

GLOBAL OCEAN JUSTICE NOW



**Making the case for a
human rights-based approach
to marine conservation**

GREENPEACE

Local fishing community, Chana
© Songwut Jullanan / Greenpeace



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KEY FINDINGS

1. Community-led conservation is a powerful strategy for success but requires more support from governments

Community-led initiatives to conserve coastal environments and resources are widespread, offering tremendous potential for more effective, equitable, and lasting conservation. However, these initiatives require much greater policy, programmatic, and financial support.

2. Slow implementation of National Biodiversity Strategies and Action Plans (NBSAPs)

The Kunming-Montreal Global Biodiversity Framework (KM-GBF) is a vital opportunity to secure human rights-based and community-led approaches to conservation, yet governments are missing key opportunities to advance them in national implementation.

3. Unsustainable coastal development

Extractivism, infrastructure and industrial developments are impacting coastal environments and the communities who rely on them. This includes increased food insecurity, pollution, and restrictions on access to traditional lands, cultural practices and fisheries.

4. Weak community tenure rights

Contrary to international frameworks and guidelines, as well as standards set in the KM-GBF, governments are failing to recognise and support customary and community rights over land, fishery resources, and marine and coastal waters.

5. Lack of community voices in decision-making

Indigenous Peoples and local communities are being denied a meaningful way to participate in decisions that affect their environments and ways of life.

6. Threats to environmental human rights defenders

Where Indigenous Peoples and local communities do assert their voices, protests are met with harassment, threats, violence, criminalisation and/or legal actions. This intimidation further restricts community participation in decision-making and harms those targeted.

These findings reveal that governments must significantly enhance and accelerate realisation of their KM-GBF commitments in the lead-up to the 17th meeting of the Conference of the Parties to the UN Convention on Biological Diversity (CBD COP17), by formally recognising, prioritising and investing in rights-based and community-led conservation. For a full list of recommendations, see pages 52-53.

“GOVERNMENTS MUST SIGNIFICANTLY ENHANCE AND ACCELERATE REALISATION OF THEIR KM-GBF COMMITMENTS IN THE LEAD-UP TO CBD COP17, BY FORMALLY RECOGNISING, PRIORITISING AND INVESTING IN RIGHTS-BASED AND COMMUNITY-LED CONSERVATION.”



INTRODUCTION

BACKGROUND

For generations, Indigenous Peoples and local communities have sustainably managed the lands and seas considered most crucial for global ecosystem protection and restoration. Indeed, compelling studies have shown that when ecosystems are owned and managed by Indigenous Peoples and local communities, they are more likely to thrive – particularly where enabling conditions, such as secure community tenure, are put in place.^{1,2,3} This is a mutually-reinforcing relationship, with evidence demonstrating that when human rights are realised, Indigenous Peoples and local communities are better able to conserve their environments, in turn creating the conditions necessary to access a wider range of human rights.^{4,5}

This evidence, combined with the advocacy of Indigenous Peoples, community organisations and their allies, has resulted in growing international recognition and support for human rights-based and community-led conservation – most notably the Kunming-Montreal Global Biodiversity Framework (KM-GBF), which was adopted by the 196 Parties to the United Nations Convention on Biological Diversity (CBD) in December 2022. Through the framework, governments have committed to “take urgent action to halt and reverse biodiversity loss” through a Human Rights-Based Approach (HRBA) that recognises the contribution and rights of Indigenous Peoples and local communities.⁶

However, translating these international commitments into national policies and in-country implementation remains a serious challenge. In many countries, competing interests for coastal and industrial development continue to be prioritised by governments, despite negative impacts on ecosystems and the people who depend on them.⁷ Indigenous Peoples and local communities often lack effective channels for participation in decision-making about such developments and, even where countries do invest in nature conservation, policies and practices often fail to account for their rights and contributions, undermining community stewardship roles and harming their well-being.⁸

“COMPELLING STUDIES HAVE SHOWN THAT WHEN ECOSYSTEMS ARE OWNED AND MANAGED BY INDIGENOUS PEOPLES AND LOCAL COMMUNITIES, THEY ARE MORE LIKELY TO THRIVE – PARTICULARLY WHERE ENABLING CONDITIONS, SUCH AS SECURE COMMUNITY TENURE, ARE PUT IN PLACE.”

Artisanal fishing, Senegal © Julien Flosse / Greenpeace

REPORT OBJECTIVES AND SCOPE

This report provides evidence in support of policies and programmes that implement the provisions laid out in the KM-GBF: the full recognition and respect of the rights and expertise of Indigenous Peoples and local communities, and their central role in conserving marine and coastal ecosystems.

Via four national case studies that span Chile, Senegal, Sri Lanka, and Thailand, it argues that coastal communities are well placed to lead conservation efforts but are being impeded by inadequate or contradictory government policies and investments. These cases are analysed in the context of wider global frameworks and trends, providing concrete insights and recommendations to combat unsustainable development, advance community-led initiatives, and fully realise the commitments made in the KM-GBF.

METHODOLOGY

National Greenpeace campaign teams compiled case study materials in the four focus countries, addressing a set of research questions that centered on key ocean justice issues, national policies that either enable or constrain KM-GBF implementation, and community-led conservation practices. Case studies were further developed through desk-based analysis of relevant literature for each country and interviews with national teams, including local consultations where relevant. To produce the global context and cross-cutting sections, reviews were undertaken of the KM-GBF, National Biodiversity Strategies and Action Plans (NBSAPs) and their national implementation, community-led marine conservation initiatives, and global reports on HRBAs to conservation. Based on the findings of this research, Greenpeace International staff prepared the recommendations that conclude this report.

Local fisher, Chana © Songwut Jullanan / Greenpeace



GLOBAL CONTEXT



BRINGING HUMAN RIGHTS-BASED COMMITMENTS TO LIFE THROUGH NATIONAL KM-GBF IMPLEMENTATION

In December 2022, Parties to the CBD adopted the landmark KM-GBF, committing to “take urgent action to halt and reverse biodiversity loss”.⁹ This was in response to evidence that the current rate of global biodiversity degradation is unprecedented in human history, including in the world’s oceans.¹⁰ A defining feature of the KM-GBF is its recognition of HRBAs to conservation, with particular attention to the rights and contributions of Indigenous Peoples and local communities. Key human rights-focused provisions of the KM-GBF include:¹¹

- ▶ **Target 3** (the “30x30” target) calls on Parties to effectively conserve and manage at least 30% of terrestrial, inland water, and marine and coastal areas by 2030, through “ecologically representative, well-connected and equitably governed systems of protected areas and other effective area-based conservation measures, recognizing indigenous and traditional territories where applicable.”

While the expansion of area-based conservation has raised concerns about potential rights infringements from exclusionary area-based conservation,¹² further language on recognising and respecting the rights of Indigenous Peoples and local communities seeks to provide a safeguard against such adverse impacts. Moreover, as discussed further below, the inclusion of Other Effective Area-based Conservation Measures (OECMs) and Indigenous and Traditional Territories (ITTs) as pathways to achieve this target, open new opportunities for Indigenous and community-led governance.

- ▶ **Target 19** on resource mobilisation for implementing national biodiversity strategies calls on Parties to enhance the role of collective actions, including by Indigenous Peoples and local communities.
- ▶ **Target 22** on participation in decision-making and access to justice emphasises full, effective, and equitable participation in decision-making for Indigenous Peoples and local communities, including rights over lands, territories, resources and traditional knowledge, and access to justice and protection for environmental defenders.

- ▶ **Section C** on cross-cutting considerations for implementation emphasises a HRBA and the need to ensure respect for Indigenous Peoples’ and local communities’ rights, traditional knowledge, values, and practices, with their Free, Prior and Informed Consent (FPIC), and full and effective participation in decision-making. It highlights that successful implementation will depend on empowerment of women and girls, and the meaningful participation of younger generations.

“INDIGENOUS PEOPLES AND LOCAL COMMUNITIES HAVE LONG CONSERVED AND SUSTAINABLY MANAGED COASTAL ECOSYSTEMS THROUGH ADAPTED KNOWLEDGE AND PRACTICES, GROUNDED IN CUSTOMARY TENURE AND GOVERNANCE SYSTEMS.”

