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Alien Species Invade CoP7

barbara gemmill ? elci

On the second day of the COP, the alien species that have been lurking in the corridors, hiding under carpets and smuggled in briefcases made their way into the plenary hall and established themselves. While many delegates and observers fear for the health of the convention, and UN protocols, many others feel that it was a problem that had better be dealt with, before it gets out of hand.

The history of the disorder is fairly well known, and the relevant facts are contained in the report of the sixth meeting of the Conference of Parties. When concluding discussion being concluded on the adoption of the decision to adopt guidelines with respect to "Alien Species That Threaten Ecosystems, Habitats or Species", one party objected. The decision was adopted nonetheless, with the chairman stating that formal objections would be reflected in the report of the meeting. It is fairly widely agreed (and a legal opinion requested by the United Nations has affirmed) that the Chairman should not have proceeded to declare the decision adopted by consensus, in the face of a formal objection prior to adoption. Mistake One. But on the other hand, after adoption, the country concerned did not formally object or seek to nullify or void the decision. Mistake Two. Score? It should be even, but the issue continues to be raised at every subsequent meeting, and has clambered its way back on the agenda this time as well, like a strangler fig that threatens to kill its host.

Much has been made of the procedural irregularities on all sides. The topic was introduced in plenary this afternoon as a concern that has reverberated far beyond the Convention on Biological Diversity, to the very workings of the United Nations in its intergovernmental negotiations. But with all due respect to the procedural oddities, the bigger threat is that attention is diverted from the critical substantive issues in the decision. These substantive issues, actually, go more to the heart of safeguarding UN-negotiated precepts and ethos.

The persisting substantive conflict is about dealing responsibly with the impact of invasive alien species in a world with an increasingly greater trade orientation- a highly relevant role for a multilateral environmental agreement. The invasive alien

species issue needs to be resolved, not only on a procedural plane, but with respect for the political will of the delegations on the substance of the conflict. The parties have articulated this political will to include:

- Embracing the definition of the precautionary principle in the preamble of the Convention (thus not eroding what has already been articulated by the intergovernmental process).
- Rejecting the wording "science based" which has been used to counteract the precautionary principle (for how can purely, rigorously science-based actions be required in a principle designed to aid in rational, human-centred decision-making under the current environments of scientific uncertainty?)
- Refusing to give "other international agreements" of unspecified names, signatories or content equal standing with the Convention on Biological Diversity (as why should such totally undefined agreements be recognised on the same level as this specific convention to which we are all devoting so much time and attention?)

On this latter point, we must celebrate the new text introduced by the former Netherlands President of the COP, that the guiding principles of IAS must be implemented in a manner consistent with the Convention on Biological Diversity and other international obligations of the Parties" - these same parties, and whatever else they together agree to, such as their ground-breaking Cartagena Protocol. How much better this is than the former wording to implement guiding principles on IAS " in a manner consistent with the CBD and other international agreements". This dangerous wording could have seen the CBD obliged to adhere, for example to the new free trade agreement between Australia and the United States...if you can imagine that.

The Netherlands delegate placed three documents before delegates this evening, and asked that they be adopted, permitting the retiring of former decisions and their replacement by a careful compromise. Several delegations, respecting the effort and the message but feeling unprepared to muster a response, asked for more time. The opportunity to heal both the substance and the process, and bring alien species under control, is at hand- if delegates can exercise restraint.

