



# Forest Peoples Programme

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Ahmed Djoghlaif  
Executive Secretary  
Convention on Biological Diversity  
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Dear Dr Djoghlaif

This submission is in response to the SCBD notification concerning the **Updating or Revision of the Strategic Plan of the Convention** (Ref.: SCBD/ITS/DC/MC/64383).

We would like to thank the Secretariat for compiling document UNEP/CBD/SP/PREP/1 and we would like to submit the following comments based on specific paragraphs of the document.

## **Paragraph 28**

The paragraph rightly points out that there has so far been most success in conservation. One submission asks for *Access and benefit sharing* to be given higher priority. Our suggestion is for both *sustainable use* and *ABS* to be given higher priority because sustainable use has not received enough attention and, as it deals with all productive activities related to biodiversity, we think it is a most important objective of the convention.

## **Paragraph 30**

We fully agree that the Plan should promote and enable effective use of the Ecosystem Approach.

The in-depth review of the application of the ecosystem approach (discussed at the 12<sup>th</sup> meeting of the CBD SBSTTA) concluded that the clearest applications of the Ecosystem Approach (EA) occur at the local level, where communities can participate more directly in its application. This is a logical conclusion as indigenous peoples and local communities' experience and their own management and use of the ecosystems has evolved and adapted to changing circumstances for thousands of years. However, the lack of local-level involvement is still one of the barriers to the use of the EA (UNEP/CBD/SBSTTA/12/2 paragraph 27).

Taking note of SBSTTA-12's recommendations, COP9 Decision IX/7 invites Parties to "Develop effective cooperation at all levels for the effective application and monitoring of the ecosystem approach including its incorporation into poverty reduction strategies, as appropriate, mindful that the ecosystem approach can be applied effectively at local level, where communities can

participate more directly, and where appropriate, local efforts need to be further enhanced” (para 2b).

Based on this COP-9 Decision, we suggest the addition of the following sentence before the last current sentence: ‘Emphasis should be placed on the effective application and monitoring of the ecosystem approach at local level, where indigenous and local communities can participate more directly, and where appropriate, local efforts need to be supported and enhanced.’

### **Paragraph 31**

We would like to add a few words to the first two lines. The new sentence would read (underlined are added words): The Plan should highlight the links between biodiversity, ecosystem services, livelihood and tenure security and human wellbeing, and emphasise the social and economic value of biodiversity and ecosystem services (see comments on paragraph 79 for the rationale).

### **Paragraph 32**

While we agree with the ‘do not harm’ principle in conservation, we think that conservation activities should be implemented while respecting international human rights norms and instruments, as partly acknowledged in the CBD Programme of Work on Protected Areas (POWPA) itself (especially programme element 2 on governance, equity, participation and benefit-sharing) as that would more strongly secure that conservation and sustainable use activities contribute to poverty eradication and do not harm the livelihoods of the poor. We therefore recommend that when a clear conceptual framework on how the Convention could contribute to poverty eradication (as called for in the last sentence of the paragraph) is developed, human rights norms and instruments, including the United Nations Declaration on the Rights of Indigenous Peoples, should be taken into consideration (see also comments on paragraph 79).

### **Paragraph 34**

Line 8: after ‘...impacts on biodiversity’ add: ‘and the livelihoods of indigenous and local communities’ so to read: ‘Biodiversity can be part of adaptation and mitigation options, and, at the same time, these options can have positive or negative impacts on biodiversity and the livelihoods of indigenous and local communities.’ This is to bring the sentence in line with text in Decision IX/16 (Biodiversity and Climate Change).

### **Paragraph 38**

Note: The assessment of progress has been carried out for Goals 2 and 3 (culminating in Decision IX.8) but is only scheduled to be carried out for Goals 1 and 4 by the Working Group on the Review of Implementation at its 3rd meeting in May 2010. WGRI-3 is also tasked to prepare a revised and updated Strategic Plan. WGRI-3 will therefore need to be designed in such a way that the revised and updated Strategic Plan is informed by the assessment of progress for Goals 1 and 4.

