



INTERNATIONAL
INDIGENOUS
PEOPLES'
FORUM ON
CLIMATE CHANGE



CENTER for INTERNATIONAL
ENVIRONMENTAL LAW

INDIGENOUS PEOPLES AND TRADITIONAL KNOWLEDGE IN THE CONTEXT OF THE UN FRAMEWORK CONVENTION ON CLIMATE CHANGE

*Compilation of Decisions and Conclusions
Adopted by the Parties to the Convention*



About IIPFCC

The International Indigenous Peoples' Forum on Climate Change (IIPFCC) was established in 2008, as the Caucus for Indigenous Peoples participating in the UNFCCC processes. The IIPFCC represents the IP Caucus members from seven regions of the world; namely; Asia, Asia-Pacific, Africa, Arctic, Latin America, North America and Russia who are present/attending the official UNFCCC COPs and inter-sessional sessions of the SBSTA/SBI bodies in between COPs. Its mandate is to come into agreement specifically on what IPs will be negotiating for in specific UNFCCC processes. IP representatives attending the meetings have their own organizations at subnational, national and global levels which have their own agenda, priorities and own proposals that they may carry and push for during the IP Caucus meetings.

About CIEL

Founded in 1989, the Center for International Environmental Law (CIEL) uses the power of law to protect the environment, promote human rights, and ensure a just and sustainable society. CIEL is dedicated to advocacy in the global public interest through legal counsel, policy research, analysis, education, training, and capacity building.

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Contents

- Preface..... 4
- 1. Introduction..... 6
- 2. UN Declaration on the Rights of Indigenous Peoples..... 10
- 3. Compilation of Relevant Decisions under the UNFCCC Process..... 20
 - 3.1 References Contained in the Paris Agreement..... 20
 - 3.2 Mandates and Decisions Related to the Local Communities and Indigenous Peoples Platform..... 21
 - 3.3 Compilation of Other Relevant Mandates and Decisions..... 25
 - Rights of Indigenous Peoples..... 25
 - Action for Climate Empowerment..... 25
 - Adaptation..... 28
 - Agriculture..... 39
 - Capacity Building..... 40
 - Deforestation..... 41
 - Finance..... 46
 - Gender..... 46
 - Loss & Damage..... 47
 - Observation..... 48
 - Participation..... 48
 - Research..... 51
 - Technology..... 51
- Table of References..... 52

Preface

VICTORIA TAULI-CORPUZ,
UN SPECIAL RAPPOREUR ON THE
RIGHTS OF INDIGENOUS PEOPLES

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We, indigenous peoples persistently engaged with the climate change negotiations at the UNFCCC in the best ways we can in spite of the fact that we lack needed financial and human resources. But because many of us are in the frontlines of the worst impacts of climate change as we live in very fragile ecosystems such as the Arctic, low-lying islands, tropical forests and high mountains we had to ensure our presence in these processes. Our obligation to guarantee that indigenous peoples, seven generations ahead, will inherit the Earth in a better shape than it

is now is what compelled us to have our voices heard. Usually, there are very few of us, but we exerted and continue to exert our best efforts so that our concerns enter into the final documents adapted by the State Parties.

Through our participation we succeeded in getting some decisions which directly refer to us such as the need to take into account our human rights and our traditional knowledge, among others. Before I became the UN Special Rapporteur in 2014, I myself have been part of the International Indigenous Peoples' Forum on Climate Change (IIPFCC) which lobbied and advocated strongly for these. At some point, I even became a negotiator myself as part of the official delegation of the Government of the Philippines and I put my best efforts to ensure that the REDD+ Cancun Safeguards include the need to respect our rights as indigenous peoples, ensure our participation and that we benefit from REDD+.



Photo courtesy of the IIPFCC

This book which compiled the UNFCCC COPs decisions which mention indigenous peoples is also a compilation of the gains we have achieved. It is the evidence of the hard work done by the members of the IIPFCC at global, regional and national levels. It is my hope that this book will serve as an instrument for indigenous peoples to use in establishing partnerships with all relevant players to achieve the common goals of mitigating climate

change and achieving sustainable development. This piece of work done by CIEL and the IIPFCC is an important basic reference which should be used to constantly remind State Parties of what they have agreed to and to work closely with them to implement these decisions. I commit to do my best to monitor and push for the implementation of these decisions In my role as the Special Rapporteur and even after I finish my mandate.

PART 1

Introduction

Even though Indigenous Peoples contribute little to greenhouse gas emissions, owing to their dependence upon and close relationship with the environment and its resources, they are among the first to face the direct consequences of climate change in all areas of the world. To make matters worse, climate policies often further undermine the rights of Indigenous Peoples by imposing new restrictions on their relations with natural ecosystems or by leading to forceful relocations motivated by energy or infrastructure projects.

Because of their close relationship with their supportive ecosystems, Indigenous Peoples have acquired unique knowledge enabling them to understand, interpret, and react to the impacts of climate change. It is widely recognized that their "... knowledge and strategies to sustain their environment should be respected and taken into account when we develop national and international approaches to climate change mitigation and adaptation" (Outcome Document of the High Level Plenary known as the World Conference on Indigenous Peoples, para 36, (2014)).



Photo courtesy of the IIPFCC

Guaranteeing the respect for, and protection of, the rights and traditional knowledge of Indigenous Peoples worldwide requires understanding the diversity of their collective and individual experiences. United Nations institutions have recognized this by emphasizing the importance of the participation of indigenous representatives from all seven social and cultural regions of the world, namely Asia, Asia-Pacific, Africa, Arctic, Latin America, North America, and Russia. Additionally, all climate actions must fully involve indigenous women.

Governments have long recognized the specific nature of the rights of Indigenous Peoples and the imperative to guarantee that Indigenous Peoples fully and effectively participate in decision-making related to sustainable development. In 1992, States stressed that “Indigenous people and their communities...have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development” (Rio Declaration on Environment and Development, Principle 22).

In 2007, the United Nations adopted, by an overwhelming majority, the UN Declaration on the

Rights of Indigenous Peoples (UNDRIP) which acknowledges the inherent rights of Indigenous Peoples and establishes a universal framework of minimum standards for their survival, dignity, and well-being. Many articles of the UNDRIP are directly relevant to the rights Indigenous Peoples have in the process of addressing climate change.

“Indigenous people and their communities...have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development.”

-Rio Declaration on Environment and Development

The importance of indigenous traditional knowledge is recognized by the Intergovernmental Panel on Climate Change (IPCC). The IPCC Assessment Reports have noted that traditional knowledge constitutes “an invaluable basis for developing adaptation and natural resource management strategies in response to environmental and other forms of change.” The IPCC has increasingly

integrated traditional knowledge as one of the bases for the findings contained in its Assessment Reports.

Indigenous Peoples have participated in the UN Framework Convention on Climate Change (UNFCCC) negotiation process since 2000 to ensure that their rights, knowledge, and perspectives are duly respected by the decisions adopted there. The UN Climate Secretariat has recognized Indigenous Peoples as a formal constituency within this process, with specific rights to participate in the climate negotiations. In this context, the International Indigenous Peoples Forum on Climate Change (IIPFCC) was established in 2008 as the Caucus for Indigenous Peoples participating in the UNFCCC processes.

Since 2001, the Parties to the UNFCCC have increasingly noted the importance of Indigenous Peoples and their traditional knowledge in decisions adopted under the UNFCCC. Explicit references to Indigenous Peoples and traditional knowledge are contained in more than 60 decisions adopted by the Conference of the Parties, or in reports adopted by its subsidiary bodies. Key milestones are worth highlighting. In the 2010 Cancun Accords, the Parties took note of the UNDRIP and stressed the importance of protecting Indigenous Peoples' rights and knowledge in the context of action

aimed at addressing deforestation (decision 1/CP.16). In 2015, the Paris Climate Agreement recalled the need for all parties, when taking climate action, to respect, promote, and take into consideration their respective obligations related to the rights of Indigenous Peoples. In addition, the Paris Decision established a Local Communities and Indigenous Peoples Platform to promote the exchange of experiences and sharing of best practices related to traditional knowledge and committed to strengthening such knowledge, technologies, practices, and efforts (decision 1/CP.21). In the context of the Local Communities and Indigenous Peoples Platform, the Parties recalled the UNDRIP (decision 2/CP.23).

These decisions and mandates, adopted by consensus by the Parties, must inform the design and implementation of climate policies at all levels – local, national, regional, and international. Unfortunately, many policies and projects implemented in the name of climate action disregard the rights of Indigenous Peoples or ignore traditional knowledge.

