Developing Strategies for Engagement in International Law and Policy Processes

Holly Jonas, Natural Justice & ICCA Consortium
Overview

• The legal landscape
• Categories and types of international law and policy processes
• Global objectives of ICCA Consortium’s 2014-2017 work plan
• Vision, approach and objectives (more detail)
• Strategies for individual processes
Further development of standards

Building networks

Existing standards

Cultural, Environmental and Social Impact Assessments

Sacred Natural Sites

Climate Change

Reducing Emissions from Deforestation and Forest Degradation

Presetned Areas

Land Tenure &Customary Tenure

Customary Uses

Right to Water

Knowledge, Innovations and Practices

Self-identification and Self-determination

The Rights of Women and Children

Education and Healthcare

The Rights of People with Disabilities

Human, Cultural, Linguistic and Religious Rights

Plant Genetic Resources for Food and Agriculture

Access and Benefit Sharing

Livestock Keepers’ Rights

Animal Genetic Resources for Food and Agriculture

Traditional Authorities, Customary Laws and FPIC

Right to Information, Decision Making and Access to Justice

Rights of Indigenous Communities
Types

- Multilateral treaties
- Inter-governmental bodies
- Member-based policy-making bodies
- Major civil society networks
- Global forums
<table>
<thead>
<tr>
<th>Types</th>
<th>Indigenous Peoples’ Rights</th>
<th>Environment</th>
<th>Sustainable Development</th>
<th>Business &amp; Human Rights</th>
<th>General Human Rights</th>
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<td>EMRIP</td>
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<td>World Bank safeguards &amp; IFC performance standards</td>
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<td>Member-based policy-making bodies</td>
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<td>UN Global Compact</td>
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<td>Global forums</td>
<td>WCIP (2014)</td>
<td>Global Soils Week</td>
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Global level objectives:

Consolidate and strengthen the appreciation of ICCAs in international law and policy, including:

• **Biodiversity conservation**: CBD Articles 8(j) and 10(c), the Strategic Plan and related Aichi Targets, and protected area policy (governance, connectivity, “other effective area-based conservation measures”, national programmes for PoWPA) revised NBSAPs, etc.

• **Climate change**: CCAs as non-market based mechanisms for climate change mitigation and adaptation

• **Food security**: ICCAs as ingenious solidarity-based solutions to the vagaries of markets and climate, towards food sovereignty

• **Indigenous peoples’ rights**: ICCAs as effective grounds for self-determination of Indigenous peoples

• **Human rights**: ICCAs as spaces of individual and collective rights, responsibilities, identity and pride

• **Post-2015 Millennium Development Goals**: ICCAs as key elements in the architecture of equitable and sustainable societies
Vision, Approach & Objectives

- What do we want to achieve **overall** in international law and policy 5, 10 and 20 years from now?
- What do we want to achieve in **specific categories** of international law and policy (e.g. Indigenous peoples’ rights, environment, sustainable development, business and human rights, and general human rights) 5, 10 and 20 years from now?
- What do we want to achieve in **specific fora and mechanisms** such as the UNFCCC, Permanent Forum on Indigenous Issues, World Bank, etc.?
- What are the **pros and cons** of different approaches (e.g. focusing primarily on conservation benefits of ICCAs vs. primarily on the importance of securing fundamental human rights; focusing on ‘branding’ of ICCAs vs. a softer focus on bundles of rights and responsibilities)?
- How can these **different approaches** be used strategically in different fora to fulfil the overall objectives?
- Are there any fora or processes with which the Consortium should **not engage** (e.g. on the basis of principle or incompatible aims)?
Strategies for Individual Processes

• What do we want to achieve in specific fora and mechanisms (UNFCCC, Permanent Forum on Indigenous Issues, World Bank, etc.)?

• Who is best-placed to take the lead? Who should participate?

