

## The Clock is Ticking for Marine Protection

Olivier van Bogaert  
WWF International

We are encouraged to see the world community finally take up, as a matter of urgency, the conservation of the irreplaceable biodiversity of the world's oceans. The World Summit in Johannesburg rang the alarm, declaring clearly that the present catastrophic decline of marine biodiversity and fisheries must be arrested, and soon. The World Park Congress followed by pointing out that scientifically designed networks of marine protected areas (MPAs) are an essential tool to conserve and restore both fisheries and marine biodiversity, setting a direction that the CBD can usefully build on.

As we all know, marine systems have been historically undervalued in the world's conservation investment portfolio. Despite the fact that the ocean supplies a significant percentage of the world's food protein, and that almost 2 billion of the world's poor are directly dependent on the bounty of the seas for their daily sustenance, marine conservation has run a poor second to the development of parks and preserves on land. In fact, less than 0.5% of the world's oceans are protected in any sense, and irreplaceable resources, such as coral reefs and mangrove systems, which when healthy are the nurseries for the fish we eat every day, are being steadily degraded. The urgent call to reverse these trends is not just an environmental priority, but a fundamental requirement for sustainable development.

### CONTENTS

Marine Protection.....	1
Tortured Path of PAs.....	2
Rainforests of the Ocean .....	2
La Privatizacion de la Naturaleza.....	3
Conservation is not for Concession, .....	4

ECO has been published by the NGO (non-governmental organisation) community at most Conferences of Parties of the International Environmental Conventions. It is currently being published by the NGO community around the seventh Conference of Parties to the Convention on Biological Diversity in Kuala Lumpur, Malaysia coordinated by Environment Liaison Centre International. The opinions, commentaries, and articles printed in ECO are the sole opinion of the individual authors or organisations, unless otherwise expressed.

SUBMISSIONS: Welcome from all. Please give to Jessica Dempsey at NGO meetings, or email to: [jdempsey@interchange.ubc.ca](mailto:jdempsey@interchange.ubc.ca).

*Eco is produced by the CBD NGO community. Editorial board: Rosario Ortiz, Nathalie Rey, Barbara Gemmill, Ashish Kothari, Stas Burgiel, Jessica Dempsey, Patrick Mulvany.*

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

Yet at least one delegation appears to think that the world is not 'ready' for MPAs. Or that the science of MPA design is not 'ripe'. Perhaps they haven't been talking to their own experts, who participated in the AHTEG. And maybe they haven't heard of the recent reports on the fisheries benefits of MPAs, or watched fishermen 'fish the line' of closed areas to get the prize catch. And certainly they can't have noticed the fast disappearance of coral reefs and coastal mangroves, or the degradation of sea mounts and deep water corals, because if they had, their sense of urgency would doubtless be more pronounced.

In truth, MPAs are already proving their worth, and governments from Indonesia to Belize are using them to help coastal communities manage and share in the benefits of well-conserved marine resources. The leading example of the process of building a representative MPA network is probably the Great Barrier Reef's Representative Areas Program (RAP). Through RAP, the Reef's managers expanded the network of highly protected areas from the original 4.7% (designed mainly to protect coral features) to the largest network of no-take zones in the world, covering 11.5 million ha, or 33.5% of the total Park seascape, designed to protect a broad range of biodiversity values, and to replenish productive fisheries all along the Queensland coast.

But Australia's not alone (at least not on this issue). In the Cook Islands, the traditional leaders' 1998 decision to close several areas is already showing benefits in increased catches of shellfish and spiny lobster. In Mozambique, local communities are participating in the management planning for the new MPAs at Quirimbas and Bazaruto. In the Phillipines, local communities are using MPA designation to enforce fishing regulations and replenish the fisheries that their fisherfolk depend on. Malaysia, Indonesia, and the Phillipines are working together to improve the management of the Sulu-Sulawesi Sea, including using MPAs to conserve sea turtles and replenish fish stocks.

Even on the high seas, as many delegations noted in Wednesday's WG1 interventions, the opportunity exists to use MPAs, among other management techniques, to protect irreplaceable resources such as sea mounts and deep water corals. The exact arrangements for such innovative efforts need to be worked out in a way that is scientifically sound and consistent with international law. But where there's a will, there's a way.

