



## **Addressee: SCBD**

**Paragraph #57 Session #2 (2003)**

### **Full Text**

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

### **Comments**

The Secretariat of the CBD reports: "The Conference of the Parties requested the ad hoc open-ended Intersessional Working Group on Article 8 (j) and Related Provisions to develop elements of a code of ethical conduct to ensure respect for the cultural and intellectual heritage of indigenous and local communities relevant for the conservation and sustainable use of biological diversity, taking into account task 16 of the programme of work on article 8 (j) and related provisions. Accordingly, the issue was included as item 9 of the agenda of the fourth meeting of the Working Group.

3. It should also be noted that, in task 16 of the programme of work on the implementation of article 8 (j) and related provisions, the Executive Secretary was requested to identify, compile and analyse, with the participation of indigenous and local communities, existing and customary codes of ethical conduct to guide the development of models for codes of ethical conduct for research, access to,

use, exchange and management of information concerning traditional knowledge, innovations and practices for the conservation and sustainable use of biological diversity. Thus, following up on the request of the Permanent Forum will also address task 16 of the programme of work.

4. At its eighth meeting, the Conference of the Parties took note of the elements of a code of ethical conduct and invited parties, Governments, indigenous and local communities, relevant international organizations and other relevant stakeholders, after having undertaken, where appropriate, consultations, to submit written comments to the Executive Secretary on the draft elements at least six months prior to the fifth meeting of the ad hoc Working Group on Article 8 (j) and Related Provisions, and requested the Executive Secretary to transmit the decision to the Permanent Forum and to seek collaboration in the development of the code.

5. The Executive Secretary is currently compiling the views and comments provided, including those of the members of the Permanent Forum. The compilation and a revised draft on elements of a code of ethical conduct will be available at least three months prior to the fifth meeting of the Working Group on Article 8 (j) for its consideration. The Working Group has been requested to further develop the draft elements of a code of ethical conduct and submit them to the Conference of the Parties at its ninth meeting for consideration and possible adoption.”

## **Area of Work**

Environment