This text compilation offers a useful tool for all actors involved in climate policies and climate actions, including governments, private corporations, and financial institutions. It lists all of the references to Indigenous Peoples



and traditional knowledge adopted by the UNFCCC bodies. These references, mandates, and commitments constitute a floor, as many national and international legal frameworks extend beyond the references adopted by the UNFCCC. The rules, principles, and norms established under the climate agreements are complementary to other norms adopted by governments on this issue.

The present document first recalls the relevant provisions of the UN Declaration of the Rights of Indigenous Peoples (Part 2). The compilation next provides citations

of all relevant references contained in the agreements, decisions, and conclusions adopted under the UNFCCC (Part 3). This compilation first cites relevant provisions of the Paris Agreement (Part 3.1). It then lists the mandates related to the Local Communities and Indigenous Peoples Platform (Part 3.2) and compiles by thematic policy area all other references to Indigenous Peoples and traditional knowledge (Part 3.3). Finally, a chronological index at the end of the compilation lists all the references to the documents mentioned in the compilation by year of adoption (including web links)..

PART 2

Universal Declaration the Rights of Indigenous Peoples

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and good faith in the fulfilment of the obligations assumed by States in accordance with the Charter,

Affirming that indigenous peoples are equal to all other peoples, while recognizing the right of all peoples to be different, to consider themselves different, and to be respected as such,

Affirming also that all peoples contribute to the diversity and richness of civilizations and cultures, which constitute the common heritage of humankind,

Affirming further that all doctrines, policies and practices based on or advocating superiority of peoples or individuals on the basis of national origin or racial, religious, ethnic or cultural differences are racist, scientifically false, legally invalid, morally condemnable and socially unjust,

Reaffirming that indigenous peoples, in the exercise of their rights, should be free from discrimination of any kind,

Concerned that indigenous peoples have suffered from historic injustices as a result of, inter alia, their colonization and dispossession of their lands, territories and resources, thus preventing them from exercising, in particular, their right to development in accordance with their own needs and interests,

Recognizing the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources,

Recognizing also the urgent need to respect and promote the rights of indigenous peoples affirmed in treaties, agreements and other constructive arrangements with States,

Welcoming the fact that indigenous peoples are organizing themselves for political, economic, social and cultural enhancement and in order to bring to an end all forms of discrimination and oppression wherever they occur,

Convinced that control by indigenous peoples over developments affecting them and their lands, territories and resources will enable them to maintain and strengthen their institutions, cultures and traditions, and to promote their development in accordance with their aspirations and needs,

Recognizing that respect for indigenous knowledge, cultures and traditional practices contributes to sustainable and equitable development and proper management of the environment,

Emphasizing the contribution of the demilitarization of the lands and territories of indigenous peoples to peace, economic and social progress and development,

understanding and friendly relations among nations and peoples of the world,

Recognizing in particular the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child,

Considering that the rights affirmed in treaties, agreements and other constructive arrangements between States and indigenous peoples are, in some situations, matters of international concern, interest, responsibility and character,

Considering also that treaties, agreements and other constructive arrangements, and the relationship they represent, are the basis for a strengthened partnership between indigenous peoples and States,

Acknowledging that the Charter of the United Nations, the International Covenant on Economic, Social and Cultural Rights² and the International Covenant on Civil and Political Rights,² as well as the Vienna Declaration and Programme of Action,³ affirm the fundamental importance of the right to self-determination of all peoples, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development,

Bearing in mind that nothing in this Declaration may be used to deny any peoples their right to self-determination, exercised in conformity with international law,

Convinced that the recognition of the rights of indigenous peoples in this Declaration will enhance harmonious and cooperative relations between the State

and indigenous peoples, based on principles of justice, democracy, respect for human rights, non-discrimination and good faith,

Encouraging States to comply with and effectively implement all their obligations as they apply to indigenous peoples under international instruments, in particular those related to human rights, in consultation and cooperation with the peoples concerned,

Emphasizing that the United Nations has an important and continuing role to play in promoting and protecting the rights of indigenous peoples,

Believing that this Declaration is a further important step forward for the recognition, promotion and protection of the rights and freedoms of indigenous peoples and in the development of relevant activities of the United Nations system in this field,

Recognizing and reaffirming that indigenous individuals are entitled without discrimination to all human rights recognized in international law, and that indigenous peoples possess collective rights which are indispensable for their existence, well-being and integral development as peoples,

Recognizing that the situation of indigenous peoples varies from region to region and from country to country and that the significance of national and regional particularities and various historical and cultural backgrounds should be taken into consideration,

Solemnly proclaims the following United Nations Declaration on the Rights of Indigenous Peoples as a standard of achievement to be pursued in a spirit of partnership and mutual respect:

²See resolution 2200 A (XXI), annex.

³A/CONF.157/24 (Part I), chap. III.

Article 1

Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights⁴ and international human rights law.

Article 2

Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.

Article 3

Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 4

Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

Article 5

Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.

Article 6

Every indigenous individual has the right to a nationality.

Article 7

1. Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.

2. Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

Article 8

1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.

2. States shall provide effective mechanisms for prevention of, and redress for:

(a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities;

(b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;

(c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;

(d) Any form of forced assimilation or integration;

(e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

⁴Resolution 217 A (III).

Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.

Article 10

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

Article 11

1. Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

2. States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.

Article 12

1. Indigenous peoples have the right to manifest, practise, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right

to the repatriation of their human remains.

2. States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in conjunction with indigenous peoples concerned. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

Article 13

1. States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

Article 14

1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.

2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.

3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Article 15

1. Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.

2. States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society.

Article 16

1. Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination.

2. States shall take effective measures to ensure that State-owned media duly reflect indigenous cultural diversity. States, without prejudice to ensuring full freedom of expression, should encourage privately owned media to adequately reflect indigenous cultural diversity.

Article 17

1. Indigenous individuals and peoples have the right to enjoy fully all rights established under applicable international and domestic labour law.

2. States shall in consultation and cooperation with indigenous peoples take specific measures to protect indigenous children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social devel-

opment, taking into account their special vulnerability and the importance of education for their empowerment.

3. Indigenous individuals have the right not to be subjected to any discriminatory conditions of labour and, inter alia, employment or salary.

Article 18

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decisionmaking institutions.

Article 19

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

Article 20

1. Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.

2. Indigenous peoples deprived of their means of subsistence and development are entitled to just and fair redress.

Article 21

1. Indigenous peoples have the right, without discrimination, to the improve-



Photo courtesy of Jeff Tan.

ment of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.

2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

Article 22

1. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.

2. States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

Article 23

Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.

Article 24

1. Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the

conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.

2. Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.

Article 25

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

Article 26

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

Article 27

States shall establish and implement, in conjunction with indigenous peoples

concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

Article 28

1. Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.

2. Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.

Article 29

1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

2. States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.

3. States shall also take effective measures to ensure, as needed, that programmes for monitoring, maintaining and restoring the health of indigenous peoples, as developed and implemented by the peoples affected by such materials, are duly implemented.

Article 30

1. Military activities shall not take place in the lands or territories of indigenous peoples, unless justified by a relevant public interest or otherwise freely agreed with or requested by the indigenous peoples concerned.

2. States shall undertake effective consultations with the indigenous peoples concerned, through appropriate procedures and in particular through their representative institutions, prior to using their lands or territories for military activities.

Article 31

1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

2. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.

Article 32

1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.

2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.

3. States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.

Article 33

1. Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live.

2. Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.

Article 34

Indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, juridical systems or customs,

in accordance with international human rights standards.

Article 35

Indigenous peoples have the right to determine the responsibilities of individuals to their communities.

Article 36

1. Indigenous peoples, in particular those divided by international borders, have the right to maintain and develop contacts, relations and cooperation, including activities for spiritual, cultural, political, economic and social purposes, with their own members as well as other peoples across borders.

2. States, in consultation and cooperation with indigenous peoples, shall take effective measures to facilitate the exercise and ensure the implementation of this right.

Article 37

1. Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements and other constructive arrangements.

2. Nothing in this Declaration may be interpreted as diminishing or eliminating the rights of indigenous peoples contained in treaties, agreements and other constructive arrangements.

Article 38

States, in consultation and cooperation with indigenous peoples, shall take the appropriate measures, including legislative measures, to achieve the ends of this Declaration.

Article 39

Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration.

Article 40

Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights.

Article 41

The organs and specialized agencies of the United Nations system and other intergovernmental organizations shall contribute to the full realization of the provisions of this Declaration through the mobilization, inter alia, of financial cooperation and technical assistance. Ways and means of ensuring participation of indigenous peoples on issues affecting them shall be established.

Article 42

The United Nations, its bodies, including the Permanent Forum on Indigenous Issues, and specialized agencies, including at the country level, and States shall promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration.



Photo courtesy of Peuples Autochtones de la RDC

Article 43

The rights recognized herein constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world.

