

Ecological Sense

The issue of ecologically and biologically significant marine and coastal areas was a key focus at the recent COP11

The 11th meeting of the Conference of the Parties (COP11) to the Convention on Biological Diversity (CBD) was held during 8-19 October 2012, in Hyderabad, India. Over 10,000 people, including delegates from 173 countries, United Nations agencies, intergovernmental, non-governmental, indigenous and local community organizations, academia and the private sector, participated.

The high-level segment of COP11, held during 16-19 October, focused on four key issues: implementation

the main goals of the Strategic Plan for Biodiversity 2011-2020.

COP11 adopted 33 decisions. Apart from agenda items related to the status of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS), implementation of the Strategic Plan for Biodiversity 2011-2020, progress towards the Aichi Targets, and implementation of the Strategy for Resource Mobilization, other issues on the agenda included ecosystem restoration, review of the programme of work on island biodiversity, biological diversity of inland water ecosystems, protected areas, Article 8(j) on traditional knowledge, marine and coastal biodiversity, biodiversity and climate change, and biodiversity for poverty eradication and development.

Agenda Item 10 on marine and coastal biodiversity discussed ecologically and biologically significant marine and coastal areas (EBSAs); sustainable fisheries and the adverse impacts of human activities on marine and coastal biodiversity; marine spatial planning; and voluntary guidelines for the consideration of biodiversity in environmental impact assessments and strategic environmental assessments in marine and coastal areas. Most of the discussions revolved around the issue of EBSAs.

SBSTTA

Parties discussed how to take forward the summary reports prepared by the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) at its 16th meeting, setting out details of

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of the Strategic Plan for Biodiversity 2011-2020; biodiversity for livelihoods and poverty reduction; coastal and marine biodiversity; and implementation of the Nagoya Protocol on Access to Genetic Resources and Benefit Sharing.

Following on the Aichi Biodiversity Targets reached at COP10, held at Nagoya, Japan, the most important focus at COP11 was on how to meet the Aichi Targets by 2020 and how to raise the resources needed to do so. The negotiations on financial issues were perhaps the most contentious, as developing countries sought greater financial support. Consensus was eventually reached at the eleventh hour, with developed countries agreeing to double funding to support efforts in developing States towards meeting the Aichi Targets and

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areas that meet the agreed criteria for EBSAs, based on scientific and technical evaluation of information from regional workshops that had been organized to facilitate the description of EBSAs. Parties debated whether to “endorse” the reports or to “take note of” them.

In the end, the compromise text proposed by the Chair, which avoided use of either term, was adopted. The Executive Secretary was requested to include the summary reports on the description of areas that meet the criteria for EBSAs in the repository, and to submit them to the United Nations General Assembly (UNGA) and particularly its Ad Hoc Open-ended Informal Working Group to Study Issues Relating to the Conservation and Sustainable Use of Marine Biological Diversity Beyond Areas of National Jurisdiction, as well as to Parties, other governments and relevant international organizations. However, the Russian Federation, Iceland and China pointed out that this was not in accordance with the procedure set out in Decision X/29,

which required the reports to be endorsed before submission.

The final decision that was adopted was welcomed by many, including environmental groups. It was felt that while the wording of the decision may not have been strong enough, as many had hoped for a more widespread endorsement of the EBSAs described at regional workshops, there was still enough in it for pressure to be put on UNGA to develop a legal mechanism for defining the management and/or protection of these sites in the high seas.

