

- Stand up for the CBD!
- Implementation!
- Closing Statement SBSTTA - TWN
- Protected Areas and OECMs  
Community Conservation and  
NBSAPs

## Stand up for the CBD!

The CBD is a vital international convention, yet many people are unaware of its existence and of how we depend on biodiversity and resilient ecosystems for our continued existence. Indeed there seems to have been a sort of collective amnesia from the start about the critical role of the CBD in resisting the erosion of biodiversity and the growth of biopiracy. Even within the CBD community it sometimes feels as if we have forgotten to be proud of our Convention. The CBD is the vital instrument for governing biodiversity, yet it seems to be losing ground in the international arena.

### Never forget that the CBD is legally binding

A core problem with the CBD is that we have a well-formulated treaty, but some even argue that it is not legally binding, or else that it is an umbrella convention, in order to legitimize its weakening. The CBD is international law. It is a multilateral treaty that contracting Parties are legally obliged to implement. Implementation is increasingly urgent, yet it continues to be far too slow a process.

### The Precautionary Principle

This vital principle is central to the CBD, and essential to the evaluation and regulation of new technologies and techniques. These are an ever-greater temptation for politicians and corporations seeking to avoid the need to reduce our impact on the biosphere because this could be unpopular in the short term and would certainly reduce profits for many large players.

### Indigenous Peoples and the CBD

The CBD is also vital and unique because it is the main convention that brings together environment issues and the values, knowledge, skills and needs of Indigenous Peoples who are in many respects the true guardians of the ecosystems. Their cultures, world views and example can help us to make the transformations we so urgently need if we are to pull back from the great extinction process we are currently involved in.

### CBD Diluted?

It is not just a question of *why* CBD is so important, but also *how* it should treat issues. For example, when the CBD addresses agricultural biodiversity (which is absolutely key to our collective futures but has fallen off the agenda), it has now become about mainstreaming it, or seeing it in the context of natural capital and public private partnerships.

### But business as usual is the road to devastation

We have reached simultaneous tipping points where we need to act concertedly and immediately to counter biodiversity loss, climate change, over-exploitation and destruction of ecosystems in order to leave some hope of a good life to future generations, not just of human beings but all life on this planet.

### We have to change the narrative

We are not talking about isolated areas and rare species in danger, we are talking about LIFE, about RIGHTS and about SYSTEM CHANGE. We are also talking about JUSTICE and EQUITY.

We need change from the bottom up, not top down. People everywhere must be involved in the profound transformation we require. The CBD puts Indigenous Peoples and local communities at the core of its activities and makes the sharing of benefits from biodiversity a central principle, while biodiversity including agricultural biodiversity are vital to our collective futures. Thus the CBD can – and must - play a vital role in that transformation. However, Indigenous Peoples and local communities including small farmers essential to providing our food are often marginalized in the wider debate and this has to stop.

### This is our obligation

It is up to us – Parties, Indigenous Peoples, local communities and civil society. This piece is just some preliminary thoughts for a proposed new process of discussion and reflection from the CBD Alliance. The Convention on Biological Diversity must lead the way.

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## Implementation, Implementation, Implementation

*Patrick Mulvany, ECOROPA*

The CBD is bedeviled with setting and failing to meet its own targets to stem the catastrophic biodiversity losses that threaten not only our food supplies today but all Life on Earth tomorrow. This failure is because Parties do not implement Decisions, which, after nearly 25 years of the CBD, have taken what now amount to millions of person hours in negotiations. That's why the SBI was set up.

Take for example CBD's 8 Decisions on Agricultural Biodiversity from 1996 to 2012, starting with Landmark Decision III/11, and its seminal Annex 1 that succinctly summarizes the causes of biodiversity loss from industrial production methods and it highlights the reciprocal benefits of biodiversity to food provision that is practiced in a way that enhances agricultural biodiversity within the productive environment. It's the world's women and men smaller-scale food providers who do this. They sustain and dynamically manage agricultural biodiversity in the framework of food sovereignty, providing the food for more than 70% of the world's peoples. But they cannot do this unless the impacts of biodiversity-eroding industrial production and related pressures, including land and water grabs, hostile markets, pesticide use and the spread of technological innovations that threaten biodiversity, are curbed.

In the 8 Decisions on Agricultural Biodiversity from 1996 to 2012, embedded are some 125 Operational elements of which 68 are currently Active. Monitoring is weak; there are few reports available on how many are being implemented and what impacts have been achieved.

It's a step forward to have the Decision Tracking Tool, but what is needed is a mandatory Decision Implementation process, with sanctions for non-compliance. The SBI needs to move rapidly from 'tracking' Decisions to 'implementation', if the CBD's purposes are to be realised and our food system is to survive.