PROTECTING CUSTOMARY RIGHTS IN MARINE AND COASTAL AREAS

Rights-based provisions are highly relevant to coastal communities around the world – including Indigenous Peoples and local communities with customary ties to coastal lands and waters. Indigenous Peoples and local communities have long conserved and sustainably managed coastal ecosystems through adapted knowledge and practices, grounded in customary tenure and governance systems.^{13,14,15} While less well studied than in terrestrial regions, recent evidence shows widespread community tenure in marine and coastal areas. For example, a study of tenure systems across 51 countries identified that communities had established territorial use-rights over water resources in 34 countries, often deriving from kinship and/or historical use.¹⁶ Several international frameworks provide protections for these rights to marine waters and coastal resources.

Rights of Indigenous Peoples to customary waters are recognised explicitly in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP),¹⁷ and encompassed within territories in the International Labour Organisation Convention 169 (ILO 169).¹⁸ The Food and Agriculture Organization (FAO) Voluntary Guidelines on Responsible Governance of Tenure (VGGT)¹⁹ outlines rights and responsibilities with regards to tenure over land, fisheries and forests. Furthermore, Voluntary Guidelines on Securing Sustainable Small Scale Fisheries²⁰ call on governments to, *inter alia*, ensure that small-scale fishers, fish workers and their communities have secure, equitable, and culturally appropriate tenure rights to fishery resources, including by taking account of customary rights to aquatic resources, land, and small-scale fishing areas.



Left: Local children, Senegal © Clément Tardif / Greenpeace. Above: Boats, Senegal © Markus Mauthe / Greenpeace



Fish processors, Senegal. The banner reads: 'Stop fish meal factories!' © Omar Bayo Fall / Greenpeace

ACHIEVING COMMUNITY LEADERSHIP IN PROTECTED AND CONSERVED AREAS

In recent decades, communities have advanced recognition of their marine and coastal resource governance systems through new designations, such as Locally-Managed Marine Areas (LMMAs), territories and areas conserved by Indigenous Peoples and local communities (ICCAs, or Territories of Life),²¹ and community managed or co-managed Marine Protected Areas (MPAs).

LMMAs are areas of nearshore waters and associated marine and coastal resources managed by communities, land-owning groups, and others who reside or are based in the immediate area.²² Grounded in long histories of community governance, they originated in the South Pacific and have since grown into a global movement. For example, as of 2014, LMMAs covered around 1,100,000 hectares of the Western Indian Ocean.²³

ICCAs have been identified and documented by their custodian communities – with some now included in a global ICCA Registry²⁴ – to support local management and increase recognition of

community-led conservation. In coastal areas, this tends to combine protection measures, such as no-take zones that increase fish abundance and restore biodiversity, with wider sustainable use measures, enabling communities to benefit from more productive fisheries and ecotourism.

Participatory approaches to MPAs, while often less grounded in community rights and leadership, can increase benefits to communities by integrating their knowledge, livelihood priorities and management contributions.²⁵

Indigenous Peoples and local communities also act to conserve biodiversity by participating in socio-environmental mobilisations, in which civil society groups come together to oppose destructive activities by states, industries and the infrastructure sector. A recent analysis of 2,800 such mobilisations found that they are often concentrated in areas of high biodiversity and that their actions directly contribute to progress towards a number of the KM-GBF targets.²⁶

HUMAN RIGHTS-BASED PATHWAYS TOWARD REALISING TARGET 3

Governments can significantly enhance and accelerate realisation of their KM-GBF commitments, including the 30x30 target, by investing in rights-based and community-led conservation. Indeed, the Intergovernmental Panel for Biodiversity and Ecosystem Services (IPBES) highlights that “conservation that involves sustainable stewardship, notably by Indigenous Peoples and local communities, contributes to transformative change when it is inclusive, well resourced, and focused on places of high value to nature and people, and when the rights of Indigenous Peoples are recognized.” The Panel advises investment in Indigenous and community-led conservation as a key strategy to achieve the KM-GBF’s 2050 vision for biodiversity.²⁷

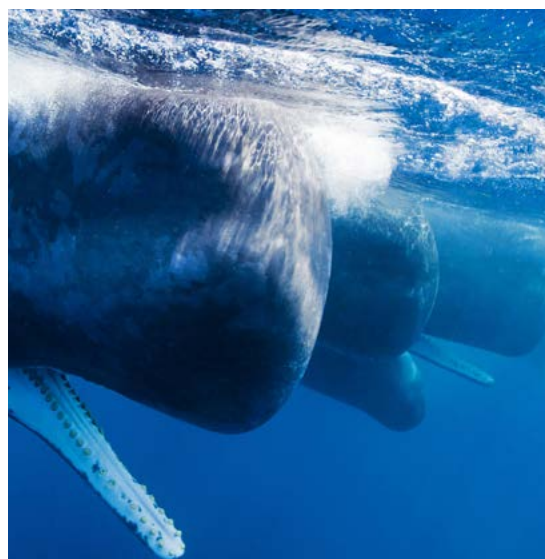
There are three pathways for pursuing community-led HRBAs that achieve Target 3 on area-based conservation:

1. Ensure Indigenous Peoples’ and local communities’ participation, leadership, customary management and co-management in protected areas.
2. Realise the potential of OECMs to provide formal recognition and safeguards to community-managed or co-managed conserved areas. OECMs produce effective and long term conservation outcomes,²⁸ even though their primary purpose may be different – such as sacred sites or fisheries closure areas that also support sustainable community fisheries.²⁹ While OECMs can span a range of tenure and governance types, collaborative governance is the most common sub-type among OECMs reported globally to date, with a far greater proportion of OECMs than protected areas under shared governance (40.9% compared to 2.5%).³⁰
3. Recognise ITTs as a distinct pathway towards Target 3, in light of the substantial evidence demonstrating the significant conservation contributions of areas under Indigenous Peoples’ and local communities’ governance. It is estimated that ITTs could add approximately 13.61% to the global

terrestrial area under conservation.³¹ Comparable analysis is not yet available for marine areas but it is likely to be significant. Guidelines for recognising and safeguarding the contributions of ITTs are currently being considered by the CBD. The International Indigenous Forum on Biodiversity (IIFB) recommends that guidelines should “promote the identification, recognition, protection, promotion, and respect of Indigenous and Traditional Territories (ITTs) as distinct systems that support implementation of Target 3.”³²

“CONSERVATION THAT INVOLVES SUSTAINABLE STEWARDSHIP, NOTABLY BY INDIGENOUS PEOPLES AND LOCAL COMMUNITIES, CONTRIBUTES TO TRANSFORMATIVE CHANGE WHEN IT IS INCLUSIVE, WELL RESOURCED, AND FOCUSED ON PLACES OF HIGH VALUE TO NATURE AND PEOPLE, AND WHEN THE RIGHTS OF INDIGENOUS PEOPLES ARE RECOGNIZED.” – IPBES

Sperm whales, Sri Lanka © Paul Hilton / Greenpeace



INVESTING TO PROTECT MARINE AND COASTAL ECOSYSTEMS

Considering the significant threats facing marine and coastal ecosystems, cultures, and livelihoods, investing funds, as well as political, administrative and human capacity, in Indigenous and community-led conservation is critical.

These threats include urbanisation, infrastructure development, industrial fishing, mining and pollution.³³ While presented as opportunities for economic development and jobs, such activities often result in negative impacts to the environment and community livelihoods – particularly small-scale fisheries – which make up at least 40% of global fisheries catches and contribute to the livelihoods

of one in 12 people worldwide.³⁴ What is more, this kind of industrial development is often in competition with nature conservation and national implementation of the KM-GBF.

In general, conservation of marine and coastal ecosystems lags behind terrestrial conservation. According to the World Database on Protected and Conserved Areas, only 9.97% of marine and coastal areas are protected or conserved to some degree (in 16,672 protected areas and 229 OECMs) whereas for terrestrial and inland areas, the figure is 18.43%.³⁵

“ONLY 9.97% OF MARINE AND COASTAL AREAS ARE PROTECTED OR CONSERVED TO SOME DEGREE, WHEREAS FOR TERRESTRIAL AND INLAND AREAS, THE FIGURE IS 18.43%.”