A N N O U N C E M E N T

NGO Meetings every morning from 9 – 10 in the NGO ROOM, Third Floor PWTC

Excerpts from a Joint NGO Statement on
**PROTECTED AREAS, INDIGENOUS PEOPLES AND
LOCAL COMMUNITIES, AND EQUITY**

A s h i s h K o t h a r i ? K a l p a v r i k s h , I n d i a

(note: the language below is paraphrased from the full statement)

Several NGOs gathered at COP7:

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| <p>1. Welcome, in the context of the continuing and alarming rate of biodiversity loss, the elements, goals, and targets of the proposed Programme of Work (POW) on Protected Areas (PAs).</p> <p>2. Urge integration of the following into the POW:</p> <p>i. Adoption of the recommendation relating to restitution of lands and territories of indigenous peoples and local communities that were incorporated in government-designated PAs without their free and informed consent.</p> <p>ii. Adoption of policies prohibiting forcible displacement of indigenous and local communities, and forcible settlement of mobile peoples, in relation to PAs.</p> <p>iii. Providing adequate resources to PAs and taking action against key threats that they face from unsustainable developmental and commercial projects.</p> <p>iv. Avoiding the turning over of PAs to private corporations and companies through concessions and leases, which more often than not harms the rights of indigenous and local communities, and induces the loss of biodiversity.</p> <p>v. Ensuring free and prior informed consent of indigenous and local communities for any projects and plans relating to their territories and resources in/around PAs.</p> <p>vi. Ensuring standards of performance relating to conservation effectiveness, social equity, cultural</p> | <p>vii. sustainability, and meaningful participation, arrived at through an open, participatory process. Committing to the Parks Congress recommendation, that “PA management strives to reduce, and in no way exacerbates, poverty.”</p> <p>viii. Creating transparent, publicly accessible, and culturally sensitive mechanisms of monitoring to assess the conservation effectiveness and equity aspects of PAs.</p> <p>ix. Ensuring that the rights and participation of fishworker communities are built into marine and coastal protected area programmes, and incorporating this into the proposed decision on Marine and Coastal Biodiversity.</p> <p>x. Enhancing management at landscape and seascape level, containing PAs of different governance types and management categories are embedded; basing such management on bio-cultural connectivity provided by indigenous and local communities.</p> <p>xi. Recognising and supporting, including through incorporation into legally backed PA systems, a range of community conserved areas including indigenous protected areas.</p> <p>3. Urge Parties to adopt specific targets and timelines, and to set up an ad hoc open-ended working group on protected areas, with full and meaningful participation of indigenous and local communities, NGOs, and other experts.</p> <p>4. Urge Parties to welcome the outcomes of the 5th World Parks Congress.</p> |
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(signed by several NGOs participating at COP7)

AOTD (Acronym of the day)

Dear Reader – in an effort to build capacity and technical expertise of delegates to the COP, we are offering this quiz. Please select the correct answer. First person to email the address below will be featured in the next Eco as the Biodiversity God or Goddess.

**IAS
Stands for**

- A:** Institute of Annoying Sillybillies
- B:** Intergovernmental Agenda for Sleep Deprivation
- C:** Infuriating Australian Strategy
- D:** Invasive Alien Species

We are accepting submissions of new and annoying acronyms for this space. Please submit to jdempsey@interchange.ubc.ca.

Indigenous people fully appreciate the need for and value of a broad range of protected areas. It is no coincidence that the majority of so-called biodiversity hotspots coincide with indigenous people's territories. The establishment of Protected Areas on indigenous territories without our consent and engagement has resulted in alienation of our traditional lands, territories and resources, the forcible displacement of our peoples, the loss of our sacred sites, and the slow but continuous loss of cultures, as well as impoverishment.

In the draft decision on Protected Areas, language ensuring that our rights will not continue to be violated is either absent or has been bracketed. We believe that the Programme Element 2 of the Programme of Work is a good start in ensuring that social and other issues are addressed, the programme element still needs to be strengthened.

The International Indigenous Forum on Biodiversity will make the following interventions in this working group: The rights of Indigenous Peoples to free, prior and informed consent, and to own and control our traditional lands, territories and resources, including marine and coastal areas. Indigenous conserved areas must be recognized as legitimate and valuable components of national protected area systems.

Customary uses of biological resources, and the application of customary laws pertaining to the management and use of biological resources must be encouraged and protected.