Article 44

All the rights and freedoms recognized herein are equally guaranteed to male and female indigenous individuals.

Article 45

Nothing in this Declaration may be construed as diminishing or extinguishing the rights indigenous peoples have now or may acquire in the future.

Article 46

1. Nothing in this Declaration may be interpreted as implying for any State, people, group or person any right to engage in any activity or to perform any act contrary to the Charter of the United

Nations or construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States.

2. In the exercise of the rights enunciated in the present Declaration, human rights and fundamental freedoms of all shall be respected. The exercise of the rights set forth in this Declaration shall be subject only to such limitations as are determined by law and in accordance with international human rights obligations. Any such limitations shall be non-discriminatory and strictly necessary solely for the purpose of securing due recognition and respect for the rights and freedoms of others and for meeting the just and most compelling requirements of a democratic society.

3. The provisions set forth in this Declaration shall be interpreted in accordance with the principles of justice, democracy, respect for human rights, equality, non-discrimination, good governance and good faith.

PART 3

Compilation of relevant decisions under the UNFCCC process

3.1 References Contained in the Paris Agreement

Preamble

Acknowledging that climate change is a common concern of humankind, Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the [rights of indigenous peoples](#), local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity,

Article 7.5.

Parties acknowledge that adaptation action should follow a country-driven, gender-responsive, participatory and fully transparent approach, taking into consideration vulnerable groups, communities and ecosystems, and should be based on and guided by the best available science and, as appropriate, [traditional knowledge](#), [knowledge of indigenous peoples](#) and local knowledge systems, with a view to integrating adaptation into relevant socioeconomic and environmental policies and actions, where appropriate.



3.2 Mandates and Decisions Related to the Local Communities and Indigenous Peoples Platform

Decision 1/CP.21: Adoption of the Paris Agreement (2015)

135. *Recognizes* the need to strengthen knowledge, technologies, practices and efforts of local communities and *indigenous peoples* related to addressing and responding to climate change, and *establishes* a platform for the exchange of experiences and sharing of best practices on mitigation and adaptation in a holistic and integrated manner;

Report of COP.22 (2016)

165. At the 3rd meeting, at the request of two Parties, the President agreed to conduct informal consultations on the local communities and *indigenous peoples* platform referred to in decision 1/CP.21, paragraph 135.

166. At the resumed 10th meeting, the President thanked Mr. Tber for conducting informal consultations on his behalf.

167. At the same meeting, on a proposal by the President, the COP:

(a) Agreed to adopt an incremental approach to developing the local communities and *indigenous peoples* platform with a view to ensuring its effective operationalization;

(b) Requested the Chair of the SBSTA to initiate the process to develop the local communities and *indigenous peoples* platform, which will include convening an open multi-stakeholder dialogue on the operationalization of the platform in conjunction with SBSTA 46 and SBI 46 to be co-moderated by the Chair of the SBSTA and a representative of *indigenous peoples organizations*;

(c) Invited Parties and other stakeholders to submit, by 31 March 2017 their views on the purpose, content and structure of the platform in order to inform the multistakeholder dialogue and request the secretariat to prepare a report on the dialogue, which should also draw on the submissions;

(d) Requested the SBSTA to consider the report in conjunction with SBSTA 47 and SBI 47 under a new agenda item, “Local communities and *indigenous peoples* platform”, and conclude its consideration at SBSTA 47 by forwarding recommendations for operationalization of the platform to COP 23.

168. At the same meeting, the President requested developed country Parties and other Parties and non-Party stakeholders in a position to do so to provide financial resources for operationalizing the platform, in particular to enable

representatives of [indigenous peoples organizations](#) to participate in the above-mentioned dialogue.

Decision 2/CP.23: Local communities and indigenous peoples platform (2017)

The Conference of the Parties,

Recalling the [United Nations Declaration on the Rights of Indigenous Peoples](#), decision 1/CP.21 and the Paris Agreement,

Acknowledging that Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on the [rights of indigenous peoples](#) and local communities,

Emphasizing the role of local communities and [indigenous peoples](#) in achieving the targets and goals set out in the Convention, the Paris Agreement and the 2030 Agenda for Sustainable Development, and recognizing their vulnerability to climate change,

Reaffirming the need to strengthen the knowledge, technologies, practices and efforts of local communities and [indigenous peoples](#) related to addressing and responding to climate change, and the importance of the platform established for the exchange of experience and sharing of best practices related to mitigation and adaptation in a holistic and integrated manner,

1. *Notes* with appreciation the submissions from Parties, [indigenous peoples organizations](#) and other relevant organizations on the purpose, content and structure of the local communities and [indigenous peoples](#) platform (hereinafter referred to as the platform);

2. *Acknowledges* the fruitful exchange of views that took place during the open multi-stakeholder dialogue that was convened by the Chair of the Subsidiary Body for Scientific and Technological Advice and co-moderated with a representative of [indigenous peoples organizations](#) during the forty-sixth session of the Subsidiary Body for Scientific and Technological Advice, on 16 and 17 May 2017;

3. *Notes* with appreciation the support provided by Belgium and New Zealand for the participation of representatives of [indigenous peoples organizations](#) in the multi-stakeholder dialogue referred to in paragraph 2 above;

4. *Welcomes* the report on the proposals on the operationalization of the platform based on the open multi-stakeholder dialogue referred to in paragraph 2 above and the submissions received;

5. *Decides* that the overall purposes of the platform will be to strengthen the knowledge, technologies, practices and efforts of local communities and [indigenous peoples](#) related to addressing and responding to climate change, to facilitate the exchange of experience and the sharing of best practices and lessons learned related to mitigation and adaptation in a holistic and integrated



Photo courtesy of UNClimateChange via Flickr

manner and to enhance the engagement of local communities and **indigenous peoples** in the UNFCCC process;

6. *Also decides* that the platform will perform the following functions:

(a) Knowledge: the platform should promote the exchange of experience and best practices with a view to applying, strengthening, protecting and preserving **traditional knowledge, knowledge of indigenous peoples** and local knowledge systems, as well as technologies, practices and efforts of local communities and **indigenous peoples** related to addressing and responding to climate change, taking into account the free, prior and informed consent of the holders of such knowledge, innovations and practices;

(b) Capacity for engagement: the platform should build the capacity of **indigenous peoples** and local communities to enable their engagement in the UNFCCC process and the capacity of Parties and other relevant stakeholders to engage with the platform and with local communities and **indigenous peoples**, including in the context of the implementation of the Paris Agreement and other climate change related processes;

(c) Climate change policies and actions: the platform should facilitate the integration of diverse knowledge systems, practices and innovations in designing and implementing international and national actions, programmes, and policies in a manner that respects and promotes the rights and interests of local communities

and **indigenous peoples**. The platform should also facilitate the undertaking of stronger and more ambitious climate action by **indigenous peoples** local communities that could contribute to the achievement of the nationally determined contributions of the Parties concerned;

7. *Further decides* to continue to work towards the full operationalization of the platform;

8. *Recommends* that the processes under the platform, including its operationalization, take into account, inter alia, the interests and views of local communities and **indigenous peoples**, as well as the following principles proposed by indigenous peoples organizations: full and effective participation of **indigenous peoples**; equal status of **indigenous peoples** and Parties, including in leadership roles; self-selection of **indigenous peoples** representatives in accordance with **indigenous peoples'** own procedures; and adequate funding from the secretariat and voluntary contributions to enable the functions referred to in paragraph 6 above;

9. *Decides* that the first activity of the platform will be a multi-stakeholder workshop on implementing the functions referred to in paragraph 6 above, to be co-moderated by the Chair of the Subsidiary Body for Scientific and Technological Advice and a representative of local communities and **indigenous peoples organizations**, who will each make an equal contribution to the design of the workshop;

10. *Requests* the Subsidiary Body for Scientific and Technological Advice to consider at its forty-eighth session (April–May 2018) the further operationalization of the platform, including the establishment of a facilitative working group, which would not be a negotiating body under the Convention, and the modalities for the development of a workplan for the full implementation of the functions referred to in paragraph 6 above, with balanced representation of local communities and **indigenous peoples** and Parties, and to conclude its considerations by making recommendations to the Conference of the Parties at its twenty-fourth session (December 2018);

11. *Takes note* of the estimated budgetary implications of the activities to be undertaken by the secretariat referred to in paragraph 9 above;

12. *Requests* that the actions of the secretariat called for in this decision be undertaken subject to the availability of financial resources.