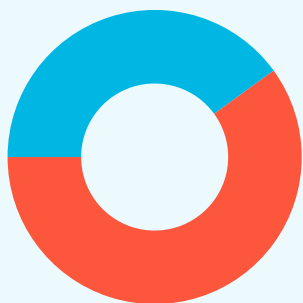
Engagement of Indigenous Peoples and local communities in NBSAP development

25% Parties reported

75% Parties did not report consultation with Indigenous Peoples and local communities

Target 3

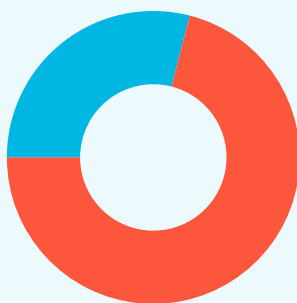
Parties with targets addressing the equitable governance of protected areas.



● 40% with targets ● 60% without

Target 19

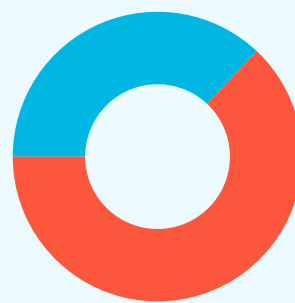
Parties referring to a human rights-based approach in planned implementation.



● 29% with HRBA ● 71% without

Target 22

Parties wholly addressing the representation and participation of Indigenous Peoples and local communities.



● 37% addressed ● 63% not wholly addressed

Data based on the CBD Secretariat's analysis of full NBSAPs from 51 Parties and new National Targets from 130 Parties, submitted up to May 31, 2025

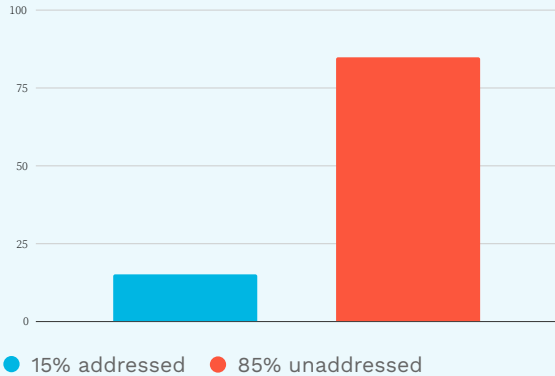
NATIONAL IMPLEMENTATION IS LAGGING BEHIND KM-GBF COMMITMENTS

Countries have been slow to update their NBSAPs, outlining how they plan to translate their international commitments into national implementation,³⁶ and uptake of HRBAs remains limited. For example, the CBD Secretariat's analysis of full NBSAPs from 51 Parties and new National Targets from 130 Parties, submitted up to May 31, 2025, finds that:

- ▶ Only 25% of NBSAPs (13) engaged Indigenous Peoples and local communities in NBSAP development.
- ▶ In relation to **Target 3**, only 40% of Parties had targets addressing the equitable governance of protected areas, and only 38% addressed the rights of Indigenous Peoples and local communities in relation to protected areas.
- ▶ In relation to **Target 19**, only 29% of Parties referred to a HRBA in its planned implementation, and only 9% to enhancing the role of collective action.
- ▶ In relation to **Target 22**, only about a third of Parties wholly addressed the full, equitable, inclusive, effective and gender-responsive representation and participation in decision-making by Indigenous Peoples and local communities (37%), or women and girls (35%), in their National Targets. Even fewer addressed the Target 22 dimension on access to justice.
- ▶ Less than a fifth (15%) of Parties wholly addressed the full protection of environmental human rights defenders in their National Targets. Less than a third (28%) wholly addressed respecting the cultures and rights of Indigenous Peoples and local communities over lands, territories, resources, and traditional knowledge.³⁷

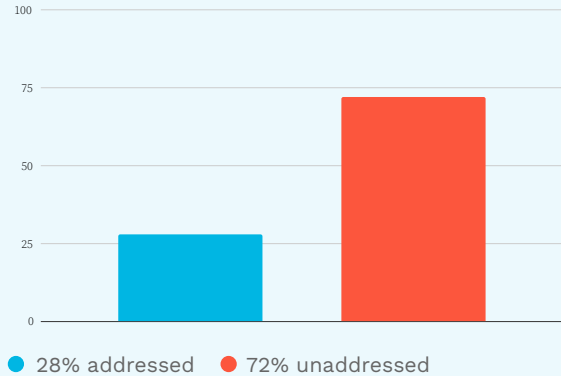
Environmental human rights defenders

Parties wholly addressing the full protection of environmental human rights defenders in their National Targets.



Rights of Indigenous Peoples and local communities

Parties wholly addressing the respect of indigenous and local cultures and rights over lands, territories, resources, and traditional knowledge, in their National Targets.



Data based on the CBD Secretariat's analysis of full NBSAPs from 51 Parties and new National Targets from 130 Parties, submitted up to May 31, 2025

When reviewing their recent experience in Asia, the Asian Indigenous Peoples' Pact found multiple forms of exclusion in national NBSAP development processes, including a lack of information-sharing on NBSAP updates, logistical barriers to participation, and limited uptake of indigenous views and priorities. There was, however, tangible progress in how NBSAPs recognise Indigenous Peoples and indigenous roles in implementation – though this remains uneven across countries and on the issues of greatest concern to Indigenous Peoples.³⁸

Similarly, an earlier WWF global assessment noted that there are more human rights elements in NBSAPs and National Targets – though this is selective rather than systematic. Participation of Indigenous Peoples

and local communities is the dimension mentioned most frequently, followed by traditional knowledge and gender. Yet direct reference to Indigenous Peoples and local communities' rights to land and resources continues to be uncommon.³⁹

Meanwhile, most marine protected and conserved areas worldwide remain under the sole management of government authorities⁴⁰ and few community-led marine conservation areas have been recognised globally. For example, among 328 ICCAs in the ICCA Registry,⁴¹ only six are located in marine habitats and three in coral reefs. Similarly, while the OECM pathway is more conducive to community-led governance, as of 2024, Canada, Philippines and Colombia were the only countries who had designated marine OECMs.⁴²

Coral reef, Andaman Sea, Thailand
© Sirachai Arunrugstichai / Greenpeace

MONITORING FRAMEWORK LACKS TANGIBLE MEASURES FOR HUMAN RIGHTS

This relative lack of policy and implementation support means governments are missing significant opportunities to pursue innovative KM-GBF pathways – pathways that both sustain the foundations of local livelihoods and cultures, and are crucial to meeting KM-GBF commitments. It also represents a missed opportunity to prevent destructive industrial development from harming ecosystems and community well-being.

These gaps also highlight the importance of the monitoring framework⁴³ for the KM-GBF, which guides how Parties monitor and report on their commitments. This framework currently lacks tangible

ways to measure the integration and implementation of HRBAs. As per one critical example, there are no headline indicators proposed to monitor effective and human rights-based implementation of Target 3.⁴⁴ The absence of such measures risks perpetuating exclusionary conservation approaches that disregard human rights – as well as paper parks that lack effective protection and management.

When governments conduct the first global review of collective progress in the implementation of the KM-GBF at CBD COP17,⁴⁵ they will have the opportunity to identify ways to remedy such gaps and create measures that help accelerate implementation towards 2030.

