



## **Addressee: CBD**

**Paragraph #23 Session #10 (2011)**

### **Full Text**

However, elements of the Tkarihwaié:ri code of ethical conduct are voluntary. The Permanent Forum is concerned that paragraph one of the code is restrictive as it includes the following: “They should not be construed as altering or interpreting the obligations of Parties to the Convention of Biological Diversity or any other international instrument. They should not be interpreted as altering domestic laws, treaties, agreements or other constructive arrangements that may already exist.”

### **Comments**

The mandate established within the programme of work for Article 8(j) and related provisions (decision V/16, annex) is to develop guidelines and principles and to that extent it is common practice that such guidelines remain voluntary. However, although voluntary, such guidelines are adopted by the consensus of the Parties to the Convention and carry an ethical and moral weight and can over time become established standards in customary international law. Parties to the Convention provide regular reports to the Secretariat, which include actions taken regarding the implementation of Conference of the Parties decisions including voluntary standards and guidelines.

### **Area of Work**

Environment