3.3 Compilation of Other Relevant Mandates and Decisions

Rights of Indigenous Peoples

2010

Decision 1/CP.16 (Conference of Parties)

The Cancun Agreements: Outcome of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention

Noting resolution 10/4 of the United Nations Human Rights Council on human rights and climate change, which recognizes that the adverse effects of climate change have a range of direct and indirect implications for the effective enjoyment of human rights and that the effects of climate change will be felt most acutely by those segments of the population that are already vulnerable owing to geography, gender, age, indigenous or minority status, or disability,”

Decision 1/CP.16 (Conference of Parties)

The Cancun Agreements: Outcome of the work of the Ad Hoc Working Group

on Long-term Cooperative Action under the Convention

Response Measures

Pre-88 *Taking note of* relevant provisions of the United Nations Declaration on the Rights of Indigenous Peoples,

2015

Paris Agreement

See article 7.5, reproduced on page 20 of this compilation.

Action for Climate Empowerment

2010

Decision 7/CP.16 (Conference of Parties)

Progress in, and ways to enhance, the implementation of the amended New Delhi work programme on Article 6 of the Convention

2. *Invites* Parties, with a view to enhancing the implementation of the amended New Delhi work programme:



(e) To foster the participation of women, youth, **indigenous peoples**, civil society groups and relevant stakeholders in decision-making on climate change at the national level and their attendance at intergovernmental meetings, including sessions of the Conference of the Parties, the Conference of the Parties

*Also reaffirming the importance of taking into account gender aspects and the need to promote the effective engagement of children, youth, the elderly, women, persons with disabilities, **indigenous peoples**, local communities and non-governmental organizations in activities related to Article 6 of the Convention,*

2012

Decision 15/CP.18 (Conference of Parties)

Doha work programme on Article 6 of the Convention

9. Implementation of Article 6 of the Convention has a broad range of stakeholders, including, governments, the private sector, IGOs, NGOs and others international organizations, decision makers, scientists, the media, teachers, the general public, youth, women, people with disabilities and **indigenous peoples** among others.

2013

Report SBI 39 (Subsidiary Body for Implementation)

[Summary report on the Dialogue on Article 6 of the Convention](#)

193. The SBI recalled decision 15/CP.18, which reaffirms the importance of taking into account gender aspects and the need to promote the effective engagement of children, youth, the elderly, women, persons with disabilities, [indigenous peoples](#), local communities and non-governmental organizations in activities related to Article 6 of the Convention.

2014

Decision 19/CP.20 (Conference of Parties)

[The Lima Ministerial Declaration on Education and Awareness-raising](#)

Reaffirming that public participation, access to information and knowledge are crucial for developing and implementing effective policies to combat climate change and adapt to its impacts, as well as to engage actively, as appropriate, all stakeholders, including children, youth, the elderly, women, persons with disabilities, [indigenous](#) and local [communities](#) and non-governmental

organizations in the implementation of these policies,

2015

Decision 15/CP.21 (Conference of Parties)

[Terms of reference for the intermediate review of the Doha work programme on Article 6 of the Convention](#)

Reaffirming the importance of taking into account gender aspects and the need to promote the effective engagement of children, youth, the elderly, women, persons with disabilities, [indigenous peoples](#), local communities and non-governmental organizations in activities related to Article 6 of the Convention,

2018

Draft Decision -/ CMA.1

[Ways of enhancing the implementation of education, training, public awareness, public participation and public access to information so as to enhance actions under the Paris Agreement](#)

Reaffirming the key role that a broad range of stakeholders, inter alia, national governments, regions as applicable, cities, education and cultural institutions, museums, the private sector, intergovernmental organizations, non-governmental organizations, international organizations, decision makers, scientists,

the media, teachers, youth, women and **indigenous peoples**, play in ensuring Action for Climate Empowerment,

Adaptation

2001

Decision 28/CP.7 (Conference of Parties)

Guidelines for the preparation of national adaptation programmes of action

Annex

2. Framework for adaptation programme

10. This section will also provide an overview of climate variability and ob-

served and projected climate change and associated actual and potential adverse effects of climate change.

This overview will be based on existing and ongoing studies and research, and/or empirical and historical information as well as **traditional knowledge**.

2005

Decision 2/CP.11 (Conference of Parties)

Five-year programme of work of the Subsidiary Body for Scientific and Technological Advice on impacts, vulnerability and adaptation to climate change

Recognizing and encouraging the activities relating to impacts, vulnerability and adaptation to climate change undertaken by Parties and relevant international



and regional organizations and institutions, and the importance of local and **indigenous knowledge**,

3. The programme of work comprises two thematic areas, each with several action-oriented sub-themes:

(b) Adaptation planning, measures and actions:

(ii) Collecting, analysing and disseminating information on past and current practical adaptation actions and measures, including adaptation projects, short- and long-term adaptation strategies, and local and **indigenous knowledge**;

Report of SBSTA 23 (Subsidiary Body for Scientific and Technological Advice)

Draft indicative list of activities for the programme of work of the Subsidiary Body for Scientific and Technological Advice (SBSTA) on impacts, vulnerability and adaptation to climate change

Sub-theme B (ii). Collecting, analysing and disseminating information on past and current practical adaptation actions and measures, including adaptation projects, short- and long-term adaptation strategies, and local and **indigenous knowledge**

2. Encouragement of work on different aspects of technologies and know-how on adaptation, as well as on oppor-

tunities for their transfer, taking into account local and **indigenous knowledge** and experiences with the implementation of pilot projects

Invite the LEG to provide information on its work, taking into account local and **indigenous knowledge**

2006

Report SBI 24 (Subsidiary Body for Implementation)

Compilation document containing possible elements for a draft decision on the Adaptation Fund

12. *Decides* that priority project activities shall be identified:

(d) As priorities for addressing specific problems, local capacity-building, technology transfer and **the promotion of indigenous technological applications**;

Report of SBSTA 24 (Subsidiary Body for Scientific and Technological Advice)

Five-Year Programme Of Work On Impacts, Vulnerability And Adaptation To Climate Change

Data and observations

16. The SBSTA decided that activities under sub-theme A(ii) are to be

implemented to assist all Parties in their efforts:

- (c) To exchange information on observed climate change impacts, including those observed through **traditional knowledge**.

Climate related risks and extreme events

27. The SBSTA requested the secretariat, under the guidance of the Chair of the SBSTA, to organize, before its twenty-sixth session, a workshop with participation of Parties, experts and relevant organizations, taking into account the submission referred to in paragraph 26 above, to consider:

- (c) Contribution of **traditional knowledge**;

Adaptation planning and practices

36. The SBSTA requested the secretariat to organize, before its twenty-sixth session a workshop to exchange information on the contribution of existing adaptation practices and **traditional knowledge** to the work on impacts and vulnerability assessment and adaptation, taking into account the submissions from Parties and relevant outputs from the work of the LEG, CGE and EGTT.

Technologies for adaptation

42. The SBSTA decided that activities under sub-theme B(iii) are to be implemented to assist all Parties in their efforts to:

- (a) Enhance work on different aspects of technologies and know-how for adaptation, as well as on opportu-

nities for their transfer and diffusion, taking into account local and **indigenous knowledge and experience** as well as ongoing activities and projects.

Report of SBSTA 25 (Subsidiary Body for Scientific and Technological Advice)

Five-year programme of work on impacts, vulnerability and adaptation to climate change

Data and observations

40. Activities in this area can contribute to efforts by Parties and organizations, inter alia:

- (c) To exchange information on observed climate change impacts, including those observed through **traditional knowledge**.

46. The SBSTA invited Parties and relevant organizations to submit to the secretariat, by 23 February 2007, information on their relevant programmes, activities and views on the following issues:

- (c) Contribution of **traditional knowledge** to understanding and managing climate-related risks;

Adaptation planning and practices

55. Activities in this area are undertaken in line with the objective in the annex to decision 2/CP.11 to advance subthemes b (ii), "Collecting, analysing

and disseminating information on past and current practical adaptation actions and measures, including adaptation projects, short- and long-term adaptation strategies, and local and **indigenous knowledge**”, and b (iv), “Facilitating communication and cooperation among and between Parties and relevant organizations, business, civil society, and decision makers, and other stakeholders”.

58. The SBSTA requested the secretariat, under the guidance of the Chair of the SBSTA, to organize, before its twenty-seventh session, a workshop with the participation of Parties, relevant organizations, business, civil society, decision makers and other stakeholders, to exchange information and views on existing adaptation practices, experiences, needs, gaps, opportunities, barriers and constraints, and on the contribution of **traditional knowledge** to the work on adaptation planning and practices taking into account the miscellaneous document referred to in paragraph 56 above and the synthesis reports referred to in paragraph 57 above.