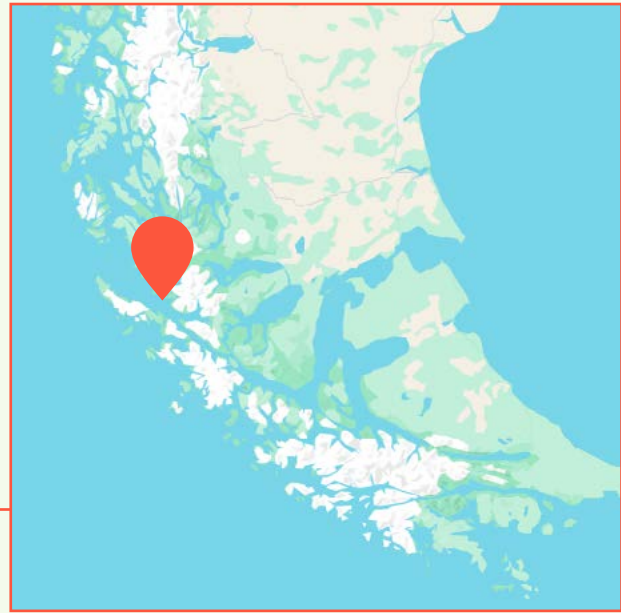
“THIS RELATIVE LACK OF POLICY AND IMPLEMENTATION SUPPORT MEANS GOVERNMENTS ARE MISSING SIGNIFICANT OPPORTUNITIES TO PURSUE INNOVATIVE KM-GBF PATHWAYS.”



CASE STUDY 1: **CHILE**



A coastal and marine protected area, Chile © Patricio Miranda / Greenpeace



Kawésqar National Reserve © Google Maps

Kawésqar National Reserve (KNR), in the Patagonia region of southern Chile, is home to the Kawésqar people, descendants of nomadic hunter-gatherers and fishers who have inhabited the region for around 6,000 years.⁴⁶ The Kawésqar people conceive of their territory as a “maritorio”– an integrated sea-land space where ecology is indivisible from culture and spirituality.⁴⁷ The reserve and its adjacent waters are home to endemic Chilean dolphins, orcas, humpback whales and valuable fish populations, making it one of the highest priority areas for conservation globally.⁴⁸

For generations, the Kawésqar people’s traditional knowledge and customary practices have sustained the maritorio.⁴⁹ However, unlike the adjacent Kawésqar National Park – a terrestrial region with high levels of protection – the marine reserve is less stringently protected, leading to significant threats from salmon farming. As of March 31 2026, 67 salmon farming concessions have been granted, with a further 54 pending approval.⁵⁰

Kawésqar communities have protested this, arguing that salmon farms occupy their sacred sites and traditional fishing grounds, violate their rights to territory and to participate in decision-making, and undermine the ecosystem of the entire reserve.⁵¹ Indeed, the threats associated with salmon farming are numerous, chiefly the use of antibiotics and pesticides. Native species such as scorpionfish (*Scorpaena*

hystrio), rockfish (*Elginops maclovinus*), and feral trout (*Oncorhynchus mykiss*), ingest residues of antibiotics and pesticides as they feed on uneaten feed waste from salmon in the cages, which in turn creates antibiotic resistance in humans who eat the fish. Salmon can also escape the farms, affecting wild fish populations, and excess feed and body waste creates nutrient overloads and low-oxygen conditions.^{52,53} Furthermore, the Dumestre salmon processing plant, located in the vicinity of the KNR and National Park, constitutes an additional environmental threat. Despite strong local opposition, it began operating in late 2022.⁵⁴ Since then, legal proceedings have determined a failure to comply with environmental regulations.⁵⁵

Participatory planning and management in Kawésqar has the potential to contribute to rights-based and community-led conservation in line with Chile’s commitments under the KM-GBF. However, currently, the KNR lacks a management plan that establishes conservation

“THE KAWÉSQAR PEOPLE CONCEIVE OF THEIR TERRITORY AS A “MARITORIO”– AN INTEGRATED SEA-LAND SPACE WHERE ECOLOGY IS INDIVISIBLE FROM CULTURE AND SPIRITUALITY.”

objectives for the area or determines the activities compatible with those objectives, including salmon farming. A management planning process is underway,⁵⁶ but the absence of an implemented management plan⁵⁷, plus the postponement of Indigenous consultation processes, have hampered both the effective management of the reserve and the protection of Indigenous rights over their ancestral territories.⁵⁸ Kawésqar communities have also submitted applications for Marine Coastal Spaces for Indigenous Peoples (Espacios Costeros Marinos de Pueblos Originarios, ECMPOs), an innovative mechanism under Chilean law that allows for Indigenous management of customary waters. Approval of these applications remains pending.⁵⁹

Enabling and constraining conditions for rights-based and community-led conservation

Chile's Indigenous Development Law (Law 19,253 of 1993)⁶⁰ stands as the main state framework towards Indigenous rights. Among its provisions, the law recognises indigenous communities and sets a procedure in terms of how they can be created. It acknowledges indigenous cultural rights, defines indigenous land and mechanisms for state recognition, and establishes funds to support the redistribution of land and water resources to Indigenous Peoples. It also establishes finance programs for indigenous economic development, and includes the creation of the National Corporation of Indigenous Development (Corporación Nacional de Desarrollo Indígena, CONADI), which is mandated – among other tasks –

“CHILE PROPOSES THAT BY 2030, AT LEAST 30% OF TERRESTRIAL, MARINE, AND INLAND WATER AREAS WILL BE PROTECTED. 100% OF THESE PROTECTED AREAS WILL HAVE APPROVED AND IMPLEMENTED MANAGEMENT PLANS AND 10% OF AREAS WILL BE UNDER EFFECTIVE MANAGEMENT.”

to implement the Indigenous Law.⁶¹ Yet the Law has several shortcomings. The system of land redistribution is very complicated, resulting in limited progress, and does not guarantee rights to natural resources.^{62,63}

Furthermore, it has faced critique for prioritising extractivist policies over cultural interest.^{64,65} Chile is the only country in Latin America that does not recognise Indigenous Peoples in its Constitution.⁶⁶ In 2022, a new draft Constitution seeking to redress this was rejected at the polls.⁶⁷

Certain conservation-focused laws also recognise the rights of Indigenous Peoples. One is Law 20.249 on Marine Coastal Spaces of Native Peoples, also known as the “Ley Lafkenche,” which enables the establishment of ECMPOs.⁶⁸ In addition, under Law No. 21.600, which established the Biodiversity and Protected Areas Service (SBAP), Chile is obligated to conduct consultations with Indigenous Peoples when considering administrative or legislative measures that may directly affect them.⁶⁹

Salmon farming, Chile © Sergio Salazar / Greenpeace



NBSAPs provide another critical opportunity to integrate a HRBA in environmental policy.

In their NBSAP,⁷⁰ Chile proposes that by 2030, at least 30% of terrestrial, marine, and inland water areas will be protected. 100% of these protected areas will have approved and implemented management plans and 10% of areas will be under effective management. Furthermore, the action plan sets out to create conditions for recognising OECMs and to strengthen participatory management in protected areas. Chile's Seventh National Report to the CBD states that they are on track to meet the 30% target⁷¹ – with 40.24% of marine and coastal areas protected or conserved.⁷² However, 80% of MPAs in Chile lack up-to-date management plans – including the KNR – which hinders their effective protection and the realisation of community rights.⁷³ The NBSAP does not secure ECMPOs directly in this context, nor highlight their relevance as a rights-based and community-led alternative. Therefore, it does not recognise ECMPOs as a mechanism for promoting, integrating and valuing traditional knowledge as part of conservation and sustainable biodiversity management plans, thereby failing to strengthen the linkages between biological and cultural diversity.

Chile also proposes to develop a biodiversity financing plan and identify innovative financial mechanisms by 2026 – including strengthening the Chile Nature Fund and climate finance instruments. But means of equitable distribution remain unclear, as does the direct accessibility of these funds to Indigenous Peoples and local communities. Further aims include achieving substantive and inclusive participation based on gender and intercultural perspectives by 2030, along with the strengthening of gender parity in conservation instruments – in keeping with Target 22 on participation, justice and information. Their Seventh National Report mentions key measures toward the target, including gender-related programs, a climate adaptation plan for biodiversity, ratification of the Escazu Agreement,⁷⁴ and the establishment of SBAP via Law No. 21.600.⁷⁵

“80% OF MPAS IN CHILE LACK UP-TO-DATE MANAGEMENT PLANS – INCLUDING THE KNR – WHICH HINDERS THEIR EFFECTIVE PROTECTION AND THE REALISATION OF COMMUNITY RIGHTS.”