Several aspects are worth flagging in the decision that was adopted. It has been highlighted that the identification of EBSAs and the selection of conservation and management measures is a matter for States and competent intergovernmental organizations, in accordance with international law. It has been further affirmed that the scientific description of areas meeting scientific criteria for EBSAs and other relevant criteria is an open



Ryu Matsumoto, former Minister of Environment, Japan, and Hoshino Kazuaki, Representative of the Minister of Environment, Japan, hand over the gavel and COP Presidency to Jayanthi Natarajan, Minister of Environment and Forests, India

Box 1

World Forum of Fisher Peoples (WFFP) and International Collective in Support of Fishworkers (ICSF)

11th Conference of Parties to the CBD
8-19 October 2012

Statement On Agenda Item 10: Marine and Coastal Biodiversity

Thank you, Chair,


The World Forum of Fisher Peoples (WFFP) and the International Collective in Support of Fishworkers (ICSF) would like to highlight the concerns of small-scale and artisanal fishers from different parts of the world on this agenda item.

The need to integrate the traditional knowledge of indigenous peoples and local communities and to ensure their full and effective participation in the implementation of the Convention is well recognized, including in the various decisions of the Conference of Parties to the CBD. However it is unfortunate that these foundational principles have not been taken into account in the various processes initiated for the description of Ecologically or Biologically Significant Marine and Coastal Areas (EBSAs).

We ask Parties to ensure that all work related to the description of EBSAs integrates the traditional, scientific, technical and technological knowledge of indigenous peoples and local communities, consistent with Article 8 (j) and 10 (c). We further request Parties to ensure that there is full and effective participation of indigenous

peoples and local communities, particularly fishing communities, in future regional and national workshops on EBSAs.

In this context we welcome the recommendations from the study on Identifying specific elements for integrating the traditional, scientific, technical and technological knowledge of indigenous and local communities, and social and cultural criteria and other aspects for the application of scientific criteria for identification of EBSAs as well as the establishment and management of marine protected areas (UNEP/CBD/SBSTTA/16/INF/10).

We urge Parties to take note of recommendations of this study and to develop socio-cultural criteria for EBSAs to be used alongside the existing scientific criteria, particularly in areas with pre-existing human populations/ uses, recognizing that the eventual management of the identified areas will be dependent on social, economic and cultural factors. Such an approach, which also takes cognizance of existing rights of indigenous peoples and local communities and their systems of governance, will have benefits for both biodiversity and livelihoods. 

and evolving process that should be continued to allow ongoing improvement and updating as improved scientific and technical information becomes available in each region.

The discussion also saw some Parties stressing the importance

of traditional knowledge and the participation of indigenous peoples and local communities (IPLCs) in the EBSA process. The Philippines highlighted the importance of ensuring the participation of IPLCs in the EBSA process and in identifying conservation and

management measures. This was supported by Mexico and El Salvador. Morocco called for paying attention to traditional knowledge to be used to overcome the impediment of insufficient data and absence of information. Brazil called for indigenous peoples and local communities to be involved in developing appropriate management practices.

The International Indigenous Forum on Biodiversity (IIFB) emphasized the need to ensure full and effective participation of IPLCs in the programme of work on coastal and marine biodiversity, including in expert and regional workshops, and in the description, identification and management of EBSAs. IIFB further urged Parties to ensure that description of EBSAs is based on the traditional knowledge of indigenous peoples.

The World Forum of Fisher Peoples (WFFP) and the International Collective in Support of Fishworkers (ICSF), in their joint statement, welcomed the recommendations from the study on “Identifying specific elements for integrating the traditional, scientific, technical and technological knowledge of indigenous and local communities, and social and cultural criteria and other aspects for the application of scientific criteria for identification of

EBSAs as well as the establishment and management of marine protected areas (MPAs)” (see Box 1). They called for the development of socio-cultural criteria for EBSAs that are to be used along with scientific criteria, particularly in areas with pre-existing human populations/uses.