### **Paragraph 39**

We agree with the text in this paragraph. We made some suggestions in our submission to the e-forum (in response to question 17.1) concerning some additions to the framework of goals, targets and indicators. While we are aware that these are too detailed to be considered in this paragraph, we would like to ensure that those comments do not get lost and we would like to ask you to take

them into consideration when the time comes to discuss specific changes to the framework. We therefore copy those suggestions here:

The framework developed in decision VII/30 and refined in VIII/15 is useful and should not be discarded; however it should be reviewed and revised. Through discussions with indigenous peoples and local communities' organisation that Forest Peoples Programme has been having during the past two years, some gaps in the framework have been identified and some suggestions brought forward:

1. under the Focal Area 'Promote Sustainable Use' and Goal 4 'Promote sustainable use and consumption', there are currently 3 targets (4.1, 4.2 and 4.3), but none of these targets refer to two sub-articles of the Convention that are integral part of Article 10 (Sustainable Use of Components of Biological Diversity), namely:

- 10(c) Protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements;
- 10(d) Support local populations to develop and implement remedial action in degraded areas where biological diversity has been reduced.

We would therefore like to suggest the development of two additional targets (and associated indicators) under Goal 4 related to Articles 10(c) and 10(d). This would be in line with, and would support Parties in the implementation of, paragraphs A1, A2, A4 of Decision IX.13 (on Article 8(j) and Related Provisions) and would respond to the suggestion by the Executive Secretary (UNEP/CBD/COP/9/4/Add.1 paragraph 44, p.11) that the Multi-year Programme of Work beyond 2010 should include further consideration of sustainable use and incentive measures (Articles 10 and 11) including engagement of local communities (10(c)).

2. under the Focal Area 'Address threats to biodiversity', Goal 5 reads 'Pressures from habitat loss, land use change and degradation, and unsustainable water use, reduced'. Currently, here there is only one target (Target 5.1. Rate of loss and degradation of natural habitats decreased), which is good, but not sufficient. In fact, it has been recognised both in the Millennium Ecosystem Assessment (Ecosystems and Human Wellbeing: Biodiversity Synthesis) (e.g. p.vi) and in the Global Biodiversity Outlook (e.g. pp.33, 62) that unless we successfully squarely address and mitigate/reduce the impacts of direct and indirect drivers of biodiversity loss, biodiversity will continue to be lost. This would translate into a failure to achieve Target 2010. Document UNEP/CBD/COP/9/4/Add.1 also highlights the need to address the drivers of biodiversity loss (see paragraphs 24-27, p.7).

We therefore need to address the drivers of deforestation more directly and decisively. In our experience with indigenous and local communities, biodiversity (and traditional knowledge) is continuously lost due to the operation of extractive industries (mining, logging, oil), infrastructure (roads, dams, ports, etc) and expansion of the industrial agricultural frontier, including forest monoculture and now biofuels (as examples of direct drivers). The indicators that have been developed in relation to Target 5.1 are all about changes in physical nature of biodiversity. We think that now we need to develop a target and associated indicators that directly address the drivers of biodiversity loss, the actual activities that drive biodiversity loss. For example, in one workshop, indigenous representatives from Suriname, relating the CBD framework to their local situation, suggested the addition of the following new target 'Extractive industries (including commercial fishing) that put pressure on biodiversity, decreased'. This could be expanded to address other drivers of biodiversity loss, but it is an example of squarely addressing drivers of biodiversity loss. This approach would support the Parties in implementing Articles 7(c) and 8(l) of the Convention (identifying threats to biodiversity, and managing or

regulating them), two articles that have been recognised as in need of greater attention (see UNEP/CBD/COP/9/4/Add.1, paragraph 26 at p.7 and 42-44 at p.11)