Encouragingly, Law No. 21.600 includes an obligation to consult with Indigenous Peoples on measures that may directly affect them. For example, it includes provisions for participation and consultation in the creation and management of protected areas and recognises that ancestral uses and customs are not subject to penalties when they do not compromise conservation (Law No. 21.600, Art. 116). By reinforcing the principle of indigenous participation in environmental governance, the law provides a foundation for strengthening a HRBA in environmental policy. However, implementation of the law has been slow, with only three out of twelve of its required regulations approved, thereby constraining both area-based conservation and the exercise of rights-based approaches.⁷⁶ Furthermore, the law guarantees only a non-binding consultation process, rather than meeting the standard of FPIC established in ILO 169, UNDRIP and integrated in the KM-GBF.

“CHILE IS THE WORLD’S SECOND-LARGEST PRODUCER OF FARMED SALMON AFTER NORWAY, WITH FISH EXPORTS TOTALING \$6.55 BILLION IN 2025 AND ACCOUNTING FOR 6% OF CHILE’S TOTAL EXPORTS.”

Against this backdrop, private sector interests – especially extractive and export-oriented industries – have often taken precedence over environmental concerns and indigenous rights. In marine and coastal areas, the salmon farming industry holds enormous power. Chile is the world’s second-largest producer of farmed salmon after Norway, with fish exports totaling \$6.55 billion in 2025 and accounting for 6% of Chile’s total exports.⁷⁷ As in the Kawésqar case, these economic gains all too often sacrifice the environment and the human rights of those who rely on it.⁷⁸

While Chile has taken steps to promote protection of human rights, in line with the UN Guiding Principles on Business and

Human Rights,⁷⁹ there is no obligation for private companies to act. For example, two National Action Plans on Business and Human Rights were implemented in 2017-2020 and 2022-2025, with another currently in the works. They focus on raising awareness about the human rights implications of private sector activities and promote the use of tools such as Human Rights Due Diligence (HRDD).⁸⁰ But without a direct requirement for private companies to implement HRDD, they’re all too easily ignored.^{81,82,83}

Indeed, a recent sector-wide Human Rights Impact Assessment of the salmon industry made this clear, concluding that the state duty to protect human rights, the corporate responsibility to respect human rights, and access to remedy for abuses committed by the salmon industry, are far from being a reality.⁸⁴ No specific regulatory frameworks protect human rights in relation to the salmon farming industry and impacted communities face severe difficulties in securing effective participation in decision-making about projects that directly affect their territories. One reason is that salmon farming projects are mainly approved through Environmental Impact Statements (EIS), rather than through more stringent Environmental Impact Assessments (EIA).⁸⁵

“Rescue the Patagonian Sea”
© Patricio Miranda / Greenpeace





“ESTABLISHING THE ECMPO HAS CONTRIBUTED TO RECOVERY OF VULNERABLE ECOSYSTEMS AND SPECIES, CONTROL OF POLLUTING ACTIVITIES, REVITALISATION OF TRADITIONAL CULTURES AND SPIRITUALITY, EMPOWERMENT OF INDIGENOUS COMMUNITIES IN RELATION TO OTHER ACTORS, AND INCREASED MATERIAL WELL-BEING.”

“This is what the salmon industry is hiding”
© Martin Katz / Greenpeace

Progress toward community-led conservation

The Human Rights Impact Assessment highlighted the building of salmon farms in traditional lands and waterways as an infringement on the rights of Indigenous Peoples – as in the case of Kawésqar. These limitations represent a gap in the practical implementation of international commitments, including ILO 169, the Escazú Agreement, and the OAS (Organisation of American States) Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere, further undermining Chile’s commitments under the KM-GBF.

In addition, reports of human rights violations against environmental defenders, particularly Indigenous Peoples, are of utmost concern. In Chilean Patagonia, some representatives of the Kawésqar community have faced harassment, threats, and intimidation for opposing expansion of the salmon farming industry – even during formal participation processes related to Law 21.600 and the Management Plan for the KNR. Documented discrimination towards human rights defenders⁸⁶ has created a hostile environment that further restricts indigenous communities’ effective participation.

ECMPOs are a noteworthy example of a rights-based and community-led conservation practice that contribute to Target 3 of the KM-GBF. As noted, the “Ley Lafkenche” is a unique legal framework⁸⁷ that recognises and grants indigenous communities preferential rights to use and manage marine and coastal areas they have customary tenure over. Though ECMPOs do not confer ownership nor expropriate acquired rights over the sea, they acknowledge the ancestral connection of Indigenous Peoples to these territories, promoting conservation, food sovereignty, and the sustainable management of these systems.⁸⁸

ECMPOs also align with the OECMs and ITTs included in Target 3 and represent a legitimate and effective pathway toward achieving its conservation goals. The Ley Lafkenche explicitly states that their management must ensure the conservation of natural resources and the well-being of the indigenous communities that hold them. Protection of an ECMPO also goes into effect once an application is accepted, meaning that other applications, like aquaculture concessions, cannot move forward.⁸⁹ However, Chile’s NBSAP does not recognise nor discuss the direct contributions of the ECMPOs towards biodiversity objectives.

The Chilean approach to ECMPOs has proven an effective and replicable way to promote more respectful and collaborative relationships between private and State interests and Indigenous Peoples, while conserving marine and coastal areas.

For example, the management plan of the Trincao ECMPO in the Los Lagos region combines activities to protect flora and fauna with seed collection, mussel and seaweed farming, religious celebrations and tourism. Establishing the ECMPO has contributed to recovery of vulnerable ecosystems and species, control of polluting activities, revitalisation of traditional cultures and spirituality, empowerment of indigenous communities in relation to other actors, and increased material well-being.⁹⁰

ECMPOs have expanded beyond the Mapuche-Lafkenche people – who were instrumental in the law’s creation – to include other coastal indigenous communities such as the Mapuche-Williche, Chono, Kawésqar, and Yagán peoples, who have used this mechanism to protect their historical relationship with the sea and to ensure the sustainability of their livelihoods.⁹¹ As of 2024, requests from Indigenous communities to establish ECMPOs totaled 62.931 km² across 65 different areas – including three in the zone of the Kawésqar Reserve – offering a significant complementary conservation approach to state MPAs.⁹² In these ways, ECMPOs stand as a concrete and positive example of rights-based environmental governance, fully aligned with the principles of the KM-GBF.

However, effective implementation of community-driven initiatives such as ECMPOs remains challenging in Chile. There have been delays in processing applications, missed legal deadlines, and insufficient institutional coordination. Long, bureaucratic procedures mean only 13% of more than 100 requests have been completed.⁹³ Tensions have also emerged with the salmon farming industry, which has promoted amendments that could limit the law’s application.⁹⁴ These challenges constrain the active participation of indigenous communities in marine conservation, and their contributions to fulfilling Chile’s international commitments under the KM-GBF.

A coastal and marine protected area, Chile

© Patricio Miranda / Greenpeace



RECOMMENDED ACTIONS

The current situation in Southern Chile demonstrates tremendous risks but also opportunities for advancing rights-based and community-led approaches to conservation. The following recommendations set forth practical measures to enable the country to meet the standards set in the KM-GBF for HRBAs to conservation, ensuring respect for Indigenous Peoples' and local communities' rights, traditional knowledge, values, and practices:

▶ **Develop and implement management plans for the KNR with the full and effective participation and consultation of Indigenous Peoples.**

This is a key requirement of Target 22 of the KM-GBF. Ensure implementation is in accordance with national and international standards on Indigenous rights.

▶ **Strengthen implementation of ECMPOs, with increased funding and technical and political support.**

- ▶ Ensure planning is carried out in an adequate and efficient manner and in strict compliance with legal timelines, while also providing increased funding and political support for their effective implementation.

Address bureaucratic constraints that have resulted in unjustified delays in the processing of ECMPO applications, through administrative and regulatory measures that guarantee timely and effective procedures.