Technologies for adaptation

67. Activities in this area can contribute to efforts by Parties and organizations, inter alia, to enhance work on different aspects of technologies and know-how for adaptation, as well as on opportunities for their transfer, development and diffusion, taking into account local and **indigenous knowledge and experience** as well as ongoing activities and projects.

2008

Report of SBSTA 28 (Subsidiary Body for Scientific and Technological Advice)

Adaptation planning and practices

55. The SBSTA affirmed that activities in the area of adaptation planning and practices are undertaken with a view to advancing sub-themes b (ii), “Collecting, analysing and disseminating information on past and current practical adaptation actions and measures, including adaptation projects, short- and long-term adaptation strategies, and local and **indigenous knowledge**”, and b (iv), “Facilitating communication and cooperation among and between Parties and relevant organizations, business, civil society and decision makers, and other stakeholders”.

Report of SBSTA 29 (Subsidiary Body for Scientific and Technological Advice)

Annex I - Relevant information and advice emerging from the implementation of the Nairobi work programme on impacts, vulnerability and adaptation to climate change in its first phase

Adaptation planning and practices

22. Lessons learned include: using current exposure to natural hazards and climate variability as an entry point for adaptation; using case studies and guidelines to engage stakeholders; and the importance of understanding, valuating and incorporating **indigenous** and local **knowledge and technologies**.

2010

Decision 1/CP.16 (Conference of Parties)

The Cancun Agreements: Outcome of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention

2. *Affirms* that enhanced action on adaptation should be undertaken in accordance with the Convention, should follow a country-driven, gender-sensitive, participatory and fully transparent approach, taking into consideration vulnerable groups, communities and ecosystems, and should be based on and guided by the best available science and, as appropriate, **traditional and indigenous knowledge**, with a view to integrating adaptation into relevant social, economic and environmental policies and actions, where appropriate;

20. *Decides* to hereby establish an Adaptation Committee to promote the implementation of enhanced action on adaptation in a coherent manner under the Convention, inter alia, through the following functions:



Photo courtesy of Marit Meley Ursi

(b) Strengthening, consolidating and enhancing the sharing of relevant information, knowledge, experience and good practices, at the local, national, regional and international levels, taking into account, as appropriate, **traditional knowledge and practices**;

Report of SBSTA 32 (Subsidiary Body for Scientific and Technological Advice)

Nairobi work programme on impacts, vulnerability and adaptation to climate change

17. The SBSTA requested the secretariat, under the guidance of the Chair of the SBSTA, to ensure an equitable representation of Parties at the informal meeting of representatives from Parties and organizations and experts participating in the Nairobi work programme, including those with expertise at the local level and with **indigenous knowledge**, to consider the outcomes of the activities completed prior to that meeting, to be organized before the thirty-third session of the SBSTA. It further requested the secretariat, under the guidance of the Chair of the SBSTA, to prepare inputs and develop an agenda to facilitate discussions within the framework of reviewing the effectiveness of the Nairobi work programme in fulfilling its objective and expected outcome, as well as in terms of its scope of work and modalities, as set out in the annex to decision 2/CP.11.

Report of SBSTA 33 (Subsidiary Body for Scientific and Technological Advice)

Nairobi work programme on impacts, vulnerability and adaptation to climate change

20. The SBSTA noted that additional effort is needed to assist all Parties, in particular developing countries, including the LDCs and SIDS, to improve their understanding and assessment of impacts, vulnerability and adaptation, to make informed decisions on the implementation of practical adaptation actions and measures, and to assist Parties to enhance the capacity of relevant decision makers and stakeholders, at different levels, including representatives of women, local communities and **indigenous peoples**, to better utilize the information and tools provided by the Nairobi work programme.

2011

Decision 5/CP.17 (Conference of Parties)

National adaptation plans

3. *Further agrees* that enhanced action on adaptation should be undertaken in accordance with the Convention, should follow a country-driven, gender-sensitive, participatory and fully transparent approach, taking into consideration

vulnerable groups, communities and ecosystems, and should be based on and guided by the best available science and, as appropriate, **traditional and indigenous knowledge**, and by gender-sensitive approaches, with a view to integrating adaptation into relevant social, economic and environmental policies and actions, where appropriate;

Decision 6/CP.17 (Conference of Parties)

Nairobi work programme on impacts, vulnerability and adaptation to climate change

4. *Also requests* the secretariat to organize, in collaboration with Nairobi work programme partner organizations and other relevant organizations, the following workshops, informed by the information contained in annex I to the report of the Subsidiary Body for Scientific and Technological Advice on its thirty-fourth session¹ and subsequent views of Parties, and to include **indigenous and traditional knowledge** and practices for adaptation and gender-sensitive tools and approaches as cross-cutting issues:

Report of SBSTA 34 (Subsidiary Body for Scientific and Technological Advice)

Annex I - Potential activities under the Nairobi work programme on impacts,

vulnerability and adaptation to climate change

1. Taking into account the objective of the Nairobi work programme on impacts, vulnerability and adaptation to climate change, as contained in decision 2/CP.11, and outputs of activities undertaken to date under the Nairobi work programme, and noting decision 1/CP.16, paragraph 12, which affirms that enhanced action on adaptation should be undertaken in accordance with the Convention, should follow a country-driven, gendersensitive, participatory and fully transparent approach, taking into consideration vulnerable groups, communities and ecosystems, and should be based on and guided by the best available science and, as appropriate, **traditional and indigenous knowledge**, with a view to integrating adaptation into relevant social, economic and environmental policies and actions, where appropriate, the Subsidiary Body for Scientific and Technological Advice (SBSTA) discussed the following potential activities under the Nairobi work programme on impacts, vulnerability and adaptation to climate change:

(a) Enhancing the use of **indigenous and traditional knowledge and practices** for adaptation and the application of gender-sensitive approaches and tools for understanding and assessing impacts, vulnerability and adaptation to climate change;

2013

Decision 17/CP.19 (Conference of Parties)

Nairobi work programme on impacts, vulnerability and adaptation to climate change

Also recognizing the importance of indigenous and traditional knowledge and practices, and gender-sensitive approaches and tools for adaptation to climate change,

7. Decides that activities under the Nairobi work programme should integrate gender issues, indigenous and traditional knowledge, and the role of and impacts on ecosystems;

Report of SBSTA 38 (Subsidiary Body for Scientific and Technological Advice)

Nairobi work programme on impacts, vulnerability and adaptation to climate change

17. The SBSTA, recognizing the importance of indigenous and traditional knowledge and practices, and gender-sensitive approaches and tools for adaptation to climate change, requested the secretariat, under the guidance of the Chair of the SBSTA and in collaboration with relevant organizations, to undertake the following activities, with

a view to developing recommendations for practitioners on the use of indigenous and traditional knowledge and practices for adaptation, and the application of gender-sensitive approaches and tools for understanding and assessing impacts, vulnerability and adaptation to climate change:

(a) To prepare a technical paper, before SBSTA 39, on best practices and available tools for the use of indigenous and traditional knowledge and practices for adaptation, and the application of gender-sensitive approaches and tools for understanding and assessing impacts, vulnerability and adaptation to climate change;

(b) To organize a technical expert meeting, before SBSTA 40 (June 2014), on the use of indigenous and traditional knowledge and practices for adaptation, and the application of gender-sensitive approaches and tools for understanding and assessing impacts, vulnerability and adaptation to climate change, taking into account the information contained in the technical paper referred to in paragraph 17(a) above.

Report of SBSTA 39 (Subsidiary Body for Scientific and Technological Advice)

Nairobi work programme on impacts, vulnerability and adaptation to climate change



11. The SBSTA noted with appreciation the following documents prepared for the session:

- (a) The technical paper on best practices and available tools for the use of **indigenous and traditional knowledge and practices** for adaptation, and the application of gender-sensitive approaches and tools for understanding and assessing impacts, vulnerability and adaptation to climate change;

13. The SBSTA, in response to the recommendations of the Adaptation Committee:

- (a) Recalled its request for the secretariat to organize, under the guidance of the Chair of the SBSTA, the technical expert meeting on best practices and available tools for the use of **indigenous and traditional knowledge and practices** for adaptation, and the application of gender-sensitive approaches and tools for understanding and assessing impacts, vulnerability and adaptation to cli-

mate change, and requested that it be carried out in conjunction with the Adaptation Committee's workshop on best practices and needs of local and **indigenous communities**;

2014

Decision 3/CP.20 (Conference of Parties)

National adaptation plans

3. *Reiterates* that the national adaptation plan process is a country-driven, gender-sensitive, participatory and fully transparent approach, taking into consideration vulnerable groups, communities and ecosystems, and should be based on and guided by the best available science and, as appropriate, **traditional and indigenous knowledge**, with a view to integrating adaptation into relevant social, economic and environmental policies and actions, where appropriate;

Decision 4/CP.20 (Conference of Parties)

Report of the Adaptation Committee

2. *Also welcomes* the progress made by the Adaptation Committee in the implementation of its three-year workplan, including:

- (c) Conducting a joint meeting with the Nairobi work programme on available tools for the use of **indigenous and traditional knowledge and practices** for adaptation, needs of local and **indigenous communities**, and the application of gender-sensitive approaches and tools for adaptation;²

Annex - Recommendations for the Conference of the Parties

5. Furthermore, the AC agreed to forward the following recommendations resulting from the workshop on best practices and needs of local and **indigenous communities** referred to in paragraph 45 of its report referred to in paragraph 1 above for consideration by the COP. The COP may wish to:

- (a) Invite Parties to underline the importance of **indigenous and traditional knowledge and practices**, in a manner commensurate with modern science, for the effective planning and implementation of adaptation, including by encouraging the integration of **indigenous, traditional** and local **knowledge** into the NAP process;

- (b) Encourage the Adaptation Fund, the Global Environment Facility (GEF) and the GCF to enhance their consideration of local, **indigenous and traditional knowledge and practices** and their integration into adaptation planning and practices, as well as procedures for monitoring, evaluation and reporting.

