

CIVIL SOCIETY STATEMENT ON IMPLEMENTATION OF THE PROGRAMME OF WORK ON PROTECTED AREAS

**(Delivered on 11th February 2008, at the Ad Hoc Open-Ended Working Group on
Protected Areas, 2nd Meeting, Rome)**

As civil society organizations gathered at the 2nd meeting of the CBD Working Group on Protected Areas, we express serious concern, in the context of protected areas, about the continued overall loss of biodiversity and the continued violation of human rights, and the lack of progress with achieving agreed targets to reduce and halt biodiversity loss. There remain serious threats from extractive and other industries such as logging, mining, and industrial agriculture/fishing/aquaculture, new processes such as the promotion of agrofuels, and other such factors that are drivers of biodiversity loss. The loss of biodiversity also continues to have serious impacts on the survival, livelihoods, and cultures of indigenous peoples and local communities. *The CBD parties must announce a moratorium on extractive and other industries in areas considered important for biodiversity conservation, and on territories of indigenous peoples and local communities without free prior informed consent.*

Ironically, some the most effective means of reaching the targets to reduce and halt biodiversity loss remain neglected aspects of the CBD Protected Areas Programme of Work (PA POW). This includes, especially, the recognition and support of the rights and practices of indigenous peoples and local communities in community conserved areas and the rest of their traditional territories, and through the involvement and recognition of rights of such communities in the establishment and management of government protected areas. Destruction of biodiversity in the high seas also needs to be halted; the establishment of PAs in such areas needs to take into account the direct and indirect impacts on the rights and livelihoods of indigenous peoples and local communities, and be coherent with the UN Fish Stocks Agreement. Finally, in the move to establish protected areas as sites of special focus, there is neglect of the fact that the rest of the landscape continues to be degradation.

We also point to the recently adopted United Nations Declaration of the Rights of Indigenous Peoples. The rights enshrined in this declaration should guide the implementation of the Programme of Work on PAs and all other aspects of the CBD. This is crucial because our experience shows that in most countries, protected areas continue to be established and run in violation of the rights of indigenous peoples and local communities, despite the commitment to change which is embedded in the PA POW.

We recognize that there has been some progress on implementation of the PA POW, but our concerns remain on the following points:

- The rush to meet the targets of the PA POW through narrowly defined ‘scientific’ criteria without considering their social, cultural, and equity aspects, and without diversifying PA governance, continues to undermine the rights of indigenous

peoples and local communities. Many of the targets of the PA POW could be effectively reached if governments were to put a moratorium on industrial and commercial extraction of resources in areas of biodiversity importance, and in territories of indigenous peoples and local communities without prior informed consent, while simultaneously recognizing the rights of IP/LCs in PA establishment and management. *Criteria for identifying and establishing protected areas need to include social and cultural issues, and indigenous knowledge; expansion of the protected area systems must rely on diversification of governance in particular community conserved areas.*

- Most countries appear not to have put in the policies, laws, and institutional mechanisms needed to implement the recommendations regarding governance, equity, and benefit-sharing committed to in Element 2 of the PA POW. *Governments should put in effective legal, policy and institutional mechanisms to recognize the rights of indigenous peoples and local communities in relation to PAs, and to fully redress the imbalance between local and national/global costs and benefits. There is also a clear need to build capacity within government agencies on governance, equity and rights, and we strongly recommend a series of regional workshops dedicated to this.*
- Reporting by governments on the implementation of the PA POW remains very weak, with very few parties having sent in their reports, and many of them not reporting on the governance and social aspects of PAs. In most countries, reports have not been prepared through participatory ways despite relevant COP decisions on this. We admit also that civil society reporting on this needs to be stronger and more independent. *Parties must be made accountable for adequate and participatory reporting; we also urge the need to support and recognise independent reporting by indigenous peoples, local communities, and other civil society organizations.*
- PA schemes and poverty/livelihood schemes in most countries are still delinked, creating artificial shortages of finances for conservation and driving governments towards private sector funding and management of PAs, which even further undermines IP/LC rights. Additionally intensification of land uses around PAs continues to threaten biodiversity and communities. It must be kept in mind that conservation of biodiversity is much more than just the establishment of PAs. *There is a need to link various programmes of the government, to democratize their planning and implementation with IP/LC participation, to stop destructive land use practices outside and within PAs, and through all these steps to support PAs as the ‘commons’ that are critical for ecological security and for the livelihood security of Indigenous peoples and local communities.*
- So-called ‘innovative mechanisms’ for financing PAs such as carbon and biodiversity offsets are of serious concern to us, when they enable those most responsible for the destruction of our planet to evade their responsibilities, and when they are used by governments to continue carrying out activities in violation

of the rights of indigenous peoples and local communities, as is often the case. *Governments and donors need to commit to putting in the funds needed from public funds first and foremost, and where relying on other innovative mechanisms, to ensure ecological sustainability, equitable sharing of costs and benefits, and the full respect of the rights and participation of Indigenous peoples and local communities.*

Finally, we support the following draft recommendations made in the Secretariat note UNEP/CBD/WG-PA/2/2, but would like to stress that IP/LC participation in these has to be central:

- (i) establishment of multi-stakeholder coordination committees in each country, to help implement the POW, with the proviso that IP/LCs be recognized as rightsholders, not mere 'stakeholders';
- (ii) improvement and diversification of PA governance and in particular co-management and community conserved areas.

(Delivered by Chandrika Sharma on behalf of civil society organizations gathered at a meeting on 10th February, 2008, Rome)