What SBI must do is agree a process that will enforce the implementation of Decisions. It needs to convert those elements that have been ineffectively advisory into enforceable commitments to implement the agreed measures in the next biennium and beyond. That way, perhaps, some progress towards realising the Aichi targets might be achieved by 2020.

## Closing Statement - SBSTTA 22

*Lim Li Ching, Third World Network - TWN*

We thank you [Madam Chair] , the Parties and Secretariat for the hard work that has been put in over the last week.

It is however with regret that we note that SBSTTA-22 will be remembered as the meeting of missed opportunities on digital sequence information on genetic resources.

Developing countries came to the table with reasonable and compromise-oriented offers but the opportunity was missed to engage and move the process forward.

We note:

- that GRULAC proposed simplified access for DSI in the case of non-commercial research and development;
- that Africa put forward a specific proposal to help define DSI, and
- that Developing Countries sought an OEWG but were prepared to compromise on the inter-sessional process

Let us build on these elements at COP 14. We regret that these opportunities were missed but we are confident that using the traditional strengths of scientific and technical expertise linked to policy governance at the CBD, concrete steps can be taken to ensure the fair and equitable sharing of benefits arising from the utilization of genetic resources and to address this pressing issue of DSI.

## Parties adopt “landmark” recommendation on protected areas and OECMs – now the hard work begins

Holly C. Jonas, ICCA Consortium (International Policy Coordinator) and Global Forest Coalition (policy advisor to the CCRI)

Although the term “other effective area-based conservation measures” (OECMs) has been in the CBD since the 2010 adoption of the Aichi Targets, Parties are finally grappling with its meaning and implications. During SBSTTA-22’s consideration of protected areas and OECMs, several delegates seemed happily surprised by its relatively progressive content and the constructive nature of the negotiations. Perhaps this is because the clock to meet the 2020 Targets is ticking ever louder and Parties know they need common guidance on OECMs. But perhaps it also represents a high-water mark for Parties’ agreement to date on key issues such as governance, equity and the rights of Indigenous peoples and local communities in the context of protected areas and conservation measures – most notably in Annexes II, III and IV.

Particularly in light of historical and continuing injustices, protected areas frameworks are often not an appropriate way to recognise and support territories and areas governed, managed and conserved by Indigenous peoples and local communities (ICCAs—territories of life).<sup>1</sup> Subject to important caveats, now that we are close to having an adopted definition and related guidance on OECMs, OECM-related frameworks could offer an opportunity to recognize and strengthen the governance of the legitimate custodians and authorities of such territories and areas and prevent threats such as undesired extractive concessions.<sup>2</sup>

Although the adoption of strong text is just the one step in the long journey towards implementation, we are by no means starting from scratch. Indigenous peoples, local communities, women and grassroots organizations around the world have been working on issues of governance, equity and rights for many years and have made crucial advances for conservation – sometimes against all odds. We urge Parties and other relevant organizations to take the time to listen to and learn from them in collaborative efforts to implement this forthcoming decision and meet the Aichi Targets, taking into account recent reports of the UN Special Rapporteur on the rights of indigenous peoples and the UN Special Rapporteur on human rights and the environment.<sup>3</sup>

Here in Canada, for example, Indigenous peoples are showing extraordinary leadership both within and beyond the Pathway to Canada Target 1 process, including by challenging dominant narratives on the conservation and protection of nature and by creating an ethical space for engagement of Indigenous and Western knowledge systems. This work could contribute not only to reconciliation among Indigenous peoples and settler Canadians but also to reconciliation with Mother Earth.<sup>4</sup>

We appreciate the collaborative spirit in which Parties negotiated and adopted this draft recommendation and the positive outcomes it should have when fully and effectively implemented – particularly for Indigenous peoples, local communities and grassroots organizations on the frontline of biodiversity conservation.

As Parties contemplate how to implement this recommendation and how to address OECMs in their forthcoming sixth national reports, we urge them to engage with Indigenous peoples, local communities and civil society with open hearts and minds. Although much work remains to be done by 2020, we are much more likely to meet the Targets if we do so in the spirit of reconciliation with each other and with the planet on which we all depend.

- *The IUCN World Commission on Protected Areas has just released a special issue of its peer-reviewed journal PARKS: The International Journal of Protected Areas and Conservation, focusing on OECMs. It is available for download in English at: <http://parksjournal.com/wp-content/uploads/2018/06/PARKS-24-SI-HiResWeb.pdf>.* -

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<sup>1</sup> For example, the Community Conservation Resilience Initiative identified top-down, exclusionary and militarised approaches to protected areas as a threat to biodiversity when they undermine the Indigenous peoples and communities who are most invested in protecting biodiversity. For more information, see: <https://globalforestcoalition.org/resources/supporting-community-conservation>.