• How can the Consortium strategically and effectively engage in each process to achieve its aims? (e.g. negotiations, side events, workshops, community visits)
Strengthening Consortium’s Capacity

- What partnerships, experiences, and insights (engaging with international processes) already exist amongst Consortium Members? What are the main ‘success stories’ and lessons learned?
- How can they be better documented and shared within the Consortium to enable cross-leveraging in different fora?
- What guidance and support materials already exist on engaging with international law and policy? How can these be further developed and adapted to increase their accessibility to all interested Consortium members?
- What capacity-building activities are the most effective and preferred (e.g. regional exchanges, short courses, online resources)?
- What are the key civil society or multi-stakeholder networks and initiatives with which the Consortium should engage? What are their added values? How should we engage with them (e.g. information sharing, joint programmes, formalised partnership)?
Financial Considerations

- Calendar of events for the next 6-24 months
- Meetings that amount to a ‘cycle’ in that process (e.g. intersessional meetings plus Conference of the Parties)
- Meetings that contribute significantly to the overall vision and objectives or present significant networking or fundraising opportunities
- Donors that support travel to international meetings
- Opportunities for including travel line items in other funding proposals and/or pooling funds with other Consortium Members
- Opportunities for organising other events back-to-back with key international meetings to reduce costs, emissions, and travel time
- Members located in closest proximity to the meetings, also to reduce costs, emissions, and travel time
- How to assist and ‘tag-team’ with other Members even when you’re not attending in person (e.g. writing joint submissions, preparing applications for side events and voluntary funds, connecting with existing contacts)
- Opportunities to join via Skype or other online / teleconferencing tool
Overview of Individual Processes

- EMRIP
- OWG on SDGs
- International Conference for SIDS
- WCIP
- CBD COP12
- CFS
- World Parks Congress
- UNFCCC COP20
Expert Mechanism on the Rights of Indigenous Peoples

7-11 July in Geneva


• Agenda items:
  – World Conference on Indigenous Peoples; study on access to justice in the promotion and protection of the rights of Indigenous peoples; study on the promotion and protection of the rights of Indigenous peoples in natural disaster risk reduction and prevention and preparedness initiatives; UNDRIP; and proposals to be submitted to the Human Rights Council

• ICCA Consortium lunch-time event (Monday)
Open Working Group on Sustainable Development Goals

14-18 July in New York City

[Simone]
International Conference for Small Island Developing States

28 August-4 September in Apia, Samoa

• “The sustainable development of small island developing States through genuine and durable partnerships”

• Identification of new and emerging challenges and opportunities for the sustainable development of SIDS and means of addressing them; and identification of priorities for the sustainable development of SIDS to be considered in the elaboration of the post-2015 UN development agenda
World Conference on Indigenous Peoples

22-23 September in New York City

• High-level plenary meeting of the 69th session of the UN General Assembly and supported by the UN Permanent Forum on Indigenous Issues

• Agenda items:
  – Share perspectives and best practices on the realization of the rights of Indigenous peoples; pursue the objectives of the United Nations Declaration on the Rights of Indigenous Peoples; result in a concise, action-oriented outcome document, taking account of the views of both Member States and Indigenous peoples
Convention on Biological Diversity

12th Conference of the Parties (COP12): 6-17 October in Pyeongchang, S Korea

• Assessing progress in implementation of the Strategic Plan
  – GBO-4, review of updated NBSAPs, mid-term review of progress

• Enhancing implementation to achieve the Strategic Plan
  – Contribution to MDGs and post-2015 SDGs, development of tools and guidance to assist implementation, capacity-building, etc.

• Items from the CBD Programme of Work:
  – ABS and status of the Nagoya Protocol, Article 8(j), liability and redress, marine and coastal biodiversity, climate change, invasive alien species, geoengineering and synthetic biology
Committee on World Food Security

41st Session (CFS41): 13-18 October in Rome, Italy

• State of food insecurity
• Role of sustainable fisheries and aquaculture for food security
• The right to food
• Principles for Responsible Investment in Agriculture and Food Systems (aiming for final approval) [UNCTAD, FAO, IFAD, WB]
• International Year of Family Farming
• Innovation in family farming
World Parks Congress

12-19 November in Sydney, Australia

• Eight streams:
  – Reaching Conservation Goals; Responding to Climate Change; Improving Health and Well-Being; Supporting Human Life; Reconciling Development Challenges; Enhancing Diversity and Quality of Governance; Respecting Indigenous and Traditional Knowledge and Culture; and Inspiring a New Generation

• Four cross-cutting themes:
  – Marine, World Heritage, Capacity Development, and New Social Compact

• World Leaders’ Dialogue:
  – 13-18 Nov, each evening; topics: future resilience, financial value of parks, social equity, food security, illegal wildlife trade, natural resource exploitation
UN Framework Convention on Climate Change

1-12 December in Lima Peru

• Provisional agenda not yet ready... key issues to watch out for:
  – Social and environmental safeguards for REDD
  – Community-based adaptation and mitigation
  – Green Climate Fund [Simone]
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