

Article 8(j) Working Group Highlights: Sunday, 12 November 2023

Delegates to the 12th meeting of the *Ad Hoc* Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity (CBD) met throughout the day focusing on cultural diversity, current and future work under the Working Group, including potentially establishing a subsidiary body, and the knowledge management component of the Kunming-Montreal Global Biodiversity Framework (GBF).

Opening of the Meeting

Working Group Co-Chair Ning Liu, China, on behalf of COP 15 President Huang Runqiu, Minister of Ecology and Environment, China, opened the meeting emphasizing the importance of supporting the collective and local actions of Indigenous Peoples and local communities (IPLCs) in achieving the long-term vision of living in harmony with nature by 2050.

In a traditional blessing, Kenneth Atsenhainton Deer, Kahnawake Mohawk Territory, gave thanks to “Mother Earth, all living things, the four winds, and elements of the sky,” noting the importance of considering all of creation before making important decisions.

David Cooper, CBD Acting Executive Secretary, noted this Working Group’s role as a forum for rich cultural exchange. He called for protecting the planet’s remaining biological, cultural, and linguistic diversity, and encouraged delegates to be ambitious, with discussions acting as a “catalyst for unity, transcending the polarization that has enveloped our world.”

Organizational Matters

Delegates adopted the provisional agenda (CBD/WG8J/12/1/Rev.1) without amendments and the organization of work (CBD/WG8J/12/1/Add.1). Hlob’sile Sikhosana (Eswatini) was elected rapporteur. Six IPLC representatives were designated as “Friends of the Bureau,” representing the geo-cultural regions recognized by the UN Permanent Forum on Indigenous Issues (UNPFII). June Rubis (Asia) was designated as Working Group Indigenous Co-Chair.

In-depth Dialogue on the Role of Languages in the Intergenerational Transmission of Traditional Knowledge, Innovations, and Practices

David Ainsworth, CBD Secretariat, introduced the document (CBD/WG8J/12/2) and moderated the dialogue.

An expert panel provided introductory remarks. Dario Mejia, President, UNPFII, emphasized the need to safeguard intergenerational traditional knowledge transfer and provide adequate financing for the protection of Indigenous languages. Yolanda Teran, Indigenous Women’s Biodiversity Network (IWBN), emphasized that Indigenous languages are intrinsically associated to nature, metaphors, and medicinal knowledge. Mohamed Handaine, Indigenous Peoples of Africa Coordinating Committee, stressed that “if Indigenous languages disappear, traditional knowledge disappears,” and called for establishing national-level traditional knowledge registries, and an international database for experience exchange.

The INTERNATIONAL INDIGENOUS FORUM ON BIODIVERSITY (IIFB) proposed amendments, including: using language from GBF Target 21 (data, information, and knowledge

for decision making); making Indigenous concepts, cosmologies, and epistemologies more accessible; and adding reference to UN Resolution A/74/396 and the International Decade of Indigenous Languages 2022-2032. On the topic for the next thematic dialogue on strategies for mobilizing resources to ensure direct access to funding by IPLCs, she suggested also focusing on financial mechanisms. Some delegates proposed focusing further on direct access to funding by women and youth.

Many delegates supported the draft recommendation, including the IIFB’s amendments. They stressed the need to support the use and revitalization of Indigenous languages as part of the GBF.

The DEMOCRATIC REPUBLIC OF THE CONGO queried the main threats facing traditional and Indigenous knowledge and the mechanism for IPLCs’ direct access to financing. SOUTH AFRICA suggested reflecting that through languages, IPLCs preserve their history, customs, traditions, memory, unique modes of thinking, meanings, and expression. UGANDA and NAMIBIA highlighted languages as providers of identity and belonging, and NAMIBIA underscored discrimination experienced by Indigenous communities.

BENIN and CÔTE D’IVOIRE stressed the need to intergenerationally conserve Indigenous languages in order to preserve traditional knowledge. EGYPT discussed the relationships between language and religion, traditional knowledge and innovation, and people and nature. NIGERIA and MADAGASCAR highlighted the need for a resource mobilization strategy. ALGERIA outlined national efforts to promote the Tamazight language.

BRAZIL stressed the need to ensure IPLC participation, including in national delegations, and to finance language preservation efforts, including through a partnership between CBD and the UN Educational, Scientific and Cultural Organization (UNESCO). GUATEMALA drew attention to national legislation promoting Indigenous languages. ARGENTINA and NEW ZEALAND encouraged the meaningful integration of Indigenous Peoples in discussions on national biodiversity strategies and action plans (NBSAPs).