In relation to IPLCs, the following directions in the decision (XI/17) adopted are important:

- Facilitate, as appropriate, the participation of indigenous and local communities in additional regional or sub-regional workshops for description of areas that meet the criteria for EBSAs for the remaining regions or sub-regions where Parties wish workshops to be held, and for the further description of the areas already described where new information becomes available.
- Further refine the EBSA training manual and modules, including through more consultation with Parties and indigenous and local communities, and develop training materials on the use of traditional knowledge.
- Make use of the best available scientific and technical knowledge, including relevant traditional knowledge, as the basis for the description of areas that meet the criteria for EBSAs.
- Make use of, as appropriate and relevant, additional social and

BONA BEDING



In deciding how to take forward the summary reports prepared by the SBTTA on criteria for EBSAs, a compromise text proposed by the Chair was finally adopted at COP11

Box 2

Solving the Puzzle

A side event organized by ICSF and WFFP, titled “Solving the Puzzle: Social and Cultural Dimensions of Marine and Coastal Protected Areas, was held on 11 October 2012. It opened with the award-winning documentary directed by Rita Banerji, “Shifting Undercurrents—Seaweed Collectors of the Gulf of Mannar”.

The film tracks the issues face by the seaweed collectors of the Mannar region due to the declaration of the area as a marine national park. Following the film screening, Lakshmi, a seaweed collector from Ramanathapuram district of Tamil Nadu, spoke eloquently about the problems they face. “The central government has handed over the area to the forest department for conservation, and have denied us permission to enter the area. But why will we ever destroy something that is the source of our livelihoods?”, she wondered. Lakshmi pointed out another popular misconception: “Seaweeds do not grow on live corals; they only grow on dead ones. Moreover, we get injured if we go near live corals, and even our boats get damaged. We are not responsible for their decline.” Lakshmi’s statement puts paid to accusations that seaweed collectors are harming the biodiversity of the region.


Lakshmi’s experience was echoed in the narratives of speakers from around the world. An exposition of an ICSF study on Costa Rica, Nicaragua, Panama and Honduras, shed light on the process, and social impact, of marine conservation in these four countries. Vivienne Solis Rivera, who conducted the study, said, “The cost of conservation has fallen on the shoulders of local communities, coastal fishers and indigenous peoples.”

Riza Damanik of the Indonesia-based non-governmental organization (NGO) KIARA, which works among coastal

communities, said: “The Indonesian government has set a target of bringing 20 mn ha of marine area under conservation by 2020. It has already covered 15 mn ha since 2009.” Fishing communities in the country are regularly subject to harassment for entering national parks, he added. Damanik listed the names of 13 fishermen who have been shot dead by guards since 1980.

Donovan van der Heyden from South Africa painted a similar picture. He likened the present form of marine conservation to the apartheid regime and called it “the second wave of dispossession” that has displaced communities and robbed them of their livelihoods. The Director of Coastal Biodiversity Conservation in the South African government, Xola Mkefe, who attended the side event, clarified: “All new MPAs strictly involve consultation processes with the local communities. We have worked with organizations like Coastal Links to know what the reality on the ground is, as the government does not have field-level resources.”

All speakers agreed that top-down marine conservation efforts have often led to displacement of communities, and, ironically enough, have had few conservation benefits. Solis said: “These State institutions and authorities lack the instruments to work with communities, and have sometimes chosen the wrong approach towards participation.”

All speakers at the side event had positive stories of struggle to share. Van der Heyden from South Africa drew attention to an ongoing legal case that has established a community’s customary rights over marine resources. Seaweed collector Lakshmi’s mere presence at the side event was testimony to her belief in the power of protest, even as it was a call for support. 

cultural information, developed with the full and effective participation of indigenous and local communities, in any subsequent step of selecting conservation and management measures, and include indigenous and local communities in the process, particularly in areas with human populations and pre-existing uses.

- Consider the use of the guidance on integration of traditional knowledge in the study prepared by the Secretariat, with the approval and involvement of the holders of such knowledge, in any future description of areas that meet the criteria for EBSAs and for the development of conservation and management measures, and to report on progress in this regard to COP12.

The above provisions are undoubtedly important for small-scale fisheries groups, given the existing shortcomings in the EBSA process. However, they do not appear

strong enough as they do not call for the development of socio-cultural criteria for EBSAs to be used alongside the existing scientific criteria, particularly in areas with pre-existing human populations/uses.