And maybe that's the message to the CBD as a whole. As communities and nations around the world are showing every day, where there's the will, there's a way – to protect marine biodiversity, to restore depleted fisheries, and to conserve a precious resource for human communities (including fishermen and fisherwomen) for generations to come. And that way leads through MPAs.

### **SIDE EVENT – Towards Better Practice in Protected Areas**

A CSO perspective on best and worst practices in protected area management

**NGO Room Level 3, TODAY! 13.00 – 14.30**

**LUNCH IS PROVIDED and Free Posters!!**

## The World Proposes, Malaysia Disposes:

### the tortured path of the Protected Areas Programme of Work

Ashish Kothari, Kalpavriksh

Delegates in the Protected Areas contact group struggled late into the evening on Thursday, beginning to go through the trillions of changes suggested by countries, indigenous peoples and local communities, and NGOs. A new text of the decision and programme of work had been produced through some undoubtedly heroic all-night efforts by the Secretariat, indicating the changes suggested by each country and in many cases by indigenous peoples and NGOs.

The one country that seemed to stand out, for attempting to weaken the text, was Malaysia. In Goal 2.2 it insisted that "involvement of indigenous and local communities" be merely "encouraged", rather than "enhanced and secured" as was proposed in the original text. Fortunately, the pressure of almost all other countries who favoured the original text, and a timely offer by indigenous representatives from Malaysia to assist the government in "securing" full participation, persuaded Malaysia to change its mind. However, when the Contact Group reconvenes on Friday, it will have to contend with a number of other similar changes proposed by Malaysia, including:

- deleting the italicised text in the following (2.2.3): "Plan, establish, and manage PAs with the prior informed consent and in full compliance with the rights of indigenous peoples and local communities".
- Substituting (2.1.4) the stronger recommendation to "alleviate poverty" with the rather wishy-washy "support poverty reduction efforts".

One hopes that peer pressure will continue to prevail upon Malaysia to come up with a strong programme of work, in relation to indigenous peoples and local communities.

On the other end of the spectrum, congratulations are due to the EU, for some rather progressive suggestions. One of these relates to an additional activity, to "ensure that any resettlement of indigenous communities will only take place with their prior, informed consent". Indonesia, too, needs to be supported for introducing text in the draft Decision, calling upon Parties and development institutions to "ensure that development strategies (such as Country Assistance Strategies, Poverty Reduction Strategy and National Development Strategies) adequately include PA objectives and reflect the contributions of PAs to sustainable development, as a means to achieve the Millennium Development Goals, in particular Goal 7 on environmental sustainability."

We hope that delegates hammering out the remaining part of the text on Friday evening, will always have in mind, the enormous and unacceptable erosion of biodiversity taking place around us, and the simultaneous erosion of the rights and

interests of indigenous and local communities relating to biodiversity.

## Clear-cutting the Rainforests of the Ocean

Greenpeace



Over the last few days, general comments have been made about whether the jurisdictional scope of the CBD reaches beyond areas of national jurisdiction, i.e. the High Seas. Articles 3, 4, 5 and 14 of the Convention clearly show that it does. Whatever the result of the endless discussions about this, the biodiversity hotspots of the High Seas are under severe threat and in urgent need of protection.

Large fishing vessels from industrial nations are leaving their depleted domestic waters on their quest for fish. With new technologies, they are able to explore new fishing grounds to a depth of 2000 m on the High Seas. Seamounts (deep sea features that emerge from the surrounding seabed) and cold water coral reefs, are under particular threat. The seamounts, cold water coral reefs and other vulnerable habitats that form the focal points of deep-sea biological diversity, are home to highly specialized [organic] communities that may be as species-rich as terrestrial rainforests and tropical coral reefs. Deep-sea bottom trawling on the High Seas by a limited number of fishing vessels, is effectively 'clear-cutting' these areas – destroying habitats and species before scientists have even had an opportunity to explore and explain their roles in our planet's functioning.

As the principal international body for the conservation of biological diversity, the Parties to the CBD must support a global Moratorium on High Seas bottom-trawling. A COP-7 call on the UN General Assembly to take urgent action to protect the biodiversity of seamounts, deep sea coral reefs and other biodiversity hotspots on the high seas of the world's oceans, including a moratorium on bottom trawling, would be a significant step by the international community towards halting the destruction of biological diversity on the High Seas. Putting legally binding measures in place to prevent further marine biological diversity loss would be the essential next step to halt and then reverse the decline in the world's biological diversity

Failure to recommend the urgent adoption of such strong protective measures would severely compromise the CBD's ability to fulfil its mandate to conserve our planet's biological diversity – something that neither the delegates here, nor the planet can afford!