3. under focal area 'Protect traditional knowledge, innovations and practices', Target 9.2 reads: 'Protect the rights of indigenous and local communities over their traditional knowledge, innovations and practices, including their rights to benefit sharing.' In the actual world, traditional knowledge, innovations and practices are not practices in a vacuum, they are practiced through the daily interaction with biodiversity (forests, rivers, land, plants, animals etc) so the most effective means to protect the rights of indigenous and local communities over their traditional knowledge, innovations and practices is to do so in close synergy with the protection of their rights to the lands/territories and resources where they practice their traditional knowledge, innovation and practices. If these rights are not secured, protection of their rights over their traditional knowledge will be very difficult to achieve. We would therefore propose to slightly change Target 9.2 to read: 'Protect the rights of indigenous and local communities over their traditional knowledge, innovations and practices, and associated natural resources, including their rights to benefit sharing.' This would be in line with the analysis by the Millennium Ecosystem Assessment (Ecosystems and Human Wellbeing: Biodiversity Synthesis) (e.g. pp. 12, 40, 41, 71, 73, 74), the UNEP Global Environment Outlook 4 (e.g. pp. 188, 399, 484) and UNEP Global Environment Outlook 4 Summary for Policy Makers (p.5) that resource rights of local communities need to be addressed, secured and strengthened.

Maurizio and Caroline, Forest Peoples Programme  
*submitted by Maurizio Ferrari*

#### **Paragraph 42**

We fully agree with the text in this paragraph. Line 7 mentions that '...consultations should involve indigenous and local communities, civil society...'. The question is: how will this happen? Many of the workshops and meetings listed in paragraphs 7-11 will provide opportunities for governments and other stakeholders to participate in the development of the Plan, but what about indigenous and local communities and civil society? Our suggestion is to ensure the participation of representatives of indigenous and local communities and civil society in the regional consultations and the global expert workshop proposed for the second half of 2009 providing sufficient time for them to consult with their constituencies.

#### **Paragraph 48**

Sub-targets for the economic sectors could be useful but these should be developed with participation of people who are generally affected by these sectors, especially indigenous peoples and local communities, and should involve appropriate expertise not only on biodiversity but also on biodiversity-related social issues (including livelihoods, access and rights to land and resources, etc).

#### **Paragraph 49**

While it is true that the Programme of Work on Protected Areas includes a timeline which provides a structured work plan, the extent to which that timeline has been achieved remains to be seen. SBSTTA-14 and COP-10 will have an in-depth review of the POWPA; the lessons learned from that reviews should be applied to developing milestones or time-bound measures of progress for various parts of the Plan.

### **Paragraph 53**

Here we reiterate the comments posted in the e-forum:

We would to propose the addition of the following obstacles:

Under 1 (Political/societal obstacles)

Failure to sufficiently recognise the role of indigenous peoples and local communities and to empower them to manage local resources

Lack of political will to address the direct and indirect drivers of biodiversity loss (including corruption)

Under 3 (Lack of accessible knowledge/information)

Lack of translation into local languages

Under 5

Change 5a: lack of synergies at the local, national and international levels (added 'local')

### **Paragraph 59**

Concerning the Resource Mobilisation Strategy issue we have two comments:

- a. While we agree that mobilising resources for the implementation of the convention is important, the proposal to set up a Green Development Mechanism building on the experience of the UNFCCC CDM, if accepted by Parties, would need a thorough assessment of how the CDM has so far operated and the appropriateness of a similar mechanism in the CBD. In this paragraph, the CDM is portrayed in purely positive light; however, we are aware that that the CDM has been plagued by several problems and its effectiveness in reducing GHG emissions and stimulating sustainable development has been questioned (see for example <http://www.cdm-watch.org> and <http://www.internationalrivers.org/en/global-warming/carbon-trading-cdm/rip-offsets-the-failure-kyoto-protocols-clean-development-mechanis>). Such a proposal would therefore need a thorough discussion on its potential benefits and costs.
- b. While agreeing that mobilising financial resources is important, the Resource Mobilisation Strategy should not solely focus on money. As we mentioned in our submission to the electronic forum, besides making the Strategic Plan relevant and meaningful to the current issues and challenges facing the Parties, which can help in mobilising resources at the macro level, it is vital to make the Strategic Plan relevant and meaningful to the indigenous peoples and local communities that live a daily interaction with biodiversity. Ultimately, biodiversity is to be conserved and sustainable managed at the local level (where biodiversity is physically located). If the Strategic Plan is felt relevant and important by local actors (which should be, in accordance with the Ecosystem Approach), they could contribute many resources (not necessarily financial) towards the implementation of the Convention. The Resource Mobilisation Strategy should take this aspect into consideration.

