

Toward 2030

The global goal of protecting 30 per cent of terrestrial and marine areas by 2030 cannot ignore the traditional and local knowledge of Indigenous Peoples and local communities

The theme of the Third UN Ocean Conference (UNOC3) was accelerating and mobilizing all actors to conserve and sustainably use the ocean. In this light, it is timely to reflect on the 16th Conference of the Parties (COP 16) to the Convention on Biological Diversity (CBD), held last year in Cali, Colombia. It is essential to reassess the recommendations and outcomes of COP 16, as well as the ongoing commitment to both biodiversity and ocean health.

CBD COP 16 emphasized a clear human rights-based approach (HRBA) to implementing the Kunming-Montreal Global Biodiversity Framework (KM-GBF), emphasizing the rights to a healthy and clean environment, which are expected to guide future actions. This process establishes clear recommendations and responsibilities for States. Integrating biodiversity and ocean agendas is essential, particularly given the heightened attention to marine and coastal biodiversity at COP 16 as the 2030 deadline approaches. Such integration must be beyond rhetoric; it must ensure community-led conservation actions, customary tenure and the governance of small-scale fisheries (SSF) are recognized as central to marine, coastal and island biodiversity conservation strategies.

This article reflects on the outcomes of COP 16 regarding marine and coastal biodiversity, celebrating achievements while identifying areas that require further action. It also outlines future strategies for implementing the KM-GBF, emphasizing the critical importance of HRBA as a foundational principle in implementing CBD. Furthermore, it underscores the necessity for connecting various instruments and processes to protect marine and coastal biodiversity while upholding the rights of Indigenous Peoples, local

communities and Afro-descendant small-scale fishers.

The threats to marine and coastal biodiversity demand urgent reflection and action. Blue Economy agendas are often dominated by industrial interests that overexploit habitats, leading to habitat degradation and pollution. The impacts of climate change further exacerbate these issues. According to the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), two-thirds of the ocean is facing increasing cumulative impacts. Thus, it is imperative to halt and reverse the decline of marine biodiversity, which has reached an unprecedented

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level, calling for an urgency not only for ocean integrity but also for planetary resilience and a sustainable future.

These ecosystems play a vital role in livelihoods and food security, as they are deeply rooted in the cultural identities of billions of people residing in coastal areas. While COP 16 has made strides toward marine biodiversity conservation, much depends on State-level implementation, monitoring and resource mobilization. Therefore, continued attention to the national implementation of biodiversity action is necessary.

COP 16 made some progress on marine, coastal and island biodiversity through dedicated agenda items and specific commitments. This is reflected in the decision adopted by the COP on November 1, 2024, regarding marine

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COP16, Cali, Colombia. The meeting emphasized a clear human rights-based approach (HRBA) to implementing the KM-GBF, emphasizing the rights to a healthy and clean environment, which are expected to guide future actions

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and coastal biodiversity and island biodiversity. It highlighted the need to improve the robust engagement of a broad range of stakeholders in the conservation and sustainable use of marine and coastal biodiversity, particularly by ensuring the full and effective participation of Indigenous Peoples and local communities, women and girls, children and youth, and persons with disabilities in decision making and access to justice and information as well as, the full protection of environmental human rights defenders.

In the same decision, it was also emphasized that financing, capacity building and technical co-operation, particularly for developing nations, should receive increased attention regarding the traditional knowledge of Indigenous Peoples and local communities, as per frameworks and laws based on human rights.

These advances are notable but require robust national implementation. Global and national discussions must continue to assert that SSF communities are rights holders, entitled to effectively and meaningfully

participate in marine and coastal governance and management.

COP 16 acknowledged the interconnectedness of the ocean, climate and biodiversity. The process for identifying ecologically or biologically significant areas (EBSAs) in the marine context has advanced, with an agreement on new mechanisms to identify new EBSAs, update existing ones and catalogue them to ensure effective planning and management. The EBSA process is regarded as a significant achievement for COP 16.

Despite these advancements, critical gaps remain. While CBD is legally binding, its broad wording allows flexibility. Enforcement at the State-level remains weak, and penalties are not imposed. The KM-GBF is a non-binding agreement and commitment that sets guidance and an ambitious goal without imposing any obligation. It is a voluntary implementation, albeit crucial in guiding actions, and is expected to have a significant impact as CBD Parties strive to achieve their goals.

Target 3, called 30x30, which aims to protect 30 per cent of terrestrial and marine areas by 2030, remains a

significant concern for rights holders. It is crucial to ensure the participation of Indigenous Peoples, local communities, women and youth and to recognize their traditional and local knowledge for the equitable implementation of Target 3, among others, upholding HRBA. Small-scale fishers have expressed concerns that meeting Target 3 could lead to the displacement of communities, loss of access to territories and fishing grounds, violations of human rights and customary rights, and criminalization.