The Right to Say 'No' to GMOs

During a lunch time side event organized by Community Biodiversity Development and Conservation (CBDC) programme three country presentations (Indonesia, Philippines and Brazil) demonstrated how communities can organize themselves to oppose GMOs introduction in their countries and communities. Legal tools (lawsuit, policy lobbying, education campaigns) or meta-legal actions (picket, rally, signature campaigning, uprooting) have been used as tools for community resistance against the invasion of these alien crops in their territories. The fight against giant transnational seed corporations with their determination to spread GMOs in developing countries is only possible when the power of communities is activated to exercise their right to control the seeds and to determine what to plant.

Rosario Ortiz, ELCI

Quote of the Day...

"When the powerless exercise their rights they become powerful and a force to reckon with."

Sis. Susan Bolanio, OND. Justice and Peace Desk , Social Action Center, Minadano, Philippines

Indigenous Peoples, where they choose, must be recognized as partners in all aspects of the implementation of the programme of work.

If the state-parties are serious about poverty-alleviation, forcible resettlement of Indigenous Peoples for conservation must be abandoned.

The programme of work must emphasize that negative socio-cultural, spiritual and other impacts are assessed in accordance with the proposed Akwe: Kon guidelines and avoided rather than assuming that they are inevitable.

The programme of work must also recognize our experience of dispossession by protected areas and ensure that effective and adequate mechanisms are established that provide reparation.

The programme of work needs to emphasize the essential contribution of Indigenous women to conservation and recognize their right to participate in decision making.

The programme of work must account for and respect the rights of Indigenous people to Sacred Areas.

Ensuring our full participation in all protected areas related mechanisms and activities established under the convention, such as proposed expert groups or open-ended working groups, and any development of indicators or standards and monitoring on protected areas.

Kids for Forests statement



My name is Omanie Sakapeso. I was born in Werio, a village in the tropical forest of Papua New Guinea. I have four brothers and two adopted sisters. My clan's name is Kuye. I grew up in the forest. My parents used to take me around in the forest when I was a little boy. We were camping in different areas of the forest, enjoying food from the forest, and then coming back to our village. My parents taught me how to search for food according to the traditional customs of my tribe. They also taught me how to recognise medicinal plants. I learnt how to survive in the forest and how to respect the spirits of the forest. For example, if a woman carries a baby and there is a fallen tree lying on her way, she has to go around the fallen lying tree instead of climbing over it. This is a very important custom to protect the baby. We

express our respect for the spirits of the forests in many different ways. Sometimes, we will cut a big leaf from a tree and spread some breast milk on it. The leaf with milk is carried to a sacred mountain or a sacred creek. My people ask the spirits of the forest to give them food and water. They ask the spirits for help before hunting. Small children fear the spirits and are not allowed to go to sacred places without their parents. Today, foreign investors have destroyed some of these sacred sites with no respect for the indigenous people.

My life in the forest is so perfect, that I don't want to lose it. My ancestors have been living in this forest for centuries, relying only on the natural resources of the forest: fruits from trees, sago for staple food, wallaby and cassowaries for meat, water from the rivers and medical plants to relieve pain and cure diseases. I want my children and grand-children to be able to live in the forest if they want to. No foreign company has the right to decide about how my people should live.

My father Sakapeso and my uncle John Danaye have always been very active in fighting for their rights to live in the forest, ever since the loggers came into their land. They initiated a court case against Rimbunan Hijau (RH) nine years ago. But this court case was delayed again and again and has never taken place. So we called on Greenpeace to help raise public attention on the fate of the paradise forest of Papua New Guinea. My people were very interested to document the destruction of their environment and

made it possible for Greenpeace to enter the concession area and witness the destruction done by the logging company RH. Greenpeace has just released a report, telling the world about the destructive logging practices of RH in my own forest. The government of my land failed to protect my forest. I now put all my trust and hope into the international delegates who are meeting this week at the Summit for Life on Earth, the UN meeting of the Convention on Biodiversity, in Kuala Lumpur.