Report of SBSTA 40 (Subsidiary Body for Scientific and Technological Advice)

Nairobi work programme on impacts, vulnerability and adaptation to climate change

14. The SBSTA took note of the joint meeting, held in Bonn from 1 to 4 April 2014, on best practices and available tools for the use of **indigenous and traditional knowledge and practices**, best practices and needs of local and **indigenous communities** and the application of gender-sensitive approaches and tools for understanding and assessing impacts, vulnerability and adaptation to climate change, which was organized by the Adaptation Committee in conjunction with the Nairobi work programme on impacts, vulnerability and adaptation to climate change with a view to developing recommendations for practitioners.

16. The SBSTA welcomed the following documents prepared for the session:

(a) The report on the meeting on available tools for the use of **indigenous and traditional knowledge and practices** for adaptation, needs of local and **indigenous communities** and the application of gender-sensitive approaches and tools for adaptation;

Report of SBSTA 41 (Subsidiary Body for Scientific and Technological Advice)

Nairobi work programme on impacts, vulnerability and adaptation to climate change

18. The SBSTA considered the recommendations of the Adaptation Committee¹² in relation to the joint meeting on best practices and available tools for the use of **indigenous and traditional knowledge and practices**, best practices and needs of local and **indigenous communities** and the application of gender-sensitive approaches and tools for understanding and assessing impacts, vulnerability and adaptation to climate change, and concluded that the following activities would be undertaken by the secretariat under the guidance of the Chair of the SBSTA, in collaboration with the Adaptation Committee and the Least Developed Countries Expert Group, and with contributions from relevant Nairobi work programme partner organizations:

(a) Make publicly available a compilation of good practices and tools and available data collection initiatives

for the use of local, **indigenous and traditional knowledge and practices** for adaptation, for consideration at SBSTA 44, building on existing knowledge-sharing platforms, including the database on best practices and available tools for the use of **indigenous and traditional knowledge and practices** for adaptation;

(c) Consider, in relevant knowledge products under the Nairobi work programme, the importance of integrating gender-sensitive approaches and tools, and local, **indigenous and traditional knowledge and practices** into national adaptation plans, including by involving holders of local, **indigenous and traditional knowledge**, as appropriate.

2015

Paris Agreement

See article 7.5, reproduced on page 20 of this compilation.

2016

Report of SBSTA 44 (Subsidiary Body for Scientific and Technological Advice)

Nairobi work programme on impacts, vulnerability and adaptation to climate change

9. The SBSTA also welcomed the compilation of good practices, tools and data collection initiatives in relation to the use of local, **indigenous and traditional knowledge and practices** for adaptation, undertaken in collaboration with the Adaptation Committee (AC) and the Least Developed Countries Expert Group (LEG).

14. The SBSTA concluded that activities under the NWP should integrate the consideration of vulnerable communities in addition to gender issues, **traditional knowledge, knowledge of indigenous peoples** and local knowledge systems, and the role of and impacts on ecosystems, where appropriate.

20. The SBSTA considered ways to enhance the effectiveness of the modalities of the NWP, including ways to enhance the dissemination of knowledge generated under the NWP and improve learning to scale up adaptation actions at all levels. It concluded that the following actions, among others, would be carried out under the guidance of the Chair of the SBSTA and with the support of the secretariat:

(a) Strengthening the engagement of existing NWP partner organizations and developing new partnerships, including with local and municipal governments, the private sector, scientific organizations, academia, **organizations representing indigenous and traditional communities**, spiritual and religious groups, gender constituencies, youth organizations and the mass media;

(f) Improving the consideration of gender issues and the inclusion of **traditional knowledge, knowledge of indigenous peoples** and local knowledge systems in tools and methods for adaptation planning processes.

Agriculture

2014

Report of SBSTA 40 (Subsidiary Body for Scientific and Technological Advice)

Issues relating to agriculture

85. The SBSTA, recalling Article 9 of the Convention, on the basis of the objective, principles and provisions of the Convention, in accordance with decision 2/CP.17, paragraph 75, continued discussions and concluded that it would undertake scientific and technical work, taking into account the conclusions of SBSTA 38, in the following areas:

(c) Identification of adaptation measures, taking into account the diversity of the agricultural systems, **indigenous knowledge systems** and the differences in scale as well as possible co-benefits and sharing experiences in research and development and on the ground activities, including socioeconomic, environmental and gender aspects;



2018

Report of SBSTA 48 (Subsidiary Body for Scientific and Technological Advice)

62. The SBI and the SBSTA took note of the importance of issues, including but not limited to farmers, gender, youth, local communities and **indigenous peoples**, and encouraged Parties to take them into consideration when making submissions and during the KJWA workshops.

Capacity Buiding

2016

Decision 16/CP.22 (Conference of Parties)

Third comprehensive review of the implementation of the framework for capacity-building in developing countries under the Convention

4. *Also invites* the Paris Committee on Capacity-building, in managing the 2016–2020 workplan:

- (a) To take into consideration cross-cutting issues such as gender responsiveness, human rights and **indigenous peoples' knowledge**;

Deforestation

2005

Decision 5/CMP.1 (Kyoto Protocol)

Modalities and procedures for afforestation and reforestation project activities under the clean development mechanism in the first commitment period of the Kyoto Protocol

Appendix B

Project design document for afforestation and reforestation project activities under the CDM

(k) Socio-economic impacts of the project activity:

(i) Documentation on the analysis of the socio-economic impacts, including impacts outside the project boundary of the proposed afforestation or reforestation project activity under the CDM. This analysis should include, where applicable, information on, inter alia, local communities, indigenous peoples, land tenure, local employment, food production, cultural and religious sites, and access to fuelwood and other forest products;

Decision 6/CMP.1 (Kyoto Protocol)

Simplified modalities and procedures for small-scale afforestation and reforestation project activities under the

clean development mechanism in the first commitment period of the Kyoto Protocol and measures to facilitate their implementation

Appendix A

Project design document for small-scale afforestation and reforestation project activities under the clean development mechanism

(l) Socio-economic impacts of the project activity:

(i) Documentation on the analysis of the socio-economic impacts, including impacts outside the project boundary, of the proposed small-scale afforestation or reforestation project activity under the CDM. This analysis should include, where applicable, information on, inter alia, local communities, indigenous peoples, land tenure, local employment, food production, cultural and religious sites, and access to fuelwood and other forest products

2007

Decision 2/CP.13 (Conference of Parties)

Reducing emissions from deforestation in developing countries: approaches to stimulate action

Recognizing also that the needs of local and indigenous communities should be addressed when action is taken to



reduce emissions from deforestation and forest degradation in developing countries,

2008

Report of SBSTA 28 (Subsidiary Body for Scientific and Technological Advice)

Annex III - Main methodological issues

The Subsidiary Body for Scientific and Technological Advice, in undertaking its programme of work on methodological issues as referred to in decision 2/CP.13, paragraph 7, based on the views of Parties, identified, inter alia, the following issues for further consideration:

7. Cross-cutting issues

(e) Any implications of methodological approaches for **indigenous people** and local communities;

Report of SBSTA 29 (Subsidiary Body for Scientific and Technological Advice)

Reducing emissions from deforestation in developing countries: approaches to stimulate action

45. The SBSTA invited Parties and accredited observers to submit, if appropriate, to the secretariat, by 15 February 2009, their views on issues relating to **indigenous people** and local communities for the development and application of methodologies.

