



SBI-1

Montreal, Canada, 2 - 6 May 2016

Agenda item 12 of the provisional agenda

Modus operandi of the Subsidiary Body on Implementation and mechanism to support review of implementation

IIFB expresses its concern about a large gap in document UNEP/CBD/SBI/1/10 with respect to:

1. the work of the ad-hoc open-ended Working Group on Article 8j and Related Provisions, and its inter-linkages with SBSTTA and SBI and
2. Engagements with broader society, including Indigenous Peoples and Local Communities, women and youth towards the achievement of the CBD goals and its Strategic Plan for Biodiversity (2011-2020);

both of which make highly valued contributions integral to the work of the Convention, and requiring full consideration under the functions and core areas of work of SBI:

- (a) Review of progress of implementation: Target 18 as a cross-cutting and enabler of Targets 1 (CEPA), 2 (Mainstreaming), Target 7 (Sustainable Forests, Agriculture and Fisheries), 11 (Protected Areas), 14 (Restoration of Habitats), 16 (Nagoya Protocol), 17 (NBSAPs), 19 (Knowledge Base) and 20 (Resource Mobilisation to highlight a few;
- (b) Strategic actions to enhance implementation: Mainstreaming and synergies with the SDGs, Climate Change Agreement, other multilateral environmental agreements, IPBES on the contributions of traditional knowledge and IPLC engagement;
- (c) Strengthening means of implementation: Participatory approaches and effective strategies to engage civil society, indigenous peoples and local communities, women and youth, the education sector, business, and society at large as constituencies for implementation and change
- (d) Operations of the Convention and the Protocols: Improving processes and activities – Consideration of the future work of WG8j and Related Provisions and the mainstreaming of its participatory mechanisms.

Mr. Chair, IIFB considers that in addition to the few minutes given to IPLC Statements at the end of a heavy SBI Agenda, the meetings of the open-ended ad-hoc WG8J and Related Provisions, usefully complements the functions and core areas of work of SBI, and this needs to be reflected in the SBI modus operandi.

Further, IIFB recommends that SBI adopts a formal strategy to include independent reports by civil society, indigenous peoples and local communities, women and youth and other important constituencies, to inform its work. This is best practice under the official Universal Periodic Review under the UN Human Rights Committee. Such an approach and engagement of important constituencies of the CBD in reporting, will greatly support SBI in its permanent work to review implementation under the Convention.



Mr. Chair,

IIFB has some additions to the recommendations, and requests Party support:

54. The Subsidiary Body on Implementation may wish to adopt a recommendation along the following lines:

The IIFB recommends that Annex 1 contained in the papers is amended to take into account Indigenous Peoples and Local Communities and therefore consider the recommendations put forward here today.

Areas of Work:

The IIFB is concerned that in para 54 (1) where the suggested recommendation refers to the modus operandi for SBI contained in Annex 1, that there is no inclusion of the consideration of strengthening the implementation of the Working Group of Article 8(j). The IIFB would recommend that the SBI is more explicit about working with Indigenous Peoples and Local Communities and its relationship with the WG8j, and include this in the modus operandi under Areas of Work. In the modus operandi it would be useful for efficiencies if the WG8j can provide views and updates on relevant matters directly to SBI, and we request that this be included.

Procedural Matters

The IIFB recommends that in relation to procedural matters in the Annex11, indigenous peoples and Local Communities are included in the establishment of Working Groups of the SBI to be able to fully and effectively participate in the work of the SBI in relation to 8(j). The IIFB believes that it is an advantage for the SBI to include IPLCs to provide a holistic approach to the work of the SBI.

The IIFB also recommends that IPLCs are represented in the establishment of any ad hoc expert groups or other arrangement falling under SBI to assist with the work.

4. Requests the Executive Secretary to further develop, for the consideration of the Conference of the Parties at its thirteenth meeting, elements of a mechanism for the review of implementation under the Subsidiary Body on Implementation to be included as an appendix to the modus operandi,¹ taking into account the information in the addendum on further options for mechanisms to support review of implementation,² the views expressed by Parties, ***Indigenous Peoples and Local Communities, civil society, women and youth***, and observers at the present meeting, and further views provided by Parties and observers by 1 July 2016.

¹ UNEP/CBD/SBI/1/10, annex I.

² UNEP/CBD/SBI/1/10/Add.3.



55. The Subsidiary Body on Implementation may also wish to recommend that the Conference of the Parties adopt a decision along the following lines:

The Conference of the Parties

3. *Endorses* the elements of a mechanism for the review of implementation as outlined in the appendix³ to the modus operandi of the Subsidiary Body on Implementation, and *invites* each Party to participate in the review, ***and invites independent reports by Indigenous Peoples and Local Communities, civil society, women and youth;***

4. *Invites* Parties to develop, enhance and make use of national processes to review the measures that they have taken for the implementation of the Convention, and related strategic plans, ***including participatory approaches and engagement of civil society, indigenous peoples and local communities, women and youth*** and to identify obstacles that may exist to such implementation;

³ This is the appendix that will be developed by the Executive Secretary in response to the request contained in draft operative paragraph 4 under paragraph 54.