

SUBMISSION

In relation to the notification on preparations of the Post-2020 Strategic Plan

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Convention on Biological Diversity
Dr. Cristiana Paşca Palmer
Executive Secretary
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Montreal, Quebec
Canada H2Y 1N9

15 September 2017

Dear Dr. Cristiana Paşca Palmer,

This is a submission by the Global Forest Coalition (GFC) and members and partners of the Community Conservation Resilience Initiative,¹ together comprising a diverse group of Indigenous Peoples', community-based and civil society organisations and networks working on issues related to collection action and biodiversity conservation.

It includes the following topics:

- Engaging Indigenous Peoples and Local Communities;
- Engaging Women and Gender Mainstreaming;
- Engaging Rural Communities, Children and Youth;
- Positioning the CBD and Post-2020 Framework; and
- Substantive Content of the Post-2020 Framework.

Please do not hesitate to contact us for any clarifications. We look forward to contributing further to this process and other preparations for the forthcoming CBD meetings.

Thank you for the opportunity to provide inputs on these important matters and in advance for your consideration of and support for the collective voices of the peoples and communities who contributed to this submission.



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¹ For more information about the Community Conservation Resilience Initiative, please see: <http://globalforestcoalition.org/resources/supporting-community-conservation/>.

Engaging Indigenous Peoples and Local Communities

1. According to the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), “Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions” (Article 18). In addition, “States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them” (UNDRIP, Article 19).
2. As the stewards of much of the remaining biodiversity on the planet, Indigenous peoples and local communities and other rightsholders² such as women are among the best placed to inform the overarching global framework for biodiversity. Their full and effective participation in the post-2020 process is absolutely essential to devising a framework that respects and supports the countless forms of collective action and Indigenous and local ways of life that contribute to biodiversity conservation, sustainable use and restoration.
3. Special attention must be paid to ensuring the post-2020 process is inclusive and representative. We therefore support the recommendations by the CBD Women’s Caucus and IWBN on institutionalising an engagement mechanism for rightsholders in the preparatory process:
 - a) The Thirteenth Conference of the Parties has requested a comprehensive and participatory preparatory process and timetable for the follow-up to the Strategic Plan for Biodiversity 2011-2020 (decision XIII/1, para. 34). To ensure this, a meaningful engagement mechanism for rightsholders who are on the frontlines of biodiversity conservation and sustainable use must be developed and institutionalised. We call on the Conference of the Parties to adopt a decision to institutionalise such a rightsholder developed engagement mechanism in the preparatory process.
 - b) Rightsholder groups, such as women, Indigenous Peoples and local communities, children and youth, and farmers (including fisher folk and livestock producers) and workers must be involved in all policy planning processes that affect them, from conception to monitoring and evaluation. Such rightsholders require specific, institutionalised channels of participation so that their invaluable experiences and perspectives can be included in the post-2020 framework. Such channels should consider culturally appropriate and gender-sensitive tools and methods and Indigenous languages. This will promote gender mainstreaming in the CBD at all levels, throughout the preparatory process.
 - c) Parties and the Secretariat should recognise and call upon rightsholder groups as expert groups in biodiversity policy planning, implementation, monitoring and evaluation. The engagement of Indigenous women and grassroots women’s groups as expert groups – including in technical/expert panels and meetings, Secretariat and party-led studies, assessments and reviews, workshops, and formal and informal consultations – has thus far been missing.

² The term rightsholders is used to distinguish major groups that represent people with recognised rights under international law related to sustainable development, including women, Indigenous Peoples, youth, workers and farmers, from stakeholders such as NGOs, business and industry that merely have a stake in sustainable development policy.