I am only 18 years old, but I came all the way to Malaysia, on behalf of my people, to see that the right decisions are made for the future generation. Foreign investors have no right to destroy our forest and impose another lifestyle on us. I came here because I want to get rid of the destructive logging companies on my land. This land belongs to me, to my clan and to the coming children of my people. I have a right to take decisions for the future of my own land. The politicians and the foreign investors have no right to decide about my life and the life of my children. I want my resources to be managed in a sustainable way, as the people in the forest have done for many many years. My people take everything they need to live from the forest, without destroying it. If the loggers continue harvesting the forest as they do now, I will not have any forest left to live in, in the future.

Kuala Lumpur, 10/02/2004
Omanie Sakapeso, 18

Coastal Fishing Communities and Marine and Coastal Protected Area

Communities in the Tha Chana Gulf of Surat Thani Province, along the eastern coast of Thailand are actively engaged in conservation of coastal resources, in an area known for its fertile mangrove forests. The expansion of trawling and intensive forms of aquaculture has had a negative impact on coastal resources in this area, and of course, on the livelihoods of fishing communities. Communities are trying to protect their resources from these threats, and have even set up a system of surveillance using their own resources. At the same time they are setting up artificial reefs that, while helping in resource rejuvenation, in fact, serve to block entry of the pushnetters and trawlers. Their work is beginning to show results and they are getting recognition from the local administration. There are many such stories of communities taking up conservation initiatives from countries in the developing world, initiatives that are undertaken in diverse, decentralized and pluralistic ways.

From other areas one hears of other, more disturbing, stories, of the negative impact of conservation efforts undertaken in non-participatory and exclusionary ways, on small-scale and artisanal fishworkers and their communities. Artisanal fishworkers using the island of Jambudwip, a 20-sq km island in the mangrove belt of the Sunderbans delta in the Indian State of West Bengal, mainly to sun dry their fish, have, for example, recently been denied access to the island. Several thousand fishworkers have lost their livelihoods as a consequence.

There can really be no doubt that coastal and indigenous fishing communities have a long-term stake in the conservation and protection of biodiversity, given their reliance on coastal and marine biodiversity for livelihoods and income. As "beacons of the sea", they have, in recent decades, been among the first to draw attention to destruction caused by the uncontrolled expansion of industrial fisheries and aquaculture and the use of non-selective and destructive fishing gear and practices such as bottom trawling, push-nets, dynamiting and cyanide poisoning, particularly in tropical multi-species fisheries.

Clearly, coastal fishing communities can be powerful allies in the efforts to conserve, restore and protect coastal and marine biodiversity. Implementation of ill-conceived conservation initiatives devoid of community participation, are not only counterproductive from the point of view of conservation of biodiversity, they can also lead to further exacerbation of poverty in communities well known for their economic and social vulnerability.

For coastal communities to be allies in the conservation and sustainable use of biodiversity, there is a need to recognize, protect and strengthen their rights to access and use biodiversity in a responsible manner, to pursue sustainable livelihoods, and to participate in decision-making and resource management processes at all levels. Recognition of these rights would provide an enabling framework for coastal fishing communities to fulfil their responsibilities.

This understanding also needs to be clearly reflected in the programme of work on marine and coastal biodiversity. Fishworker organizations and NGOs, mainly from developing countries, have signed on a statement that requests COP7 to pay special attention to the following aspects while developing their programme of work on marine and coastal biodiversity:

- Recognize the preferential access rights of coastal fishing communities
- Recognize the use of sustainable traditional fishing gear and practices
- Prioritize the livelihood interests of natural-resources-dependent communities
- Recognize and support the community-based management initiatives and their diversity

These and other issues will be further discussed at a side event organized by the International Collective in Support of Fishworkers (ICSF) on 11 February from 1830 to 2000 hrs (Pulau Pinang room)