Spain, for the EU, and NORWAY drew attention to the Sámi peoples, illustrating the intimate connection between language, culture, and nature. NEW ZEALAND emphasized the need to ensure Indigenous Peoples’ traditional knowledge is used subject to their free, prior, and informed consent. AUSTRALIA and CHAD underscored that language and knowledge are indivisible. AUSTRALIA stressed that the displacement of Indigenous Peoples from their ancestral lands results in knowledge system loss. CANADA highlighted steps at the national level for the protection of Indigenous languages and Peoples.

MEXICO shared national efforts to preserve Mexico’s 68 languages. The DOMINICAN REPUBLIC advocated for the allocation of 20% of the GBF Fund to IPLCs. COLOMBIA suggested including references to the UNESCO Convention on Cultural Expressions and the Iberoamerican Institute of Indigenous Languages.

SAUDI ARABIA highlighted the importance of preserving linguistic diversity, with JAPAN underscoring its significance in safeguarding a close understanding with nature. INDIA highlighted its country’s immense cultural diversity, including over ten thousand local languages, and reported on efforts to facilitate intergenerational traditional knowledge and practice transmission.

The WOMEN’S CAUCUS and IWBN emphasized the role of Indigenous women. The GLOBAL YOUTH BIODIVERSITY

NETWORK (GYBN) stressed that Indigenous language loss results in detachment from communities and loss of a sense of Indigenous identity. The CONTINENTAL NETWORK OF INDIGENOUS WOMEN OF THE AMERICAS underscored the interrelationship between languages, culture, and food production.

Panelists responded to participants' comments. Montalvo highlighted the need for: energy transition incorporating the vulnerabilities of Indigenous Peoples; strengthening Indigenous Peoples' participation in decision making; and finetuning initiatives for financing Indigenous Peoples' efforts. Maigua underscored the need to understand Indigenous Peoples' internal policies and customary laws, and for adequate funds at grassroots level for promoting social justice. Handaine proposed establishing a global fund for the promotion of Indigenous languages and continuing the exchange of ideas.

Co-Chair Rubis thanked delegates for their contributions and noted that a CRP will be produced.

Progress in the Implementation of the Priority Tasks of the Multi-Year Programme of Work

The Secretariat introduced documents CBD/WG8J/12/3 and CBD/WG8J/12/INF/3. IIFB welcomed progress, noting that 12 out of 17 tasks of the programme of work are either implemented or ongoing.

The DEMOCRATIC REPUBLIC OF THE CONGO, SOUTH AFRICA, AUSTRALIA, and others welcomed the report. NORWAY, MEXICO, NEW ZEALAND, SWITZERLAND, BRAZIL, UGANDA, ARGENTINA, and others acknowledged the progress in implementing the priority tasks, and encouraged effective IPLC participation for achieving GBF targets.

JAPAN proposed adding text to ensure implementation is cost-effective. CUBA suggested follow-up on completed work. UGANDA stressed the need to ensure the full and effective participation of IPLCs in decision making.

Co-Chair Liu noted that interventions will be captured in the meeting's report.

Development of a New Programme of Work and Institutional Arrangements

The Secretariat introduced document CBD/WG8J/12/5, drawing attention to the *Ad Hoc* Technical Expert Group's meeting in July 2023 in Manaus, Brazil, which elaborated possible elements, tasks, and *modus operandi* for a proposed subsidiary body. Many delegates supported the new programme of work.

IIFB supported establishing a subsidiary body, embodying the same principles and characteristics of the Working Group on Article 8(j), and provided recommendations on the text and annexes.

Colombia, for the Group of Latin America and the Caribbean (GRULAC), urged for strengthening the dialogue with the Subsidiary Body on Scientific, Technical, and Technological Advice (SBSTTA). Spain, on behalf of the EU, and AUSTRALIA noted the need to improve the proposed new programme of work, including on: defining responsibilities for all tasks; prioritizing actions for the next two years; and including references to NBSAPs and climate policies.

JAPAN proposed that any recommendations pertaining to digital sequence information (DSI) be decided after the conclusion of the DSI benefit-sharing mechanism deliberations. The RUSSIAN FEDERATION noted that Article 8(j) is relevant to the entire GBF rather than the selection of objectives listed in the document, and suggested amendments.