- d) We call for institutionalisation of an effective and meaningful engagement mechanism for rightsholders in all their diversity in the preparatory process for the post-2020 framework. This can be done through a number of ways, including:
- Ensuring rightsholder groups such as women and Indigenous Peoples and Local Communities, amongst others, have their spaces and seats at the table in all processes at all levels of the preparatory process and timetable, including through the major groups and stakeholder groups structure such as the CBD Women’s Caucus, Indigenous Women’s Biodiversity Network (IWBN), including its regional caucus from Latin America and the Caribbean (RMIB-LAC), and the International Indigenous Forum on Biodiversity (IIFB)..
 - Inviting representatives from all rightsholder groups as experts to global consultations, national and regional workshops and expert meetings, in an inclusive and equitable manner, and ensuring there is translation/interpretation for effective engagement.
 - The CBD Secretariat to mobilise funding/resources to ensure that representatives from all rightsholder groups (diverse in age and gender) can be financed to participate in both global and regional meetings [see related point in para. 7 below].
 - Ensure rightsholder groups have space, time and translation/interpretation services to express their diverse and expert perspectives. In turn, Parties and other stakeholders should understand that all rightsholders do not speak as a single voice, and they are also a pool of experts that are ready to assist Parties in deliberations.
 - In line with ensuring inclusivity, equity and a diversity of perspectives, the preparatory process should strive for gender balance in consultations, personal testimonies, meetings, workshops and expert groups.
- e) Tokenistic participation of rightsholders must be avoided. The nature of participation and engagement of rightsholders that is required extends beyond opportunities for information dissemination to Parties and attendance and being consulted at meetings and workshops. Participation should happen in the framework of mutual respect, understanding and consideration.
- f) What is needed for meaningful participation in the preparatory process is the creation of safe spaces for candid engagement between rightsholders and Parties. This requires sufficient space and time to be allocated for interchanging of ideas between Parties and rightsholder groups, respecting the time, protocols and diverse ways of having conversations and dialogues. Rightsholders must be recognised and given the opportunity to participate in setting the agenda, contributing to analysis and special reports as experts, reaching consensus on the issues at hand and being involved in the decision-making, therefore producing more equitable outcomes and having broad-based ownership over those decisions and outcomes.³ Facilitating such an environment leads to increased trust and mutual benefits in the long run.
- g) To ensure such institutionalisation, clear modalities for the rightsholder engagement mechanism in the preparatory process should be developed by rightsholders worldwide and then committed to in a decision by the Secretariat and Parties.

³ Asia-Pacific Regional Engagement Mechanism, ‘The Dual Objectives of Participation’, accessed 5 September 2017, available at: <http://asiapacificrcem.org/about-rcem/what-is-the-rcem/objectives-of-rcem/>.

4. The special theme of the 17th Session of the UNPFII in April 2018 will be “Indigenous peoples’ collective rights to lands, territories and resources”.⁴ This is a prime opportunity for the CBD to actively engage in the UNPFII and to propose a collaborative approach to developing the post-2020 framework.
5. The CBD could collaborate with the UN Permanent Forum on Indigenous Issues (UNPFII) for a global consultation process that specifically focuses on Indigenous and traditional peoples (for example, using the same seven socio-cultural regions).
6. A collaborative approach could also be proposed through the Biodiversity Liaison Group to ensure greater coherence with the other Rio Conventions and biodiversity-related multilateral environmental agreements on matters pertaining to Indigenous peoples and local communities and other rightsholder groups.
7. We encourage Parties to contribute generously to the CBD Voluntary Fund for Indigenous Peoples and Local Communities to enable their participation in the preparatory post-2020 process, including CBD regional workshops, expert group meetings and inter-sessional meetings and COPs.
8. We also encourage Parties and the CBD Secretariat to provide financial, technical and political support to the development of the 2nd edition of the Local Biodiversity Outlooks, as an important complement to the Global Biodiversity Outlook that should provide a strong basis for identifying implementation gaps in the 2020 Strategic Plan as well as priorities for the post-2020 framework.

Engaging Women and Gender Mainstreaming

9. In addition to the specific points mentioned above (para. 3), we express our wholehearted support for the submission of the CBD Women’s Caucus and IWBN. As per the CBD Gender Plan of Action, gender should be integrated across all aspects of the Convention and biodiversity-related policies and programmes.

Engaging Rural Communities, Children and Youth

10. A growing number of Indigenous peoples and local communities and other rightsholder groups employ IT such as handheld GPS units and smartphones to document their collective actions and Indigenous and local knowledge, innovations and practices. Although IT and internet connectivity has not reached all corners of the planet, it continues to expand and can be an effective way to engage many people who are not in a position to travel to national consultations in urban centres, but who often live in and have formal or customary tenure or governance rights regarding the most biodiversity-rich areas, like Indigenous Peoples.
11. In addition, the views and voices of children and youth – particularly of Indigenous peoples and local communities – must be meaningfully included in the post-2020 process. They are severely affected by the shortcomings of previous generations’ decisions, and decisions taken today will determine the severity of the challenges that they will face in the future. Their rights and the rights of future generations must feature strongly in the post-2020 process and framework.

⁴ For more information, see:

<https://www.un.org/development/desa/indigenouspeoples/uncategorized/2017/06/unpfii-seventeenth-session-16-27-april-2018/>.