Friday 13<sup>th</sup> February  
1pm, third floor  
exhibition space

*An award ceremony to celebrate the plunderers and privateers of Biodiversity and Traditional Knowledge*

*...and communities that fight back!*

# LOS SERVICIOS AMBIENTALES: LA PRIVATIZACION DE LA NATURALEZA

Elizabeth Bravo ? Acción Ecológica - Ecuador

En la cultura andina, la Pachamama es la madre tierra que nutre y provee vida. Es sagrada, y de ella nace la vida.

En la naturaleza, los bosques y los páramos retienen agua, formando pequeños cursos de agua que van a unirse entre sí para formar los ríos.

Las plantas utilizan la luz solar para transformar el CO2 en alimento.

El suelo está compuesto por miles de microorganismos que reciclan la materia orgánica y permite que la vida continúe.

A esto, los economistas ambientales le han dado el nombre de servicios ambientales.

Cuando leemos los distintos textos del Convenio, se hace cada vez más referencia a los servicios ambientales, y no solo eso, se habla de la necesidad de valorarlos y ponerlos a la venta.

Estamos pues presenciando un nuevo capítulo de comercialización de la vida.

Y el concepto ha cobrado tal importancia y ha sido tan difundido, que por ejemplo es difícil disociar el tema de las áreas protegidas con el de servicios ambientales, pues se ve a estos como un mecanismo de financiamiento de las áreas protegidas.

Cuando se habla de servicios en estos días, se está pensando en algo que está en el mercado.

Antes de que las reglas del neoliberalismo dominaran el pensamiento económico, un servicio era proveído por el Estado a un grupo de usuarios. La lógica no era la generación de ganancias sino más bien el bienestar de los usuarios, y su acceso era considerado como un derecho.

Hoy, un servicio es un negocio, en el que los usuarios

pasamos a ser clientes, y el servicio debe ser rentable. El Estado juega cada vez un papel menos relevante en proveer servicios. La empresa privada ve en los servicios que antes daba el Estado, una nueva oportunidad para ampliar sus negocios.

En la época del neoliberalismo a ultranza, en la que los países se han visto obligados a aplicar normas de flexibilización laboral, gran parte de las actividades que antes eran hechas por las empresas tradicionales, hoy son hechas por las empresas de servicios.

La importancia que han adquirido las empresas de servicios es tan grande, que el año pasado asistimos a la primera guerra desatada para favorecer a una empresa de servicios petroleros, que fue la primera beneficiaria de la invasión contra Irak.

Los así llamados servicios ambientales no son una excepción. No es una coincidencia que en el seno de la OMC se ha llamado a liberalizar los servicios ambientales, y que la Unión Europea haya solicitado a varios países latinoamericanos que liberalicen los servicios ambientales.

¿Qué es considerado como servicio ambiental?

La captación y purificación del agua; la biodiversidad, que puede ser concesionada para bioprospección; los paisajes, que sirven para el turismo; la captación y almacenamiento de CO2, entre otros.

El creciente interés de ciertas organizaciones por el control de las áreas protegidas está fuertemente ligado con los servicios ambientales.

La propuesta es que dentro de las áreas protegidas, se lleve a cabo un proceso de valoración y venta de servicios ambientales.

En el modelo propuesto propuesto, un broker se encarga de identificar un mercado para servicios ambientales. Una vez que se ha determinado "la demanda", se busca proveedores de dichos servicios, que son las comunidades locales que viven dentro de las áreas protegidas, con quien se establece un arreglo económico y se les compra el derecho de uso de los servicios ambientales.

## Got Questions? Ask C.B. Dee

**ECO is thrilled to have lined up a distinguished biodiversity support counselor, C.B. Dee, to provide advice and inspiration to confused delegates, frustrated NGOs and disconsolate private sector representatives. Send your questions and queries, to the ECO editorial board, c/o: [jdempsey@interchange.ubc.ca](mailto:jdempsey@interchange.ubc.ca)**

Dear C.B. Dee:

I'm new to the CBD meetings and have a couple questions about the greeting rituals performed here. First, why do the delegates insist on repeat the same thing over and over again? For example: "Mr. Chairman, because it is the first time I have taken the floor, I want to congratulate Mr. Chairman for his election as chairman". This is usually followed by: "I want to thank the government of Malaysia for their hospitality and the secretariat for their excellent documents" Surely the session is too long and boring as it is, and these congratulatory statements really put it over the top! Please help me understand this phenomenon. Oh yes, one other thing – why the incessant use of "distinguished delegate" to address one another on the floor – is this some form of bourgeois affirmation treatment?

