

Target 21: Participation & rights holders

Scope of the target

- Respect for human rights and recognition of IPLC rights, including land, marine and resource rights

IPLCs have conserved 80% of existing biodiversity, but they only can do so where their rights are fully respected. Environmental defenders are killed – or their fundamental rights otherwise violated - while working to conserve the environment. Respect for their rights is vital for ensuring the defence of biodiversity and ecosystems.

- Broad participation in full, equitable and effective participation in decision-making related to biodiversity by IPLCs, women, girls, youth and all other civil society groups.

Without proper participation, there is no ownership, and plans are not followed up.

Participation is an essential component of good governance, as it helps to improve plans, to gather additional facts and perspectives, and to raise attention to challenges that need to be addressed.

Note that participation needs to be well defined, ensuring that it means actual involvement of rightsholder groups and avoiding consultations of types which are so specialised that the people can't give input or where those holding the consultation decide which answers are taken into account.

Addressing elements in the right order

- Make this the first target.

Because this issue is cross-cutting and a prerequisite for all the other targets

- Separate respect for Human Rights and participation, and bring human rights in the first place

Respect for human rights is a prerequisite for all other participatory measures.

Elements that should be part of the target

- **Free**, Prior and Informed Consent

The principle of free, prior and informed consent (FPIC) for IPLCs is established by international human rights standards such as the UN Declaration on the Rights of Indigenous Peoples.

- Access to information

All civil society groups and concerned citizens have the full right to be aware of the state of the environment and the threats and risks to it from any given industry or development project.

- Access to justice

Rights and participation become meaningless if justice systems do not uphold them.

- The United Nations Declaration on the Rights of Indigenous Peoples and international human rights law

These provisions should be included in this target because access to justice for IPLCs and environmental human rights defenders is frequently denied and their lives endangered or lost because of violent invasions or extraction from their territories.

- The protection of environmental human rights defenders and their access to justice

More than 1,700 environmental defenders were murdered between 2012 and 2021. They were defending ecosystems. The CBD cannot pretend to protect biodiversity if it does not also protect those who defend it. Therefore, it is vital to protect their rights, especially as negative pressures on ecosystems are increasing.

Elements that should not be part of this target

- All relevant stakeholders

The word stakeholders opens the way to the involvement of business and finance; it is not CBD language. The CBD is a multilateral organisation, not a stakeholder organisation.

Further reading on target

The essential rights for community forest management, Friends of the Earth International,
<https://www.foei.org/publication/essential-rights-community-forest-management/>

Where we are now with the global governance of TNCS - a visual presentation, Harris Gleckman
https://www.tni.org/files/article-downloads/13_msismvisualpresentations-governingtncsbymultilateralism_stateofplay.pdf