12. In order to better engage Indigenous Peoples and communities in rural areas as well as children and youth, in addition to standard in-person national consultations, we recommend the development of a wide-ranging online campaign and consultation process to disseminate the status of the 2020 Strategic Plan and to identify priorities for the post-2020 framework. This could be dovetailed with implementation of the CBD's existing communications strategy (Decision XIII/22).

Positioning the CBD and Post-2020 Framework

13. As noted in the CBD information note "*Approaches for the preparation of the post-2020 global biodiversity framework*" (dated 15 June 2017), "The 2030 Agenda for Sustainable Development and the Sustainable Development Goals [SDGs] provide an important enabling framework for the implementation of the Strategic Plan for Biodiversity 2011-2020 and for the follow-up to the Plan" (para. 13). Several decisions of COP13 referenced the 2030 Agenda and the SDGs. Harmonisation between the CBD and SDGs is very important and welcome.
14. However, the SDGs are arguably insufficient from a perspective of fostering an integrated approach to biodiversity and rights-based sustainable development. For example, the indicators that have been proposed to monitor the implementation of SDG15 prioritise protected areas, and fail to consider the significant contributions of territories and areas conserved by Indigenous peoples and local communities (also known as ICCAs) and other effective community conservation initiatives and collective actions, even though community conservation is a more effective and human rights-based approach to integrate biodiversity and sustainable development objectives.
15. Integration of biodiversity into the 2030 Agenda for Sustainable Development cannot be a one-way street; biodiversity policy makers should also make a much greater effort to effectively integrate the different SDGs into biodiversity policies and actions. The post-2020 framework forms a unique opportunity to embrace a more human rights-based, transformative and socially just approach to biodiversity conservation that is in line with the thrust of Agenda 2030.
16. A transformative approach to biodiversity conservation is also needed because community conservation and associated customary sustainable use and traditional knowledge are increasingly being threatened by global change, including trends like urbanisation, migration, and rapidly changing consumption and production patterns that trigger over-exploitation of natural resources and the expansion of monocultures for products such as meat, dairy, vegetable oils and bioenergy. Biodiversity policy should not only include positive incentives for both rural and urban biodiversity conservation, but it should address the rapidly increasing ecological footprint of an urbanising society on rural ecosystems. For this reason, the post-2020 framework should also include a continued focus on eliminating harmful incentives, including subsidies (along the lines of Aichi Target 3).
17. The CBD, including the post-2020 framework, should be repositioned as the foundation for all sustainable development and wellbeing. This includes re-focusing the CBD on biodiversity for the sake of the entire planet, rather than an anthropocentric focus on "services" and economic / financial valuation of biodiversity and nature.

Substantive Content of the Post-2020 Framework

18. Conservation by Indigenous Peoples and local communities should be at the heart of biodiversity conservation. The 2050 Vision of the Strategic Plan “Living in Harmony with Nature” clearly calls for biodiversity conservation by and for people, rather than biodiversity that is protected from people. Conservation by Indigenous Peoples and local communities is the most effective and equitable strategy to ensure human rights-based and sustained biodiversity conservation and restoration in the long run. That is why we recommend the establishment of a process to integrate community conservation approaches in each of the existing and future areas of work of the CBD, and all aspects of the post-2020 framework. These approaches should also take into account the specific roles, rights and needs of women in biodiversity conservation.
19. The process to develop the post-2020 framework should thus include a process to elaborate specific time-bound commitments to respect and provide appropriate support to biodiversity conservation and restoration initiatives by Indigenous Peoples, local communities and women.
20. The process to develop the post-2020 framework should also include an inclusive discussion on appropriate legal frameworks – including at (sub-)national levels – to respect the rights of Indigenous Peoples, local communities and other rightsholder groups such as women regarding the tenure and governance of specific ecosystems, habitats, species, genetic resources and related traditional knowledge, innovations and practices.
21. The CBD would greatly benefit from more robust mechanisms for supporting and reviewing (sub-)national implementation, including the development of NBSAPs, implementation of CBD-related commitments by Indigenous Peoples, local communities and other rightsholder groups such as women, and the preparation of national reports. The initial rounds of Voluntary National Reviews (VNRs) considered by the High Level Political Forum could provide useful lessons for a peer-review mechanism in the CBD for NBSAPs as well as national reports. In particular, experience to date with the VNRs shows that much stronger emphasis is needed on ensuring genuine participation of Indigenous peoples, local communities and women, and other rightsholder and stakeholder groups in the preparation and review of VNRs.