Confused Delegate

Dear C. Delegate:

Yes, these rituals might seem strange from an outsider's perspective. But you have to remember the characteristics of the species you are dealing with. *government delegatus* is a sensitive creature – one who survives off the loving comments and strokes of its fellow members. They also have a deep seated instinct to 'distinguish' themselves from everyone else, something like affirmation treatment as you say. This tendency has become worse over the last few years – *government delegatus*' are concerned that as they water down the text, and once again avoid any meaningful action-oriented language – they might be losing respect. To make up for this loss of respect, they feel the need to affirm themselves more and more. I'm sorry Confused, but unless we see something different this COP, you need to grin and bear it with the rest of us.

C.B. Dee

## Conservation is not for Concession, Part I

Indonesia Forum for Environment (WALHI/ Friends of the Earth), Mining Advocacy Network (JATAM) and Archipelago Indigenous Peoples Alliance (AMAN)



In the past 15 years, the conservation community has made concerted efforts to develop principles and guidelines designed to reconcile indigenous rights with conservation initiatives. It is also possible to point to international human rights instruments and treaties and related jurisprudence, and state with confidence that international law now recognizes the rights of Indigenous Peoples. However, all these matters only look good on paper.

The great majority of protected areas violate these rights. For example, it is estimated that more than 24 million hectares in Indonesia have been declared as protected areas yet in the great majority of cases the rights of Indigenous Peoples to own, control and manage these areas have been denied. People still have to fight for their rights on their land and their way of living. No one knows how many people these protected areas have displaced and little has been done to ameliorate the suffering and poverty that has resulted.

The first national parks in Indonesia were based on a “colonial” model. Prejudice against “natives” and the notion that nature had to be conserved as “wilderness” set aside by the State for recreation purposes, required the removal of inhabitants. This colonial model of conservation has been used in the rest of the world and for over a century provided the dominant paradigm for establishing protected areas. The impacts on Indigenous Peoples have been dire.

Since the 1980s, conservationists have made an effort to correct their approach. In Indonesia, Lore Lindu Park has often been cited as a progressive example in adopting a new approach in conservation; the management gave recognition to local people who live in the park, but at the end it failed to address basic community needs. Unfortunately, surveys show that these new policies, which accept Indigenous Peoples’ rights, are being applied in only a few areas. Most national conservation laws and policies are stuck in the old model of “Fortress Conservation”.

Many governments still prefer to do fortress conservation. In many southern countries, governments hand out management and development of conservation areas to third parties, such as business of conservation organizations. The reason is classic and simple: governments decide that they cannot afford to do conservation. This might be true in some cases, but giving out concessions to third parties to develop and manage conservation areas won’t solve the problem either. Giving out such licenses to third parties without recognizing the rights of people living in the areas will ignite conflict among stakeholders. While governments have to bear responsibility for reducing conflicts between local communities and conservation “concessionaires”, the concessionaires make money by selling this “collaborative management with full support from the government” as an additional to their scientific justification – to their donors.

Biodiversity should not pay for itself, because we cannot afford to lose it. By giving it to the market mechanism and commodifying it, we are selling our future. If we contribute to do biodiversity conservation this way, our life and livelihoods will be under threat. Biodiversity forms a web of life and it is our life that is at stake.

### It Was Only a Matter of Time...

Greenpeace's the *2004 Champion Assassin of Life on Earth Award* nominee for today has had a distinguished international career in recent years. Whether it was weaving loopholes through the Kyoto Protocol or refusing to accept targets and timetables at WSSD, the delegates for this country have been busy. And they have brought that hard-working spirit to CBD, continuing their trade-inspired war against the precautionary principle, and threatening to derail the whole meeting to get their way. The bright spot was some quite positive proposals in the revised Protected Areas text yesterday – the great disappointment was that these were heavily outweighed by text that watered down and undermine the whole Program. Today's nominee has to be ...  
**Australia.**

Nominations are very welcome at the following email address:  
nathalie.rey@int.greenpeace.org