SSF groups advocate for community-led conservation areas, emphasizing equity, protection of customary and tenure rights, and ensuring free, prior and informed consent. Marine and coastal biodiversity decisions and discussions should integrate a human rights framework more strongly, aligning with, and reinforcing, the KM-GBF section C2, which calls for applying HRBA to the implementation, ensuring inclusive and equitable participation, and recognizing the role of Indigenous Peoples, local communities and Afro-descendant small-scale fishers as rights holders and custodians of marine and coastal ecosystems.

Although some progress has been made in enhancing marine and coastal biodiversity within the CBD process, a consistent human rights framework in marine and coastal biodiversity decisions remains a significant gap. Indigenous Peoples, local communities and Afro-descendant small-scale fishers should engage in decision making on all actions and processes related to marine, coastal and island biodiversity.

While the nexus of the ocean, climate and biodiversity was addressed and emphasized, greater integration is needed across global frameworks. This includes the Marine Biological Diversity of Areas Beyond National Jurisdiction (BBNJ Agreement) under the UN Convention on the Law of the Sea (UNCLOS), the UN Framework Convention on Climate Change (UNFCCC), the Sustainable Development Goals (SDGs), and human rights instruments such as the UN Declaration on the Rights of Peasants (UNDROP) and the declaration to support the KM-GBF implementation.

Similarly, links to the frameworks of the Food and Agriculture Organization (FAO) of the UN, including the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (the SSF Guidelines), National Plans of Action, and the FAO Voluntary Guidelines on the Responsible Governance of Tenure (VGGT), were noticeably absent or under-emphasized in discussions about marine and coastal biodiversity.

Nonetheless, there are still opportunities to foster these connections during the KM-GBF implementation phase. The SSF Guidelines instrument is critical for integrating equity and food security concerns into biodiversity strategies. Additionally, tools such as the Call to Action developed by small-scale fishers can support national implementation of the KM-GBF.

Moving from ambition to equity requires action grounded in rights and inclusion. It is important to look towards the future. Although discussions on

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marine, coastal and island biodiversity actions rarely refer to the human rights framework, the KM-GBF guarantees an HRBA-based implementation. Countries still have opportunities to embed this in their strategies. Therefore, focusing on careful implementation is crucial. It is essential to ensure that HRBA is mainstreamed and to examine whether the National Biodiversity Strategies and Action Plans (NBSAPs) align with Section C of the KM-GBF, incorporating elements and principles of an HRBA and a 'whole of society' approach, which would ensure action and co-operation from all levels of government and all actors of society.

It is essential to establish partnerships with key UN bodies, such as the Office of the UN High Commissioner for Human Rights (OHCHR), to support

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Members of the International Indigenous Forum on Biodiversity celebrate the adoption of the decision on the new Subsidiary Body for Indigenous Peoples and Local Communities at the closing plenary of COP16

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biodiversity governance under a human rights lens. Follow-ups and ongoing monitoring are essential to ensure the full participation of Indigenous Peoples, local communities, women and youth, recognizing their traditional and local knowledge for the implementation of the framework and integrating rights holders into various processes.

Strengthening legal protections for Indigenous Peoples, local communities and Afro-descendant small-scale fishers, emphasizes the importance of recognizing small-scale fishers as custodians of marine and coastal biodiversity while protecting and safeguarding their customary tenure rights, rights to access and management of their resources. It also includes recognition of community-led managed areas and conservation initiatives that are run by communities using their traditional and local knowledge.

It is crucial to ensure that the financial mechanism aligned with Section C of the KM-GBF is adequate and equitable for implementing marine, coastal and island biodiversity conservation actions and that it is

responsive to the needs and concerns of Indigenous Peoples, local communities and Afro-descendant small-scale fishers, and that it reaches them effectively.

It is a crucial moment to shape the national implementation of the KM-GBF, especially by engaging coastal communities and upholding their rights. Without centring human rights in marine, coastal and island biodiversity actions, there is a risk of becoming exclusionary and ineffective, while also violating the rights of these coastal communities.

It is urgent to implement holistic, inclusive, equitable and justice-based conservation actions in response to ocean degradation. This is a critical opportunity to influence the implementation of the KM-GBF nationally, and it should not be overlooked, particularly in terms of engaging coastal communities. Biodiversity actions must be shaped by community-led conservation; free, prior and informed consent; and the integration of traditional and local knowledge systems. 3

For more

Convention on Biological Diversity – Kunming-Montreal Global Biodiversity Framework.

<https://www.cbd.int/gbf>

Marine and coastal biodiversity, and island biodiversity- Decision adopted by the Conference of the Parties to the Convention on Biological Diversity on 1 November 2024

<https://www.cbd.int/doc/decisions/cop-16/cop-16-dec-17-en.pdf>

ICSF's Biodiversity page

<https://icsf.net/biodiversity/>

Call to Action:

<https://static1.squarespace.com/static/65c0b1be56cc03634ccf8d8a/t/664611db46940b1c7426a635/1715868140256/EN+Call+to+action+-+online+pdf.pdf>