Report of SBSTA 29 (Subsidiary Body for Scientific and Technological Advice)

Annex II - Methodological guidance by the Subsidiary Body for Scientific and Technological Advice

1. The SBSTA noted the importance of the following elements in relation to its programme of work initiated under decision 2/CP.13:

- (c) Recognizing the need to promote the full and effective participation of **indigenous people** and local communities, taking into account national circumstances and noting relevant international agreements;

2009

Decision 4/CP.15 (Conference of Parties)

Methodological guidance for activities relating to reducing emissions from deforestation and forest degradation and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries

Recognizing the need for full and effective engagement of **indigenous peoples** and local communities in, and the potential contribution of their knowledge to, monitoring and reporting of

activities relating to decision 1/CP.13, paragraph 1 (b) (iii),

3. Encourages, as appropriate, the development of guidance for effective engagement of **indigenous peoples** and local communities in monitoring and reporting;

Report of SBSTA 30 (Subsidiary Body for Scientific and Technological Advice)

Reducing emissions from deforestation in developing countries: approaches to stimulate action

38. The SBSTA took note of the information on experiences and views submitted by Parties on needs for technical and institutional capacity-building and cooperation,¹⁸ and the views of Parties and accredited observers on issues relating to **indigenous peoples** and local communities for the development and application of methodologies.

Draft text for a decision on methodological guidance for activities relating to reducing emissions from deforestation and forest degradation in developing countries

Recognizing the need for full and effective engagement of **indigenous peoples** and local communities in, and the potential contribution of their knowledge to, monitoring and reporting of activities relating to decision 1/CP.13, paragraph 1 (b) (iii),

3. Encourages, as appropriate, the development of guidance for effective engagement of **indigenous peoples** and local communities in monitoring and reporting;

2010

Decision 1/CP.16 (Conference of Parties)

The Cancun Agreements: Outcome of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention

72. *Also requests* developing country Parties, when developing and implementing their national strategies or action plans, to address, inter alia, the drivers of deforestation and forest degradation, land tenure issues, forest governance issues, gender considerations and the safeguards identified in paragraph 2 of appendix I to this decision, ensuring the full and effective participation of relevant stakeholders, inter alia **indigenous peoples** and local communities

Decision 1/CP.16 (Conference of Parties)

The Cancun Agreements: Outcome of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention

Appendix I

Guidance and safeguards for policy approaches and positive incentives on issues relating to reducing emissions from deforestation and forest degradation in developing countries; and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries

(c) Respect for the **knowledge and rights of indigenous peoples** and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the **United Nations Declaration on the Rights of Indigenous Peoples**;

(d) The full and effective participation of relevant stakeholders, in particular **indigenous peoples** and local communities, in the actions referred to in paragraphs 70 and 72 of this decision;

(e) That actions are consistent with the conservation of natural forests and biological diversity, ensuring that the actions referred to in paragraph 70 of this decision are not used for the conversion of natural forests, but are instead used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits;*

*Footnote: Taking into account the need for sustainable livelihoods of indigenous peoples and local communities and their interdependence on forests in most countries, reflected in the United Nations Declaration on the Rights of Indigenous Peoples, as well as the International Mother Earth Day.

2013

Decision 10/CP.19 (Conference of Parties)

Coordination of support for the implementation of activities in relation to mitigation actions in the forest sector by developing countries, including institutional arrangements

3. *Recognizes* that in order to address issues related to the coordination of support for the implementation of the activities and elements referred to in decision 1/CP.16, paragraphs 70, 71 and 73, needs and functions were identified:

(a) Strengthen, consolidate and enhance the sharing of relevant information, knowledge, experiences and good practices, at the international level, taking into account national experiences and, as appropriate, traditional knowledge and practices;

8. *Decides* that at the meetings referred to in paragraphs 4 and 5 above, participants may seek input from relevant bodies established under the Convention, international and regional organizations,

the private sector, indigenous peoples and civil society in undertaking their work and invite the representatives of these entities to participate as observers in these meetings;

Report of SBSTA 38 (Subsidiary Body for Scientific and Technological Advice)

Methodological guidance for activities relating to reducing emissions from deforestation and forest degradation and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries

34. The SBSTA recalled that the COP, by decision 1/CP.16, paragraph 72, requested developing country Parties, when developing and implementing their national strategies or action plans, to address, inter alia, the drivers of deforestation and forest degradation, ensuring the full and effective participation of relevant stakeholders, inter alia, indigenous peoples and local communities. It noted that actions to address drivers of deforestation and forest degradation should also consider the guidance in decision 1/CP.16, appendix I.

Finance

2011

Decision 3/CP.17 (Conference of Parties)

Launching the Green Climate Fund

*Annex - Governing instrument for the
Green Climate Fund*

71. The Board will develop mechanisms to promote the input and participation of stakeholders, including private-sector actors, civil society organizations, vulnerable groups, women and **indigenous**

peoples, in the design, development and implementation of the strategies and activities to be financed by the Fund.

Gender

2016

Decision 21/CP.22 (Conference of Parties)

Gender and climate change



Photo courtesy of AFPAT

24. *Also encourages* Parties to integrate local and **traditional knowledge** in the formulation of climate policy and to recognize the value of the participation of grassroots women in gender-responsive climate action at all levels;

2017

Decision 3/CP.23 (Conference of Parties)

Establishment of a gender action plan

B.1 Promote travel funds as a means to support the participation of women in national delegations at UNFCCC sessions, including those from grass-roots, local and **indigenous peoples communities** from developing countries, the least developed countries and small island developing States

E.1 Make a submission on the following, including sex-disaggregated data and gender analysis, where applicable:

- (a) Information on the differentiated impacts of climate change on women and men, with special attention
-

Loss and Damage

2012

Decision 3/CP.18 (Conference of Parties)

Approaches to address loss and damage associated with climate change impacts in developing countries that are particularly vulnerable to the adverse effects of climate change to enhance adaptive capacity

7. *Acknowledges* the further work to advance the understanding of and expertise on loss and damage, which includes, inter alia, the following:

- (a) Enhancing the understanding of:
 - (iii) How loss and damage associated with the adverse effects of climate change affects those segments of the population that are already vulnerable owing to geography, gender, age, **indigenous or minority status**, or disability, and how the implementation of approaches to address loss and damage can benefit those segments of the population;

Report SBI 36 (Subsidiary Body for Implementation)

Approaches to address loss and damage associated with climate change impacts

in developing countries that are particularly vulnerable to the adverse effects of climate change to enhance adaptive capacity

150. The SBI considered the progress made on the implementation of the work programme on loss and damage, and noted the remaining work to be undertaken under this work programme.⁵⁸ It further noted a number of points relevant to assessing the risk of loss and damage associated with the adverse effects of climate change and the current knowledge on the same, including the following:

- (d) The use of local and **indigenous knowledge and observations** helps to fill gaps in information about historical exposure and vulnerability;

Observation

2003

Decision 11/CP.9 (Conference of Parties)

Global observing systems for climate

Recognizing also the value of **indigenous knowledge** in supplementing regional and national climate monitoring systems,

Participation

2004

Report SBI 20 (Subsidiary Body for Implementation)

Arrangements for intergovernmental meetings

*Participation of **indigenous peoples***

105. The SBI considered the recommendations of the Permanent Forum on Indigenous Issues, as well as other requests by **indigenous peoples organizations**, summarized in document FCCC/SBI/2004/5.

106. The SBI noted that **indigenous peoples organizations** have been admitted as observers in accordance with Article 7, paragraph 6, of the Convention and that the secretariat has an officer responsible for liaising with observer organizations, including the **indigenous peoples organizations**. It also noted that the agendas of the Convention bodies include items relevant to the concerns of **indigenous peoples**. The SBI encouraged the **indigenous peoples organizations** to make full use of the existing bodies and the opportunities currently afforded to them under the Convention.

107. The SBI invited Parties to consider drawing on the expertise of **indigenous peoples organizations** when discussing matters of concern to them. It encouraged individual Parties to give consider-

ation to ways of enhancing the participation of [indigenous peoples organizations](#) in the Convention process.

108. The SBI acknowledged the importance of an enhanced participation by [indigenous peoples organizations](#) in the Convention process, in particular through discussions on relevant agenda items, participation in workshops and informal contacts. The SBI invited the chairs of relevant Convention bodies and the secretariat to facilitate such participation to the extent possible, without recourse to financial support.

109. The SBI concluded that opportunities exist for fostering a full and effective participation by [indigenous peoples organizations](#) in the Convention process. It requested the secretariat to convey its conclusions to the Permanent Forum on Indigenous Issues.

