



# POLICY BRIEF

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## **Policy Brief:**

HUMAN RIGHTS AND SUSTAINABLE USE OF BIODIVERSITY: An Approach for People-Centred and Nature-Positive Outcomes

## **Contributors:**

## **KEY MESSAGES**

- Sustainable use of biodiversity benefits people and enables species and ecosystem conservation
- National and international law, including CBD, recognise rights of people to sustainably use and benefit from biodiversity.
- Sustainable use requires that local people have strong rights to access, control, manage and benefit from the biodiversity on their land. Degraded natural assets/ biodiversity lowers the capacity of nature to support use.

# TARGET AUDIENCE:

This policy brief is intended to:

- Urge the Group of African States, prior to and during COP-15, to advocate for rights of African people to sustainably use the wild biological resources upon which their livelihoods depend
- Encourage the Group of African States to advocate strongly for the post-2020 Global Biodiversity Framework to protect the rights of African people to sustainably use and benefit from biodiversity.

# SUSTAINABLE USE AND ITS IMPORTANCE

This policy brief focuses on non-consumptive utilisation and consumptive/extraction of wild fauna and flora from nature through hunting/fishing and harvesting. By definition, SU does not threaten species survival. Instead SU promotes species survival by providing economic and social incentives against overexploitation, habitat destruction, and persecution (especially of dangerous animals).

There are several definitions of sustainable use and below are two examples:

*(T)he use of components of biological diversity in a way and at a rate that does not lead to the long-term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations.*

(Convention on Biological Diversity, Article 2)

*(T)he sound management of wildlife species to sustain their populations and habitat over time, taking into account the socioeconomic needs of human populations. This requires that all land-users within the wildlife habitat are aware of and consider the effects of their activities on the wildlife resources and habitat, and on other user groups.*

(Collaborative Partnership on Sustainable Wildlife Management, 2020)

ACBA's policy brief on sustainable use argues powerfully that given Africa's social and development needs only a 'sustainable use' approach can deliver a nature-positive approach that is responsive to societal aspirations. It is such an approach that is needed to achieve the GBF (CBD's vision 2050) and SDGs.

SU is a core feature of viable rural economies in many places including in Africa. It links nature and people positive approaches that contribute to biodiversity conservation, economic and social development, food security, health, and maintaining cultural traditions. A fundamental component of successful SU is that local people have secure rights to access, control, and benefit from biodiversity.



SU depends on appropriate governance arrangements:

- Local people having rights to use, access, sell, benefit, and exclude others from using the biodiversity on their territory (land and ocean), as well as rights to community security and self-determination
- Mechanisms for local people to maximise the benefits from biodiversity on their territory (land and ocean), e.g. access to market and tourism opportunities
- Collaborative decision-making processes through which local people can monitor whether biodiversity-related activities are delivering the benefits they would like, and make changes accordingly

SU benefits people and conservation because conservation is critical for maintaining/building the natural assets that support sustainable use:

- Provides food, fuel, fibre, and medicine
- Provides income and jobs, especially in rural areas
- Improves physical, psychological, and spiritual wellbeing
- Empowers local people with rights to access, manage, and benefit from biodiversity
- Incentivises species and habitat conservation
- Protects land for biodiversity and people
- Offsets costs and provides incentives to live alongside dangerous animals

However, effective SU can be hampered by:

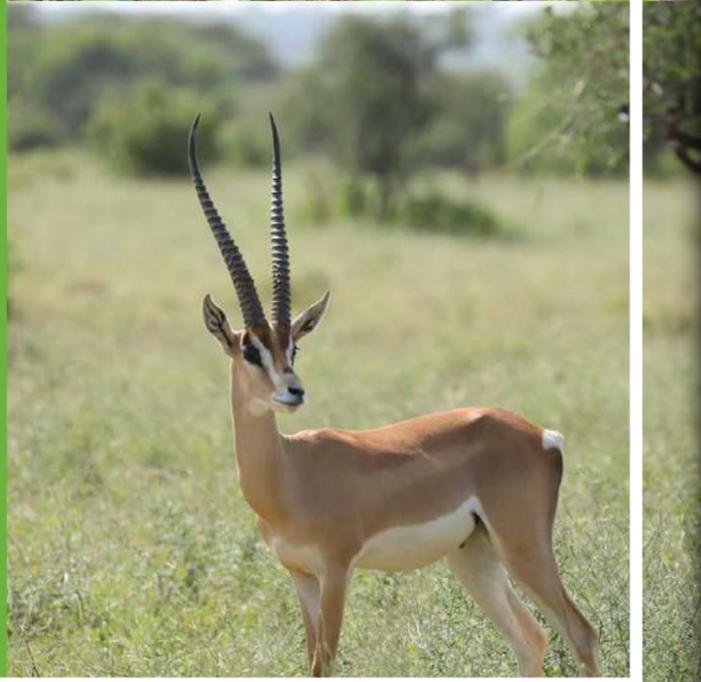
- Reduced capacity to support local use caused by degraded natural assets/biodiversity base
- Conflict between people and wildlife (injury and death, infrastructure damage, crop and livestock loss, diseases transmission)
- Weak tenure, poor recognition or enforcement of local rights
- Unequal distribution of costs and benefits from wildlife
- Powerful external interests that seek to undermine local people's rights

# WHAT ACTIVITIES COUNT AS SUSTAINABLE USE?

The full range of activities classified as SU fall under commercial, subsistence, and recreational categories. Within these categories there are many different types of use and some are more important than others in different places and contexts. Types of use can be consumptive or non-consumptive. Consumptive uses involve direct harvesting of plants and animals or their parts, while nonconsumptive uses do not. Many customary and traditional practices, which can be both consumptive and non-consumptive, fall under the broad category of SU and these are protected under the CBD. Traditional uses range from subsistence hunting and gathering to use of rivers for religious ceremonies.

Some consumptive uses are harmful to individual wild organisms, such as harvesting of meat and hides, fishing or trophy hunting. Non-consumptive uses are often recreational and whilst not being harmful to individual organisms, may have a greater negative ecological impact than consumptive uses.

For example, high volume 'photo' tourism often involves building infrastructure in fragile environments, creates high water and energy demands, involves driving vehicles which may affect animal behavior and migration patterns, introduces plastic and other pollutants, and relies upon high levels of international air travel.



# EXAMPLES OF SUSTAINABLE USE IN AFRICA: CASE STUDIES PREPARED BY THE AFRICAN CSO BIODIVERSITY ALLIANCE (ACBA)

- i. CBNRM in Namibia and recovery of lion, desert elephant and black rhino**
  - a. Important to devolve ownership rights to local communities
  - b. Those involved in management of resources should benefit directly
  - c. SU contributes to ecosystem integrity and species conservation while generating income and diversified livelihood options
- ii. Wildlife Community Reserves, Pastoralism and Water Rehabilitation (Rivers State in Nigeria)**
  - a. Protecting a threatened community forest while supporting community needs through balancing competing needs for water, fuelwood and pastoralism
  - b. Community engagement and empowerment is critical especially of women and youth and ensuring that the rights holders benefit
  - c. Taking a holistic or landscape approach is critical. This minimizes conflicts and trade-offs
- iii. The threats of extractives and commercial agriculture to Uganda's biodiversity in Murchison-Semliki Corridor of the Albertine Rift**
  - a. Infrastructure and large-scale farming, improperly designed can exacerbate biodiversity loss and compromise ecosystem integrity. We need to transition to nature positive infrastructure
  - b. SU is place and context specific and measurable at the local level where it happens. Nature degradation will increase inequalities at the local level
  - c. Enabling legislation and policies are key to bringing about a change in mind sets in how investments for large infrastructure projects are made
- iv. Locally managed marine areas supporting community small scale fisheries (Kenya)**
  - a. Devolved responsibilities to community fishery organizations provides the mechanisms and incentivizes for regulating fishing to sustainable levels.
  - b. Closure of key coral reef areas provides the opportunity for rebuilding fish populations supporting the broader fishery and other uses such as tourism.
  - c. Community empowerment and improved resource base enables broader social benefits including in relation to gender, savings and credit schemes and diversified livelihoods.

# POLICY CONTEXT AND 15TH CONFERENCE OF THE PARTIES (COP-15)

African nations have a rich history of thought leadership and applied approaches on SU.

