



RECOMMENDATIONS TO THE CONVENTION ON BIOLOGICAL DIVERSITY (CBD) PARTIES

PUBLIC STATEMENT

RECOMMENDATIONS TO PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY AHEAD OF COP17

The protection of biodiversity cannot be viewed in isolation from the protection of human rights, the collective rights of Indigenous Peoples, their cultures, governance systems, traditional knowledge, and their spiritual connection to their ancestral lands.

Cultural Survival's message is that implementation of the Kunming-Montreal Global Biodiversity Framework (KMGBF) must move from participation to partnership, and from consultation to recognition. Indigenous Peoples are rights-holders, not stakeholders. Their rights to their lands, territories, and resources, to self-determination, and to Free, Prior and Informed Consent (FPIC) are affirmed in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and in the KMGBF itself.

The recognition and support of Indigenous Territories and traditional conservation systems must become an integral part of implementation of Target 3. Achieving this Target must not result in the dispossession of Indigenous Peoples, forced resettlement, restrictions on traditional land use, or the creation of protected areas without their full participation, but in connection with Target 21 and 22 KMGBF.

For this reason, progress toward achieving the 2030 Goals should be based on the interrelationship among all of its Goals and Targets and on a comprehensive analysis that includes the protection of Indigenous Peoples' land rights, effective governance, Free, Prior, and Informed Consent (FPIC), participation, the protection of Indigenous Peoples' knowledge, access to justice, indigenous-led conservation efforts, and the safety of environmental defenders.



The recommendations below outline the position of the organization Cultural Survival and propose suggestions for the Parties to consider during the negotiations at COP17 and in the years leading up to 2030.

Recommendations

Target 3, with connections to Target 21 and Target 22

1. Recognize and support Indigenous Peoples' territories, Indigenous conserved areas, and Indigenous-led conservation as essential contributions to Target 3. Conservation measures must not lead to displacement, dispossession, restrictions on customary livelihoods, or violations of Indigenous Peoples' rights.
2. Accelerate the recognition and protection of Indigenous Peoples' collective rights to their lands, territories, waters and natural resources, including customary tenure systems. Conservation targets must be implemented in ways that strengthen, rather than undermine, territorial governance and tenure security.
3. Ensure the full, equal, effective, and inclusive participation of Indigenous Peoples in decision-making processes on biodiversity issues at all levels. Participation must include representation in governing, decision-making, and monitoring bodies, and not be limited to mere consultation or the exchange of information.
4. Protect Indigenous Peoples' traditional knowledge, innovations and practices from misappropriation, unauthorized use and commercialization. Indigenous Peoples must retain authority over their knowledge, including determining when, how and by whom it may be accessed or used, with appropriate benefit-sharing.
5. States must establish effective mechanisms for access to justice, legal remedies, and accountability for violations of the rights of Indigenous Peoples. Indigenous environmental and human rights defenders must be protected from threats, violence, intimidation, criminalization, and repression. Attacks on defenders must be investigated, and those responsible must be held accountable.
6. Ensure the free, prior and informed consent (FPIC) of Indigenous Peoples before conservation measures, projects, policies, financing mechanisms or other actions affecting their lands, territories, resources, cultures or knowledge are approved or implemented. FPIC must be an ongoing process, not a one-time consultation.



Financial mechanisms:

1. Direct funding provided to Indigenous Peoples and organizations led by Indigenous Peoples for the purposes of conservation, restoration, monitoring, stewardship, and knowledge transfer must be increased. Funding mechanisms must be accessible, predictable, long-term, transparent, and developed in collaboration with Indigenous Peoples, taking into account their self-determined priorities and governance systems.
2. Funding should support priorities identified by Indigenous Peoples, such as territorial governance, nature conservation and restoration, the transmission of Indigenous knowledge, community-level monitoring, and the protection of human rights defenders.
3. All financial investments in biodiversity, including those related to climate and nature conservation, must be subject to safeguards for human rights and the rights of Indigenous Peoples, as well as mechanisms for transparency and accountability. Funding must not contribute to land grabs, forced displacement, harmful conservation practices, extractive activities, or other violations of the rights of Indigenous Peoples.

Subsidiary Body on Article 8J

1. Modalities of the Subsidiary Body should institutionalize the good practices developed under the Ad Hoc Open-ended Working Group on Article 8(j).
2. Establish the following system: one co-chair shall be elected from among the representatives of the Parties, and one from among the representatives of Indigenous Peoples nominated by the Indigenous Caucus. For Working Groups and Contact Groups under SB8J, one of the co-chairs must be elected among the representatives of Indigenous Peoples, selected by an Indigenous Caucus.
3. Maintain the system of seven sociocultural regions of Indigenous Peoples, including for the formation of the Friends of the Bureau.
4. The Friends of the Bureau should have formal, rather than informal, status as an official mechanism for the participation of Indigenous Peoples in the work of SB8J,



with their mandate continuing throughout the entire intersessional period, thereby ensuring continuity of representation.

5. Friends of the Bureau shall be nominated and selected by Indigenous Peoples through their own governance structures, representative institutions, and organizations, taking into account the seven sociocultural regions, gender balance, age balance, and diversity, without pressure or approval from States.

6. The effective participation of Indigenous Peoples shall not be limited by a lack of financial resources. Indigenous Peoples must have a formalized role in decision-making regarding the allocation of funds from the Voluntary Fund.