### **Paragraph 60**

We would like to suggest the addition of a sentence at the end of the paragraph as follows: 'The revised NBSAPs should be carried out with full and effective participation of indigenous and local communities and other relevant stakeholders,

in accordance with COP9 guidance on developing NBSAPs (Decision IX/8, paragraph 8).'

We would also like to suggest the addition of the following words in line 4 after sustainable development strategies: 'and related strategies on human rights and gender equality' and then continue with existing text.

### **Paragraph 62**

At the end of the last sentence we suggest to add: 'and the livelihoods of indigenous and local communities' so to read: 'This is particularly important in the area of climate change, where the effects of decisions around mitigation and adaptation need to consider the consequences to biodiversity and the livelihoods of indigenous and local communities.' This is to bring the sentence in line with text in Decision IX/16 (Biodiversity and Climate Change).

### **Paragraph 66**

1. line 6: there seems to be a mistake: the Decision number should be IX/8, not IX/9.
2. We would like to add the words 'participatory' to the title to read as follows: 'The new Plan should provide for effective participatory national monitoring and reporting.' This is because Decision IX/8 calls for participation of all relevant stakeholders in the development of NBSAPs.

### **Paragraph 69**

In the second bullet point, we would like to suggest the addition of 'livelihood and tenure security' after 'health' to read: 'Biodiversity and human wellbeing, including health, livelihood and tenure security and poverty eradication.'

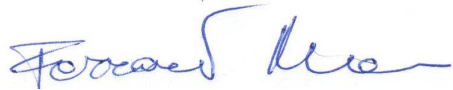
### **Paragraph 79**

This paragraphs starts by saying that 'Many of the views expressed in the submissions to date highlight points that are, in fact, already reflected - to a greater or lesser degree - in the current Strategic Plan.' We feel that we tried to contribute new points by highlighting that the Plan should address biodiversity, development and human rights, and their inter-linkages, in a balanced way in order to halt biodiversity loss and secure human wellbeing because human wellbeing is best secured through ensuring that people (especially indigenous and local communities)'s rights to resources on which their livelihoods depend are recognised and respected, besides ensuring that ecosystem services are maintained healthy or are enhanced. This may be especially relevant to indigenous peoples; in that regard, the CBD has started to address these issues as several COP-9 decisions ask Parties to take into consideration the United Nations Declaration on the Rights of Indigenous Peoples when implementing CBD activities. We pointed out references to human rights or rights-based approaches especially in responding to the following questions in the e-forum: 3, 4, 5, 6, 14, 16.2, 17.1.3. But these seem not to have been reflected in the document. We feel that the Plan should address these critical issues and in so doing it would start to implement the COP9 Decision on the Ecosystem Approach. Specifically, paragraph 2. (a) states: 'Give consideration to the challenge of incorporating land and marine issues, including tenure, in the application of the ecosystem approach, in accordance with national policies, laws and guidelines and taking note of the United Nations Declaration on the Rights of Indigenous Peoples'. This is a general comment but could also specifically apply to paragraphs 30, 31 and 32 of the document.

We look forward to further contribute in the development of the updated Strategic Plan.

Thank you for your attention.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Maurizio Ferrari". The signature is fluid and cursive, with a prominent initial "M" and "F".

Maurizio Farhan Ferrari, Ph.D  
Environmental Governance Coordinator