<sup>2</sup> CBD/SBSTTA/22/L.2, Annex III, para. (h). Also see: Jonas, H.D., E. Lee, H.C. Jonas, C. Matallan-Tobon, K. Sander-Wright, F. Nelson and E. Enns, 2017. “Will ‘other effective area-based conservation measures’ increase recognition and support for ICCAs?” *PARKS* 23.2: 63-78. Available online at: <https://bit.ly/2jzKN8H>.

<sup>3</sup> CBD/SBSTTA/22/L.2, para. 5. See 2016 report of the Special Rapporteur on the rights of indigenous peoples (A/71/229); 2017 report of the Special Rapporteur on human rights and environment (A/HRC/34/49).

<sup>4</sup> Reports of Pathway to Canada Target 1 (online at: [www.conservation2020canada.ca/home](http://www.conservation2020canada.ca/home)) include: *We Rise Together: Achieving Pathway to Canada Target 1 through the creation of Indigenous Protected and Conserved Areas in the spirit and practice of reconciliation*, the Indigenous Circle of Experts’ Report and Recommendations; and *Canada’s Conservation Vision: A report of the National Advisory Panel*.

# Challenges and Opportunities for Integrating Community Conservation in National Biodiversity Strategy and Action Plan (NBSAP) in Ghana

*Mabel Agba and Clemence Kugbey, The Development Institute, Ghana*

Ghana's rich biodiversity had provided economic livelihood to many communities for ages. However, there is an increasing rate of biodiversity loss due to land use competitiveness such as housing, roads, unsustainable agriculture and inadequate land use policy implementations. This biodiversity loss could have a greater negative impact on the increasing population if measures are not taken.

It is based on this background that, three local communities; Kpoeta, Saviefe-Gbogame and Avuto within Weto Range and Avu Lagoon landscapes in the Volta Region of Ghana have recognized the need to conserve and protect their remaining land, forests and water resources using the Community Resources Management Area (CREMA) and the Community Conservation Resilience Initiative (CCRI) approach with a technical support from The Development Institute in line with Ghana's National Biodiversity Strategy and Action Plan (2011-2020) and the Aichi Targets.

Although, Ghana's NBSAP recognizes the importance of community conservation roles in achieving its objectives, community conservation actions are still not fully integrated. Some of the challenges identified in the Weto and Avu Lagoon community conservation initiatives stems from both internal problems within communities as well as a lack of an enabling policy environment. These include:

1. Insecure land and tree tenure rights. Most tenant farmers do not have secure titles to the land that they occupy because the agreement with the land owner is only oral and by drinks and not officially documented. When the original landowner passes on, the new owner (by inheritance) most of the time changes the rules, compromising the user rights of the tenant farmer.
2. In off-reserve areas, farmers do not have right over nurtured or naturally occurring trees on their farms. This is a disincentive for most farmers particularly migrant farmers for investing in sustainable practices such as agroforestry.
3. Limited documentation and the use of traditional conservation knowledge in governance or decision making processes.
4. Indigenous traditional knowledge systems and local communities' intellectual property rights are often not

From 4 to 8 July, the Fostering Community Conservation Conference II took place in Montreal, gathering more than 100 representatives of Indigenous Peoples, local communities, women's groups and other experts from almost 50 different countries. This is one of the many inspiring examples of community conservation presented during the conference.

respected. Hence, there is little understanding on the benefits of community conservation and the significant role of local communities, and this undermines political support.

5. Lack of political will to pass Wildlife Resources Management Bill into law.
6. Centralized planning and low participation of local communities in decisions relating to planning and governance of biodiversity protection.
7. The current NBSAP appears to be gender blind; it does not fully consider the varying needs and priorities of women and men.

Despite the challenges, there are opportunities to integrate community conservation into NBSAP.

1. Existing community conservation knowledge and best practices could be adopted.
2. CSOs and INGOs platforms should amplify community voices and input into NBSAPs
3. Encourage community participation in community-based projects on biodiversity conservation implementation such as CCRI and CREMAs.
4. Ghana tree tenure reform should be enforced to provide incentives and benefit sharing arrangement for farmers.
5. The Forest Master Development Plan should be implemented and monitored to achieve the objectives of NBSAP.
6. The Ghana Wildlife Resources Management Bill should be passed to provide legal backing for CREMAs.

To conclude, we must note that without adequate involvement of men and women in local communities in decision making and implementation of the NBSAPs, we risk achieving Aichi Biodiversity Targets. We therefore call on Parties to support the CCRI initiatives and their upscaling across countries.