Southern and Eastern African nations lead the world in community-based natural resource management, a categorically successful model of conservation and development. In 2004, the CBD Principles and Guidelines for the Sustainable Use of Biodiversity – also known as the Addis Ababa Principles – were formulated in Ethiopia.

One of the seven aspirations under the African Union’s Agenda 2063 is “A prosperous Africa based on inclusive growth and sustainable development. Under this aspiration is a commitment to sustainably manage Africa’s rich biodiversity, forests, land and freshwater and oceans using approaches that advance resilience and minimizing climate change risks.

Sustainable Use is included as one of the Sustainable Development Goals, specifically goal 12. Some of the targets refer achieving sustainable management and efficient use of natural resources, encouraging companies to adopt sustainable use practices and ensuring that people’s information and awareness is appropriate for sustainable development and in harmony with nature.

When African nations advocate for SU, they are protecting the rights of people living in their countries and their sovereign rights as nations. Safeguarding SU is safeguarding basic rights of rural people to manage, conserve, and benefit from the wildlife on their land.

During the Conference of the Parties COP-15 to the Convention of Biological Diversity (CBD), member states will finalise the post-2020 global biodiversity framework (GBF), an important step towards achieving its 2050 vision of “living in harmony with nature”.

Prior to and during COP-15, it is important for the Group of African States to advocate for rights of African people to sustainably use the wild biological resources upon which their livelihoods depend.

The draft post-2020 GBF is currently open for review ahead of the 2021 COP-15 in Kunming. Targets 4, 8, 15, and 20 are especially relevant for sustainable use:

## Target 4:

“By 2030, ensure that the harvesting, trade, and use of wild species of fauna and flora is legal, at sustainable levels and safe.”

## Target 8:

“By 2030, ensure benefits, including nutrition, food security livelihoods, health and wellbeing, for people, especially for the most vulnerable through sustainable management of wild species of flora and fauna.”

## Target 15:

“By 2030, eliminate unsustainable consumption patterns, ensuring people everywhere understand and appreciate the value of biodiversity, make responsible choices commensurate with 2050 biodiversity vision, taking into account individual and national cultural and socioeconomic conditions.”

## Target 20:

“By 2030, ensure equitable participation in decision-making related to biodiversity and ensure rights over relevant resources of indigenous peoples and local communities, women and girls as well as youth, in accordance with national circumstances.





## CONCLUSIONS

- i. Biodiversity is critical to human health and wellbeing of millions of African people. It is a central pillar of sustainable development, providing food, shelter, fuel, medicine, and spiritual nourishment. By protecting local people's rights to SU, we protect biodiversity by creating appropriate incentives to manage biodiversity sustainably.
- ii. By protecting biodiversity, we protect people's health and wellbeing as encapsulated in the 'One Health' approach.
- iii. SU requires that local people have clear, strong, devolved rights to control, access, and making decisions about the biodiversity in their territory, reinforced by effective, legitimate governance systems and clear, enforceable regulations to control off-take levels. SU empowers local communities, strengthens democratisation, and allows people to maintain cultural traditions.
- iv. SU is central to wildlife economies, for which Africa has a comparative advantage over other regions globally. Many forms of regulated wildlife use can be beneficial to conservation and people.
- v. The benefits of SU must be distributed fairly and equitably to the people who live alongside wildlife and practise SU. Therefore, safeguarding SU is safeguarding basic rights of rural people to manage, conserve, and benefit from the wildlife on their land.
- vi. Biodiversity loss (e.g. through overexploitation pollution, habitat degradation, land use change, and pollution) threatens current and future livelihoods.

## ADDITIONAL RESOURCES

The draft post-2020 global biodiversity framework (GBF) is currently open for review.

This policy brief draws on materials and ideas produced by a number of organisations. For further reading, see:

- IUCN Species Survival Commission's Sustainable Use and Livelihoods Specialist Group brochure on sustainable use
- CBD Addis Adaba Principles and Guidelines for the Sustainable Use of Biodiversity
- Collaborative Partnership on Sustainable Wildlife Management 2020 Consultative Workshop Report
- IUCN policy statement on sustainable use
- ACBA policy brief on "Sustainable Use at the heart of the 2020 Global Biodiversity Framework"
- ACBA case studies on sustainable use
- African Union Agenda 2063 – The Future We Want
- United Nations SDGs



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