Ensure that the existing legal framework is not weakened through legislative amendments that limit its scope or effectiveness in favour of private sector interests, safeguarding its role as a rights-based and public-interest conservation instrument.

▶ **Strengthen HRDD, transparency, access to justice and environmental governance processes for salmon farming.**

- ▶ As highlighted in the 2021 Sector-wide Impact Assessment on the salmon industry and human rights, "integration of the UNGPs [UN Guiding Principles] at the national level is urgently needed in order to adequately address the impacts of the salmon industry from a human rights perspective."⁹⁵ The assessment recommends that the Chilean State undertakes wide-ranging measures to ensure that aquaculture development is socially equitable, culturally observant and environmentally sustainable,

that salmon businesses adopt and comprehensively implement human rights commitments, and that international businesses and financial institutions require human rights commitments from companies they do business with.

- ▶ In line with the Escazú Agreement and Target 22 of the KM-GBF, the rights of environmental human rights defenders, whistleblowers and those who report corporate and governmental misconduct must be protected.
- ▶ Patagonian fjords and channels, recognised for their pristine biodiversity and critical ecosystem services, warrant targeted protections against ever-expanding industrial salmon farming in both existing and proposed protected and conserved areas.

▶ **Ensure that Chile's NBSAP integrates rights-based community-led approaches with concrete measures for implementation.**

- ▶ This must be undertaken with the full and effective participation of Indigenous Peoples and local communities, ensuring that it wholly integrates KM-GBF provisions on human rights, Indigenous Peoples, and community-led conservation. Key provisions include, *inter alia*, those on full, effective, and equitable participation in decision-making for Indigenous Peoples and local communities, recognising and respecting their rights – including over their traditional territories – recognising and supporting the contributions of OECMs and ITTs to area-based conservation, and enhancing the role of conservation actions by Indigenous Peoples and local communities.

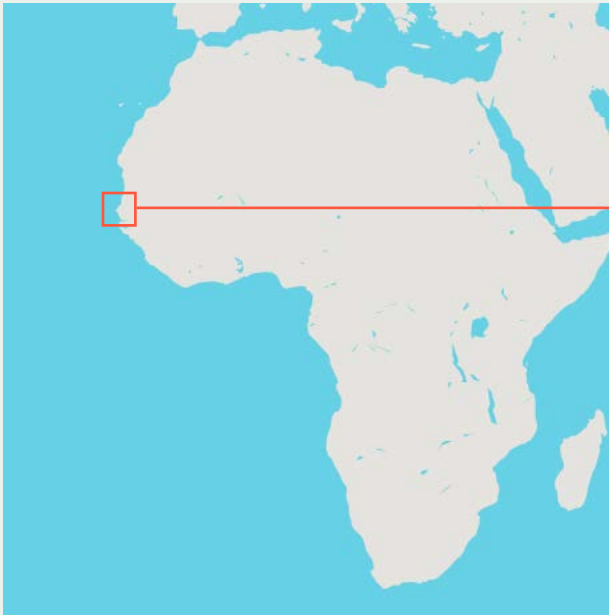
Implementation and monitoring of the NBSAP should recognise the contributions of ECMPOs and enable their Indigenous and customary management. Moreover, elaborated plans must be accompanied by effective measures for implementation.

CASE STUDY 2: SENEGAL



Kayar fishing village, Senegal © Greenpeace / Matthew Kemp

GREENPEACE INTERNATIONAL / GLOBAL OCEAN JUSTICE NOW



Kayar, Senegal © Google Maps

Senegal's coastline is richly diverse, with extensive mangrove forests that support juvenile sardinellas and the bonga shad fish.^{96,97} As well as marine life, it sustains the livelihoods and food security of coastal communities, with highly productive fisheries that are deeply rooted in local culture, histories and ways of life. However, the area is threatened by industrial fishing, coastal erosion, sea level rise, plastic pollution and, in particular, the huge increase in production of fishmeal and fish oil (FMFO).

Along the Senegalese coast, the fishing industry provides an important source of employment, with local men catching fish and women processing it. But competition with industrial fishing, combined with a lack of access to traditional fishing grounds, is affecting income and livelihoods. Local fishers are having to travel further afield to find fish, increasing costs and dangers at sea. What's more, new oil and gas exploration in the area is only exacerbating the problem.¹⁰⁰

In 2022, legal proceedings were launched against a fishmeal factory in Kayar by female fish processors, artisanal fishers and local residents,¹⁰¹ who argued that the factory was not only impacting their livelihoods,¹⁰² but their health. Fishmeal factories pollute local air and drinking water, thereby violating the community's right to a healthy environment.¹⁰³

In the face of these threats, some communities have taken the initiative to conserve and restore their coastal ecosystems, including through community-managed MPAs with government support. However, these efforts are facing an uphill battle and, with local livelihoods on the line, people are increasingly migrating from Senegal to Europe in search of more stable employment.^{104,105}

FISH MEAL AND FISH OIL: A WASTE OF FISH

FMFO production has boomed in recent years, processing prime fish into exported feed for aquaculture and livestock. Some fishmeal processors, primarily small-scale operations, use fish offal as raw material – an efficient use of resources that would otherwise be wasted. Yet fish fit for human consumption is increasingly caught on an industrial scale, exploiting fish stocks and depriving local communities of a vital food source.⁹⁸ It is estimated that over 500,000 tonnes of fish is caught annually in West Africa to produce FMFO – an amount sufficient to feed 33 million people in the region.⁹⁹ Instead, it is exported, primarily to Asia and Europe, to feed animals.

Enabling and constraining conditions for rights-based and community-led conservation

As highlighted in its National Development Strategy, Senegal is among the 25 countries with the lowest human development. Economic growth has not significantly reduced poverty (37.5%) or unemployment (around 20%), and the country's past efforts to promote economic development have increased public debt. In this context, national priorities set in 2025 include accelerating economic growth, enhancing public services, and establishing attractive and sustainable development hubs, including for foreign investment.¹⁰⁶ Yet over the years, several economic policy measures have created very challenging conditions for community management and conservation of fisheries, including:

► **Overfishing by foreign industrial fleets**

Since the late 1970s, Senegal has negotiated agreements with other countries allowing them to fish within its territorial waters.¹⁰⁷ The activities of these industrial foreign fleets (including illegal fishing outside the scope of their agreements) have been a major cause of overfishing that has led to severe declines in fish populations, in some cases to the point of collapse.¹⁰⁸ Most of the fish caught by industrial fleets is exported to other countries and disturbingly, deadly encounters between artisanal fishers and large industrial ships have been reported.¹⁰⁹ The newly-elected government announced plans to review all fisheries agreements with the EU in 2024¹¹⁰ and allowed them to lapse.¹¹¹

► **Harmful subsidies**

Another policy contributing to overfishing has been government subsidies for both small-scale and large-scale fishers to enhance the capacity of certain activities, like boat construction and fuel subsidies.¹¹² These subsidies, combined with declines in agriculture and pastoral economies, have encouraged the migration of people from other parts of Senegal and West Africa into fishing areas, further increasing the capacity of the artisanal fisheries sector.¹¹³

► **Export-oriented fish processing**

Substantial proportions of fish catches now go to non-food uses, particularly exported FMFO.¹¹⁴ Along with adding pressure to fisheries, this export economy disrupts the livelihoods of women who historically managed local fish processing, contributes to domestic food insecurity, and risks environmental pollution.¹¹⁵

► **Oil and gas development**

Senegal has been pursuing oil and gas development since reserves were discovered off its coast in 2014, with the first offshore oil and natural gas projects starting operations in 2024 (as foreign joint ventures).¹¹⁶ Nearby fishing communities report concerns with decreased fish catches, restrictions on access to former fishing areas, and impacts of an ocean gas leak.¹¹⁷ While stating a goal to reduce greenhouse gas emissions, Senegal's 2025 National Development Strategy features plans for expanded oil and gas production.¹¹⁸

“OVER THE YEARS, SEVERAL ECONOMIC POLICY MEASURES HAVE CREATED VERY CHALLENGING CONDITIONS FOR COMMUNITY MANAGEMENT AND CONSERVATION OF FISHERIES.”