2006

Decision 1/CMP.2 (Kyoto Protocol)

[Further guidance relating to the clean development mechanism](#)

17. *Encourages* Parties, intergovernmental organizations*, non-governmental organizations and others to respond to calls by the Board for public input

*Footnote: Including business and industry non-governmental organizations, environmental non-governmental organizations, local government and municipal authorities organizations,

[indigenous peoples organizations](#), and research and independent non-governmental organizations.

2010

Decision 1/CP.16 (Conference of Parties)

[The Cancun Agreements: Outcome of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention](#)

7. *Recognizes* the need to engage a broad range of stakeholders at the global, regional, national and local levels, be they government, including subnational and local government, private business or civil society, including youth and persons with disability, and that gender equality and the effective participation of women and [indigenous peoples](#) are important for effective action on all aspects of climate change;

2011

Report SBI 34 (Subsidiary Body for Implementation)

[Arrangements for intergovernmental meetings](#)

Organization of the intergovernmental process

170. The SBI recognized the need to engage a broad range of stakeholders at

the global, regional, national and local levels, be they government, including subnational and local government, private business or civil society, including youth and persons with disability, and that gender equality and the effective participation of women and **indigenous peoples** are important for effective action on all aspects of climate change.

2014

Decision 1/CP.20 (Conference of Parties)

Lima Call for Climate Action

19. *Decides* to continue the technical examination of opportunities with high mitigation potential, including those with adaptation, health and sustainable development co-benefits, in the period 2015–2020, by requesting the secretariat to:

- (iv) Provide meaningful and regular opportunities for the effective engagement of experts from Parties, relevant international organizations, civil society, **indigenous peoples**, women, youth, academic institutions, the private sector, and subnational authorities nominated by their respective countries;



Photo courtesy of IMPECT

2015

Decision 1/CP.21 (Conference of Parties)

Adoption of the Paris Agreement

Agreeing to uphold and promote regional and international cooperation in order to mobilize stronger and more ambitious climate action by all Parties and non-Party stakeholders, including civil society, the private sector, financial institutions, cities and other subnational authorities, local communities and indigenous peoples,

Research

2017

Report SBSTA 46 (Subsidiary Body for Scientific and Technological Advice)

47. The SBSTA noted the importance of the work of the scientific community and the IPCC in support of strengthening the global response to climate change, including:

- (a) Considering the human dimension, and indigenous peoples' and traditional knowledge;

2018

Report of SBSTA 48 (Subsidiary Body for Scientific and Technological Advice)

51. The SBSTA noted the importance of indigenous and traditional knowledge in relevant aspects of scientific data and research and in communication at the science-policy interface.

Technology

2017

Decision 15/CP.23 (Conference of Parties)

Enhancing climate technology development and transfer through the Technology Mechanism

2. *Acknowledges* the work undertaken by the Technology Executive Committee and the Climate Technology Centre and Network in supporting the implementation of the Paris Agreement, and looks forward to enhanced efforts in this regard in the future, taking into consideration gender, endogenous technologies, including knowledge from local communities and indigenous peoples, and the balance between adaptation and mitigation;

Table of References

Note: The electronic version of this document contains links to all of the original UNFCCC documents listed in the table of references.

2001	Decision 28/CP.7: Guidelines for the preparation of national adaptation programmes of action	Adaptation	28
2003	Decision 11/CP.9: Global observing systems for climate	Observation	48
2004	Report SBI 20	Participation	48
2005	Decision 2/CP.11: Five-year programme of work of the Subsidiary Body for Scientific and Technological Advice on impacts, vulnerability and adaptation to climate change	Adaptation	28
	Report of SBSTA 23	Adaptation	29
	Decision 5/CMP.1: Modalities and procedures for afforestation and reforestation project activities under the clean development mechanism in the first commitment period of the Kyoto Protocol	Deforestation	41
	Decision 6/CMP.1: Simplified modalities and procedures for small-scale afforestation and reforestation project activities under the clean development mechanism in the first commitment period of the Kyoto Protocol and measures to facilitate their implementation	Deforestation	41
2006	Report SBI 24	Adaptation	29
	Report of SBSTA 24: Five-Year Programme Of Work On Impacts, Vulnerability And Adaptation To Climate Change	Adaptation	29
	Report of SBSTA 25	Adaptation	30
	Decision 1/CMP.2: Further guidance relating to the clean development mechanism	Participation	49
2007	Decision 2/CP.13: Reducing emissions from deforestation in developing countries: approaches to stimulate action	Deforestation	41

2008	Report of SBSTA 28	Adaptation	31
		Deforestation	42
	Report of SBSTA 29	Adaptation	31
		Deforestation	42-43
2009	Decision 4/CP.15: Methodological guidance for activities relating to reducing emissions from deforestation and forest degradation and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries	Deforestation	43
	Report of SBSTA 30	Deforestation	43
2010	Decision 7/CP.16: Progress in, and ways to enhance, the implementation of the amended New Delhi work programme on Article 6 of the Convention	Action for Climate Empowerment	25
	Decision 1/CP.16: The Cancun Agreements: Outcome of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention	Adaptation	32
	Report of SBSTA 32	Adaptation	33
	Report of SBSTA 33	Adaptation	33
	Decision 1/CP.16: The Cancun Agreements: Outcome of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention	Deforestation	44
		Participation	49
		Rights	25
	Decision 6/CP.17: Nairobi work programme on impacts, vulnerability and adaptation to climate change	Adaptation	34
2011	Decision 5/CP.17: National adaptation plans	Adaptation	33
	Report of SBSTA 34	Adaptation	34
	Decision 3/CP.17: Launching the Green Climate Fund	Finance	46
	Report SBI 34	Participation	49

2012	Decision 15/CP.18: Doha work programme on Article 6 of the Convention	Action for Climate Empowerment	26
	Decision 3/CP.18: Approaches to address loss and damage associated with climate change impacts in developing countries that are particularly vulnerable to the adverse effects of climate change to enhance adaptive capacity	Loss and Damage	47
	Report SBI 36	Loss and Damage	47
2013	Report SBI 39	Actions for Climate Empowerment	27
	Decision 17/CP.19: Nairobi work programme on impacts, vulnerability and adaptation to climate change	Adaptation	35
	Report of SBSTA 38	Adaptation	35
	Report of SBSTA 39	Adaptation	35
	Decision 10/CP.19: Coordination of support for the implementation of activities in relation to mitigation actions in the forest sector by developing countries, including institutional arrangements	Deforestation	35
	Report of SBSTA 38	Deforestation	45
2014	Decision 19/CP.20: The Lima Ministerial Declaration on Education and Awareness-raising	Action for Climate Empowerment	27
	Decision 3/CP.20: National adaptation plans	Adaptation	36
	Decision 4/CP.20: Report of the Adaptation Committee	Adaptation	37
	Report of SBSTA 40	Adaptation	37
		Agriculture	39
	Report of SBSTA 41	Adaptation	38
	Decision 1/CP.20: Lima Call for Climate Action	Participation	50

2015	Decision 15/CP.21: Terms of reference for the intermediate review of the Doha work programme on Article 6 of the Convention	Action for Climate Empowerment	27
	Decision 1/CP.21: Annex - Paris Agreement	Adaptation	20
		Rights	20
	Decision 1/CP.21: Adoption of the Paris Agreement	LCIP Platform	21
		Participation	20
		Rights	20
2016	Report of SBSTA 44	Adaptation	38
	Decision 16/CP.22 : Third comprehensive review of the implementation of the framework for capacity-building in developing countries under the Convention	Capacity Building	40
	Decision 21/CP.22: Gender and climate change	Gender	46
	Report of COP.22	LCIP Platform	21
2017	Decision 3/CP.23: Establishment of a gender action plan	Gender	47
	Decision 2/CP.23: Local communities and indigenous peoples platform	LCIP Platform	22
	Report SBSTA 46	Research	51
	Decision 15/CP.23: Enhancing climate technology development and transfer through the Technology Mechanism	Technology	51
2018	Draft Decision-/CMA.1	Action for Climate Empowerment	27
	Report of SBSTA 48	Agriculture	39
		Research	51



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INDIGENOUS PEOPLES AND TRADITIONAL KNOWLEDGE IN THE CONTEXT OF THE UN FRAMEWORK CONVENTION ON CLIMATE CHANGE

*Compilation of Decisions and Conclusions
Adopted by the Parties to the Convention*

The United Nations recognizes that indigenous peoples are at the front lines of climate change and that their traditional knowledge is a key to understanding climate impacts, to reducing emissions effectively and to increasing the resilience of ecosystems and communities. This document recalls the provisions of the UN Declaration on the Rights of Indigenous Peoples and provides a compilation of all references to indigenous peoples and traditional knowledge included in decisions and other outcomes adopted by governments under the UN Framework Convention on Climate Change.



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