



**CONVENTION ON
BIOLOGICAL
DIVERSITY**

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**AD HOC OPEN-ENDED INTER-SESSIONAL WORKING
GROUP ON ARTICLE 8(j) AND RELATED
PROVISIONS OF THE CONVENTION ON
BIOLOGICAL DIVERSITY**

Third meeting

Montreal, 8-12 December 2003

**RECOMMENDATIONS OF THE PERMANENT FORUM ON INDIGENOUS ISSUES TO THE
CONVENTION ON BIOLOGICAL DIVERSITY**

Note of the Executive Secretary

1. The Executive Secretary is herewith circulating recommendations 1, 8 and 9 of the second session of the Permanent Forum on Indigenous Issues, which was held in New York from 12 to 23 May 2003, which are of direct relevance to the work of the Convention, and in particular the programme of work on Article 8 (j) and related provisions.
2. The Ad Hoc Open-ended Inter-Sessional Working Group on Article 8 (j) and Related Provisions may wish to make recommendations to the Conference of the Parties in this respect, as appropriate.

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**EXTRACT FROM THE REPORT OF THE SECOND SESSION OF THE PERMANENT FORUM
ON INDIGENOUS ISSUES (E/2003/43 – E/C.19/2003/22)**

(...)

B. Matters brought to the attention of the Council

(...)

3.Environment

Recommendation 1

Progress of work in the area of environmental development

46. The Forum recommends that the Secretary-General, through the Economic and Social Council, prepare a report on the implementation of chapter 26 of Agenda 21 and other relevant chapters, such as chapter 36 and 15, that focus on how the Commission on Sustainable Development, in conjunction with secretariats of other environmental bodies (Convention on Biological Diversity, United Nations Framework Convention on Climate Change, United Nations Environment Programme, Global Environment Facility (GEF), United Nations Forum on Forests, UNDP, the Food and Agriculture Organization of the United Nations (FAO), the International Fund for Agricultural Development (IFAD) etc.) are implementing those chapters for indigenous peoples in their work, and that the report be submitted to the Forum at its third session.

(...)

Recommendation 8

Environmental impact assessment and cultural diversity

55. The Forum recommends that United Nations bodies, in particular the Convention on Biological Diversity, in coordination with the World Bank, UNDP, FAO and IFAD, and UNEP, organize a workshop on protecting sacred places and ceremonial sites of indigenous peoples with a view to identifying protective mechanisms and instituting a legal framework that make cultural, environmental and social impact assessments studies mandatory and ensure the environmental accountability of economic, social and environmental projects that are proposed to be conducted on sacred sites and on lands, territories and waters traditionally occupied or used by indigenous peoples.

56. Taking into account decision 22/16 of the Governing Council of UNEP, the Forum recommends that UNEP and relevant United Nations agencies and programmes hold consultations at the regional and national levels with indigenous peoples to examine this issue and prepare recommendations on possible further strengthening of the understanding of the link between environment and cultural diversity.

Recommendation 9

Convention on Biological Diversity

57. The Forum recommends the establishment of an international ethical code on bio-prospecting in order to avoid bio-piracy and ensure the respect for indigenous cultural and intellectual heritage. Under the framework of the Convention, a mechanism should be established for the repatriation and devolution of genetic materials collections to indigenous peoples. The Forum recommends to the Convention secretariat that the global taxonomy initiative incorporate an ethical principles and social framework for the protection of indigenous peoples' rights to their lands, traditional knowledge and resources before its implementation.