Coastal communities have organised protests against policies and projects that jeopardise their livelihoods, food security, environments, and safety.^{119,120,121} Senegal requires an Environmental and Social Impact Assessment (ESIA) prior to the implementation of development projects likely to have a negative effect on local environments or people.¹²² However, in practice, affected communities often struggle to assert their rights to be fully consulted or involved in decisions that impact them. Legal proceedings are often inaccessible due to their complexity and cost.¹²³

Senegal's community tenure laws are one factor hindering people's ability to resist these developments. The country does not have a statutory or regulatory framework that provides ownership or management rights to local communities or Indigenous Peoples.¹²⁴ Rather, land laws grant only usage rights to communities and classify rural land as belonging to the "national domain." In practice, customary systems, in which land is considered to belong to a village or clan, often prevail at the local level.¹²⁵ Customary rights to traditional lands and seas motivate community protests against international agreements that grant land and/or ocean access to

outside interests. However, limitations in national law mean that communities often struggle to assert their rights in relation to outside investors.¹²⁶ Land reforms aim to modernise the 1964 National Domain Law, which placed most land under state control, in order to improve tenure security, equity, and investment. Current efforts focus on digitising land records, regulating land allocation, and reconciling customary rights with formal titles, particularly under the Cadastre and Land Tenure Improvement Project (PROCASEF), a national land reform programme that seeks to modernise land governance by formalising and securing land rights.¹²⁷ This reform could also potentially exacerbate conflicts by favouring private ownership and increasing the risk of land grabbing by wealthy investors – to the detriment of the customary rights of local communities.¹²⁸

Fish processors, Senegal
© Clément Tardif / Greenpeace



With regard to environmental policy, the National Development Strategy includes a section on integrated marine and coastal development focused on the following: promoting coordination among relevant agencies, adopting a law on coastal areas, expanding MPAs, putting in place an integrated system for marine spaces, and decarbonising the marine sector.¹²⁹ Notably, Senegal has produced a Green Budget, which considers the environmental and climate impacts of budget expenditures and includes projects for fisheries development and marine conservation.¹³⁰ The World Bank-funded Sustainable Environment and Natural Resource Management (SENRM) project is investing in more sustainable management of Senegal's fisheries by strengthening environmental and social risk assessment, enhancing fisheries and community-based management, and supporting aquaculture development.¹³¹

At the same time, Senegal has not yet prepared an updated NBSAP to align with the KM-GBF – the country expects to finalise its NBSAP by the end of June 2026. It has submitted new National Targets, including on improving the connectivity of the protected area system (related to Target 3), enabling communities to benefit sustainably from ecosystems (Target 22), and developing a biodiversity financing plan (Target 19).¹³² Yet without a full NBSAP, these plans cannot sufficiently determine whether implementation measures are in line with human rights-based and community-led approaches. Although Senegal's Seventh National Report to the CBD states that substantial expansion of community-managed areas and OECMs are underway, current MPA coverage (as reported in Protected Planet) is only 3.09% of the marine area – compared with 27.46% of terrestrial areas and inland waters.¹³³ The governance framework for marine resources is also complex and fragmented across several institutions, leading to policy inconsistencies and conflicts.

“ALTHOUGH SENEGAL’S SEVENTH NATIONAL REPORT TO THE CBD STATES THAT SUBSTANTIAL EXPANSION OF COMMUNITY-MANAGED AREAS AND OECMS ARE UNDERWAY, CURRENT MPA COVERAGE IS ONLY 3.09% OF THE MARINE AREA.”



Local activists with empty bowls, highlighting the dangers of overfishing, Senegal © Clément Tardif / Greenpeace



Local fishing boat in Kayar, Senegal © Matthew Kemp / Greenpeace

Progress toward community-led conservation

Senegal is a pioneer in West Africa for its network of Community Co-managed Marine Protected Areas (AMCPs).¹³⁴ AMCPs, particularly those in the Saloum Delta region, are demonstrating good practices in community-led and human rights-based conservation. Significant features include:

- ▶ **Community-led creation and co-management:** The creation of AMCPs is often requested by local communities,¹³⁵ who then play the primary role in establishing and enforcing management rules. State authorities provide technical and material support.
- ▶ **Empowerment and participation:** Local committees with representatives of both state and local community members, elected by the community (including fishers and women's associations), are responsible for day-to-day management.¹³⁶ Women are actively involved in these committees and in activities like mangrove reforestation and fish processing.¹³⁷
- ▶ **Equitable benefit-sharing:**¹³⁸ Funds generated from ecotourism, fisheries improvements, and other initiatives within the protected areas, should be invested back into the community. For example, in support of school funding, women's groups, and other local development projects.
- ▶ **Tangible human rights outcomes:** Conservation efforts in these areas have directly improved the human rights of local populations by enhancing the health of their environment, increasing food security through fish stocks,¹³⁹ and diversifying livelihoods. In the Bamboung MPA, for instance, a strictly protected zone led to an increase in fish and crustacean populations.¹⁴⁰

“OVER A DECADE OF COMMUNITY AND LOCAL MANAGEMENT, THE KAWAWANA ICCHA HAS SUCCEEDED IN RESTORING THE BIODIVERSITY OF A HEAVILY DEGRADED ECOSYSTEM WITH 20 FISH SPECIES, MANATEES, DOLPHINS AND CROCODILES RETURNING TO THE AREA.”

Other examples of AMCPs include those in Saint-Louis, Kayar, Joal-Fadiouth, and Abéném.¹⁴¹ In Djifer Point, a community group including youth and women is gradually replanting mangroves that will allow fish to spawn and stocks to rebuild.¹⁴² There is also a community MPA in Kayar. Across Senegal's coast, the approach has been so successful that a Department of Community MPAs was created in 2012 as the primary public authority overseeing management of the MPA network,¹⁴³ taking over from the Department of National Parks. Senegal's community MPAs are also becoming a model for other countries in Africa seeking to replicate their approach.¹⁴⁴

Senegalese communities have also played leadership roles in conservation through the establishment of ICCAs (in Senegal, these are more commonly referred to as Aire du Patrimoine Autochtone et Communautaire (APAC) in French). At least ten coastal or riverside ICCAs and 16 land-based ones have sought formal recognition by the Senegalese government for their governance of natural resources.¹⁴⁵ These ICCAs are building on the experience of the Kawawana ICCA, located in a river ecosystem known for its fish, oysters, mangroves, and cultural values. It is the first ICCA to be formally recognised by the government. Key elements of its success include well-organised communities deeply rooted in their culture, traditional knowledge and resource management

practices, clear delineation of the conserved area and protected species, and integration of income-generating activities. Over a decade of community and local management, the Kawawana ICCA has succeeded in restoring the biodiversity of a heavily degraded ecosystem, with 20 fish species, manatees, dolphins and crocodiles returning to the area. This has led to a revitalised local fisheries economy that has improved people's quality of life.¹⁴⁶

However, significant challenges remain in sustaining, strengthening, and scaling up these community-led conservation initiatives. AMCP managers generally lack sufficient resources to monitor their areas and need more capacity to manage conflicts with others seeking to fish in these areas.¹⁴⁷ While the government generally sets up a coast guard post for the AMCP and provides a fuelled patrol boat, more resources are needed to delineate and effectively protect each area. Many ICCAs lack legal recognition,¹⁴⁸ which leaves them vulnerable to competing land uses and impedes community management. Greater empowerment of community governance structures is needed to ensure that management aligns with local needs and knowledge.¹⁴⁹ Addressing these challenges requires increased legal recognition and support, investment in management capacities and monitoring technology, and the establishment of sustainable, long-term financing mechanisms.

International Women's Day in Senegal
© Ibrahima Ndiaye Sene / Greenpeace



RECOMMENDED ACTIONS

► **Ensure the inclusion of coastal communities in decision-making about developments affecting their coastal areas and fish resources.**

Coastal communities possess traditional knowledge and practices for conserving their local waters and rely most on the resources. Yet their lives are being severely impacted by decisions in which they have little to no voice. Their participation in decision-making is both a fundamental right and a critical step towards making policies more appropriate and effective in managing fisheries and conserving coastal ecosystems.