As with the previous COP meets, COP11 too saw a plethora of side events. ICSF, in collaboration with other organizations, held one on the social dimensions of MPAs and another on traditional knowledge (see Boxes 2 and 3). ³



View of the closing plenary in session, presided by COP11 President, Jayanthi Natarajan, Minister of Environment and Forests, India

Box 3

Traditional Knowledge

The side event on “Traditional Knowledge and Area-based Management Measures in Marine and Coastal Ecosystems” was organized by ICSF, the Indigenous Peoples' and Community Conserved Areas and Territories (ICCA) Consortium and the United Nations University.

The panelists at the session brought to the table an astounding variety of indigenous knowledge and practices. Grazia Borrini-Feyerabend of the ICCA Consortium shared the example of the Casamance region of Senegal, Africa. The indigenous Djola community considers the mangrove-rich estuarine ecosystem as a sacred grove and has set in place a system for its protection. No-take zones, as well as zones where fishing is permitted for sale in local markets, have been demarcated. As a result, fish stocks have increased, and species that were previously scarce have begun to reappear. Participants at the session pointed out the need to share such experiences widely.

Robert Panipilla from Kerala, India, spoke of the local fishers' rich knowledge of coastal and marine ecosystems. He described how their knowledge of undersea habitats has been used to map the intricate topography of the sea bottom. Such mappings, captured by artists, were on display at the side event. Panipilla said that the method used by local fishers to locate underwater reefs, known as *kanicham*, was akin to sophisticated global positioning systems (GPS). He also explained how local communities had co-operated to establish artificial reefs, in response to the degradation of reef areas by trawlers in the 1980s.

Bona Beding from the Lamalera community of Indonesia took the stage with a video about his village, which featured a local song as its soundtrack. The video captured the philosophy of the famous whalers of his community, who live as one with nature, taking only what is needed, and not abusing resources. As an example of this nature-sensitive philosophy, he pointed to how the villagers catch only male whales, not female ones, which are left to breed.

“The government needs to take into account what indigenous peoples are saying,” said Jorge Andreve, a researcher from the indigenous Kuna peoples in Panama.

The Kuna peoples believe that everything in nature is interconnected. Panama is a unique example of indigenous peoples governing their territories based on their traditional knowledge and community laws and rules. Western scientific knowledge is being used in conjunction with traditional knowledge to preserve land, coastal and marine ecological biodiversity, said Andreve.

Emphasizing the need to bring together traditional and scientific knowledge, panelist Ron Vave from the University of South Pacific, Fiji, provided information about locally managed marine areas (LMMAs) in the South Pacific, which empower local communities to manage natural resources. As with most other indigenous communities, the local populations of Fiji also have a spiritual connection with the environment. Turtles and sharks are considered as totem species, and local people have intimate knowledge about these and other species. There is need to build on local knowledge, culture and governance systems, Ron Vave concluded.

Anne McDonald of Sophia University, Japan, made a presentation on women *ama* free-divers in Japan, who are part of a matriarchal system. Women have traditionally governed their resources, passing down skills and knowledge from generation to generation. Over the years, advances in technology, such as the use of goggles, diving suits and oxygen tanks, have been carefully examined for their implications for resource health and exploitation, before being accepted or rejected. However, with climate-change-induced changes the *amas* are struggling to cope. “This is where scientific knowledge needs to come in, when local communities are hitting the limits of traditional knowledge,” said McDonald.

When the floor was thrown open to questions, many in the audience shared their frustration at the fact that traditional knowledge of IPLCs continues to be marginally recognized in CBD's programme of work on marine and coastal biodiversity, as in the EBSA process. Questions were also raised about the very local nature of traditional knowledge, and the fact that it is, at times, difficult to separate such indigenous knowledge from traditional beliefs and superstitions.

For more

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Marine Protected Areas, and Local and Traditional Fishing Community Perspectives

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