:** Antalya, Turkey **contact:** Solene Le Doze Turvill **email:** turvill@un.org **www:** <http://ipbes.net/stakeholders/stakeholder-processes/412-stakeholder-meeting-to-be-held-on-7-8-december-ahead-of-ipbes-2.html>

IPBES-2: The second session of the Plenary of IPBES will address, *inter alia*: the initial work programme of the Platform; financial and budgetary arrangements; and rules and procedures for the operations of the Platform, including for the

Multidisciplinary Expert Panel. **dates:** 9-14 December 2013 **location:** Antalya, Turkey **contact:** IPBES Secretariat **email:** secretariat@ipbes.net **www:** <http://www.ipbes.net>

WIPO IGC 26: The WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) will address genetic resources and is expected to be preceded by an Ambassadorial/Senior Capital-Based Officials meeting to share views on key policy issues relating to the negotiations to further inform and guide the process. **dates:** 3-7 February 2014 **location:** Geneva, Switzerland **contact:** WIPO Secretariat **phone:** +41-22-338-9111 **fax:** +41-22-733-5428 **www:** http://www.wipo.int/export/sites/www/tk/en/igc/pdf/igc_mandate_1415.pdf

ICNP 3: The third meeting of the *Ad Hoc* Open-ended Intergovernmental Committee for the Nagoya Protocol on Access and Benefit-sharing of the CBD is expected to address, *inter alia*, issues related to compliance, a global multilateral benefit-sharing mechanism, the ABS clearing-house, and monitoring and reporting, and will exchange views on the state of implementation of the Protocol as well as on sectoral and cross-sectoral model contractual clauses, codes of conduct and guidelines. **dates:** 24-28 February 2014 **location:** Pyeongchang, Republic of Korea **contact:** CBD Secretariat **phone:** +1-514-288-2220 **fax:** +1-514-288-6588 **email:** secretariat@cbd.int **www:** <http://www.cbd.int/doc/?meeting=ICNP-03>

27th Meeting of the CITES Animal Committee (AC), 21st Meeting of the CITES PC and Joint AC/PC Session: The Convention on International Trade in Endangered Species of Wild Fauna and Flora Animals Committee (CITES AC) will hold its 27th meeting in Veracruz, Mexico, back-to-back with the 21st meeting of the CITES Plants Committee (CITES PC) and will include a two-day long joint session. The AC will meet from 28 April - 1 May 2014; the CITES AC/PC session will be held from 2-3 May 2014; and the CITES PC will meet from 4-8 May 2014. **dates:** 28 April - 8 May 2014 **location:** Veracruz, Mexico **contact:** Yuan Liu, CITES Secretariat **phone:** +41-22-917-8139 **fax:** +41-22-797-3417 **email:** yuan.liu@cites.org **www:** <http://www.cites.org/eng/news/calendar.php>

WIPO IGC 27: At its twenty-seventh meeting, the IGC is expected to hold a 10-day text-based negotiating session focusing on traditional knowledge and traditional cultural expressions. **dates:** April 2014 (exact dates TBC) **location:** TBC **contact:** WIPO Secretariat **phone:** +41-22-338-9111 **fax:** +41-22-733-5428 **www:** http://www.wipo.int/export/sites/www/tk/en/igc/pdf/igc_mandate_1415.pdf

UNPFII 13: The UN Permanent Forum on Indigenous Issues will hold its 13th session in May 2014 under the theme "Principles of good governance consistent with the United Nations Declaration on the Rights of Indigenous Peoples: Articles 3 to 6 and 46(3)." **dates:** 12-23 May 2014 **location:** UN Headquarters, New York **contact:** Nilla Bernardi **phone:** +1-212-963-8379 **fax:** +1-917-367-5102 **email:** bernardi@un.org **www:** <http://social.un.org/index/IndigenousPeoples.aspx>

WGRI 5: At its fifth meeting, the CBD Working Group on Review of Implementation is expected to address, among other issues, implementation of the Resource Mobilization Strategy, the efficiency of structures and processes under the Convention and its protocols, and biodiversity and development.

dates: 16-20 June 2014 (tentative) **location:** Montreal, Canada **contact:** CBD Secretariat **phone:** +1- 514-288-2220 **fax:** +1-514-288-6588 **email:** secretariat@cbd.int **www:** <http://www.cbd.int/meetings/>

SBSTTA 18: At its eighteenth meeting, SBSTTA is expected to address, *inter alia*, issues related to marine and coastal biodiversity, biodiversity and climate change, and its relationship with IPBES. **dates:** 23-27 June 2014 (tentative) **location:** Montreal, Canada **contact:** CBD Secretariat **phone:** +1- 514-288-2220 **fax:** +1-514-288-6588 **email:** secretariat@cbd.int **www:** <http://www.cbd.int/meetings/>

GLOSSARY

ABS	Access and Benefit-Sharing
AHTEG	<i>Ad Hoc</i> Technical Expert Group
CBD	Convention on Biological Diversity
CBMIS	Community-based monitoring and information systems
CEE	Central and Eastern Europe
CEPA	Communication, Education and Public Awareness
CGRFA	Commission on Genetic Resources for Food and Agriculture
COP	Conference of the Parties
EBSAs	Ecologically or biologically significant marine areas
GBO	Global Biodiversity Outlook
GEO BON	Group on Earth Observations Biodiversity Observation Network
GRULAC	Latin American and Caribbean Group
ICNP	Intergovernmental Committee for the Nagoya Protocol
IGC	WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore
IAS	Invasive alien species
IIFB	International Indigenous Forum on Biodiversity
ILCs	Indigenous and Local Communities
IPBES	Intergovernmental Platform on Biodiversity and Ecosystem Services
IPRs	Intellectual property rights
IWBN	Indigenous Women's Biodiversity Network
MEP	Multidisciplinary Expert Panel of IPBES
NBSAPs	National Biodiversity Strategies and Action Plans
PAs	Protected areas
PIC	Prior informed consent
SBSTTA	Subsidiary Body on Scientific, Technical and Technological Advice
SDGs	Sustainable Development Goals
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNPFII	United Nations Permanent Forum on Indigenous Issues
UNESCO	United Nations Educational, Scientific and Cultural Organization
WGRI	Working Group on Review of Implementation
WIPO	World Intellectual Property Organization