GUATEMALA proposed a new task to conduct an assessment of the implementation of the recommendations of UN bodies on Indigenous Peoples' rights. BOSNIA AND HERZEGOVINA urged whole-of-society and whole-of-government approaches in implementing the GBF.

On the establishment of a new subsidiary body, SOUTH AFRICA, CANADA, TOGO, MEXICO, SAUDI ARABIA, BRAZIL, CHINA, and others supported its establishment. Several proposed amendments to avoid conflicting provisions and duplication with UN conventions on human rights. INDIA stressed the need for representation of all socio-cultural regions to increase participation and engagement.

Spain, on behalf of the EU, NORWAY, SWITZERLAND, NEW ZEALAND, and AUSTRALIA expressed support, noting the need for further analysis of the proposal, including on budgetary implications. JAPAN expressed concern on additional resources, and urged a review of existing bodies and functions to

ensure effective implementation. INDONESIA requested more information on the operationalization of a subsidiary body. The RUSSIAN FEDERATION cautioned that a new subsidiary body would cause this cross-cutting issue to become siloed.

IUCN called for aligning the new programme of work with the GBF and the CBD Gender Action Plan, following a human-rights approach in its implementation. UNPFII suggested alignment with UN General Assembly Resolution A/77/460 on the Rights of Indigenous Peoples, including capitalizing the term "Indigenous Peoples," and provided further recommendations on the text. UNPFII, IWBN, the WOMEN'S CAUCUS, and GYBN further supported IIFB proposals on data generation and women's participation.

The IWBN lamented insufficient reference to the roles and participation of Indigenous women and girls. AVAAZ supported aligning the new programme of work with the GBF and welcomed the new subsidiary body. The GYBN urged stronger focus on intergenerational equity. Delegates supported many of the observers' proposals, which will be further considered.

A contact group, co-facilitated by Matilda Wilhelm (Sweden) and Lucy Mullenkei (Indigenous Information Network) was established to further address the new programme of work and institutional arrangements.

Knowledge Management Component of the GBF

The Secretariat introduced document CBD/WG8J/12/4. IIFB underscored the need to fully and effectively engage IPLCs in the process towards COP16 on developing the knowledge management strategy.

JAPAN, AUSTRALIA, CHILE, CHINA, CANADA, and many others supported the updated knowledge management strategy draft, and alongside NORWAY, BRAZIL, and others, called for effective IPLC participation, emphasizing the safeguard of free, prior, and informed consent. MEXICO underscored a focus on human rights as an additional safeguard.

BRAZIL urged addressing asymmetries in generation of data and knowledge, and suggested an additional strategic objective on addressing existing gaps and enhancing IPLCs' capabilities in research generation. The DEMOCRATIC REPUBLIC OF THE CONGO addressed the need to harmonize actions on the knowledge management strategy and the GBF. JAPAN queried budgetary implications.

Spain, on behalf of the EU, suggested amendments to support GBF's implementation. SOUTH AFRICA urged focus on promoting biodiversity-related education and learning, and suggested establishing a portal on IPLCs' efforts in GBF implementation.

CHINA proposed including details on data categorization, collection, and management, further noting that knowledge and information should be easily understandable and shared through the clearing-house mechanism. COLOMBIA underscored the importance of strengthening dialogues between different knowledge sources, in line with GBF Target 21.

The WOMEN'S CAUCUS, supported by Colombia, proposed amendments to the recommendation, including: explicitly recognizing Indigenous and local women; inviting dialogue with the technical and scientific cooperation advisory group; and facilitating engagement with the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore of the World Intellectual Property Organization.

Co-Chair Rubis noted that following this Working Group's session, the draft knowledge management strategy will undergo a peer review, which will offer additional opportunities for inputs. A CRP will be developed.

In the Corridors

Despite the Sunday gloom outside Geneva's convention center today, its plenary and corridors were alight with sincere expressions of readiness for identifying, reviving, safeguarding, and transmitting Indigenous languages, as key components in preserving biocultural diversity. Some delegates may have been wearier than others, following a two-day preparatory dialogue among IPLCs and other stakeholders that took place prior to this Working Group. Regardless, energy was high as this meeting put its money where its mouth is, with Indigenous delegates taking center stage and speaking before the parties to the Convention, in a show of respect and acknowledgement.