A key demand of coastal communities is greater inclusion in decision-making processes that concern sustainable fisheries management and environmental conservation,^{150,151} in line with Target 22 of the KM-GBF. The new government has indicated that it is seeking increased stakeholder engagement in addressing the fisheries crisis,¹⁵² offering a potential opening for the effective inclusion of community voices.

Female fish processors and artisanal fishermen must be granted a legal and formal status, with access to labour rights and benefits, such as social security and consultation rights in local fisheries management. Furthermore, measures to achieve this should include proactive community consultations and a formal role in decision-making bodies, such as those established for fisheries agreements.

► **Phase out FMFO production that uses wild-caught fish fit for human consumption.**

The significant negative impacts of FMFO processing on coastal ecosystems and local food security warrant a phase out of these harmful activities.¹⁵³ As well as this, key measures include:

- Companies and end markets cease trading FMFO produced using fish fit for human consumption from the West African region.
- All states involved in fisheries in the region establish an effective regional management regime – particularly for the exploitation of shared stocks, such as small pelagic fish – as required under international law, relevant national laws, fisheries policies, and other instruments.

► **Increase support to community-based MPAs and ICCAs, and embed this support in Senegal's revised NBSAP.**

AMCPs and coastal ICCAs are “bright spots” in Senegal’s current approach to marine conservation – but they require more support.

- Senegal’s Seventh National Report to the CBD¹⁵⁴ identifies limited resources and shortcomings in participatory governance as key challenges impeding progress towards Target 3. To aid progress, Senegal’s updated NBSAP should integrate appropriate support for AMCPs, ICCAs, and related community-led conservation approaches as an implementation priority, including with adequate financial support and direct access to finance for the local communities. This could significantly enhance Senegal’s progress towards Target 3 in coastal waters, as well as its leadership in rights-based conservation in the coastal realm.
- Since the Ministry of Environment is responsible for the NBSAP, and the Ministry of Fisheries is closer to the issues of concern to fishing communities, the NBSAP process should ensure coordination both across ministries and directly with coastal communities.

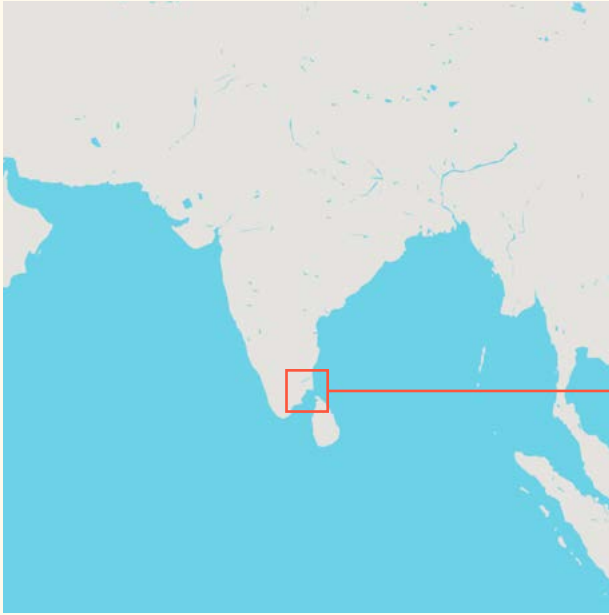
More broadly, policies must be harmonised to ensure coherence across the fisheries, development and environment sectors, putting into action the related goals identified in the National Development Strategy.

CASE STUDY 3: SRI LANKA



World Oceans Day protest, Sri Lanka © Sameera Liyan / Greenpeace

GREENPEACE INTERNATIONAL / GLOBAL OCEAN JUSTICE NOW



Mannar Island, Sri Lanka © Google Maps

The island nation of Sri Lanka features remarkable biodiversity and exceptional levels of marine endemism.¹⁵⁵ In particular, the Gulf of Mannar hosts a significant coral reef system¹⁵⁶ that supports roughly 3,600 species of flora and fauna,^{157,158} while Mannar Island is a critical stopover site for hundreds of thousands of migrating waterbirds, such as Greater Flamingos (*Phoenicopterus roseus*) and Eurasian Spoonbills (*Platalea leucorodia*).¹⁵⁹

The island is home to approximately 75,000 people, whose livelihoods rely on fishing, farming, and coconut and palmyra cultivation.¹⁶⁰ Yet their way of life is increasingly threatened by climate change, erosion, pollution and large-scale industrial activities, from sand mining and wind farms. With substantial mineral sand deposits driving investment in sand mining, residents and scientists are raising alarms about destabilisation of the island's low-lying topography, along with risks of saltwater intrusion into aquifers and already-limited farmland.¹⁶¹ Similarly, while strong, steady winds make Mannar Island attractive for wind energy investment, local people – without prior notice – are facing restricted access to common lands and grazing areas due to wind farm developments.¹⁶²

Residents who have actively protested these developments stress that they are not anti-development but oppose destructive projects that have been

planned and implemented without their consultation. Following months of demonstrations, which were met with harassment and excessive use of force by the police,¹⁶³ in November 2025, the President of Sri Lanka announced that new wind power projects could not proceed without local consent.^{164,165} In tandem to this, protests against sand mining have also intensified. The Geological Survey and Mines Bureau asserts that companies only hold exploration licenses and that the issuance of mining licenses would require a successful EIA.¹⁶⁶ Yet in light of the severe and documented consequences of sand mining in India, Madagascar, and Mozambique – including coastal erosion, groundwater depletion and fisheries losses – ecologists are calling for a whole-island EIA, rather than a project-specific one, and the inclusion of human rights considerations.¹⁶⁷

These threats come at a difficult time for the region. In 2025, a container ship sank off the coast of Kerala, releasing oil, hazardous materials, and nearly 1,400 tonnes of plastic pellets¹⁶⁸ which travelled to the Sri Lankan coast via monsoon winds and ocean currents. This came after a 2021 disaster, when a Singaporean-registered container ship caught fire and sank, releasing more than 100 billion plastic pellets and hazardous materials into the ocean.¹⁶⁹ These pellets pose severe risks to biodiversity and human health,¹⁷⁰ releasing

toxic substances that may persist in the environment for decades and significantly impacting the economy of communities that rely primarily on fish for food and income.¹⁷¹ These disasters, combined with the pre-existing effects of climate change, mean that the Gulf of Mannar, its ecosystem and its people are especially sensitive to any activities that might cause further harm.

Enabling and constraining conditions for rights-based and community-led conservation

As the country recovers from a 26-year civil war, Sri Lanka's national goals centre on peace, national security, effective governance and economic development. The country's national development plan, known as Vistas of Prosperity and Splendour,¹⁷² highlights a people-centered economy and sustainable environmental management as key priorities, with policies relevant to marine and coastal areas including fisheries development, a Blue-Green economy, disaster management, and port and energy development – including wind and solar power on Mannar Island. The island's own development plan prioritises investments in industrial fisheries, renewable energy and nature tourism.¹⁷³

However, Sri Lanka's 1978 Constitution, amended most recently in 2020, does not recognise land as a fundamental right. Over 80% is state-owned and the displacement of local people for large-scale development projects is reportedly widespread. An amendment to the Constitution called for a National Land Commission to be established, alongside the devolution of government power

to provincial councils. Neither has been achieved, with the central government reportedly reluctant to cede power to the provinces.¹⁷⁴ While a signatory to the UNDRIP, Sri Lanka has also not ratified ILO 169 or adopted specific legislation on the rights of Indigenous Peoples.¹⁷⁵

This lack of land ownership limits the legal recourse available to communities faced with destructive development projects. In relation to land acquisition, research conducted by Oxfam found that Sri Lanka's legal framework does not facilitate community consultations or compliance with Free, Prior and Informed Consent (FPIC) principles.¹⁷⁶ Under its National Environmental Act, the country does require an EIA for development projects that risk significant environmental impact, while those with more limited projected issues require an Initial Environmental Examination (IEE).^{177,178} Yet, in the case of sand mining on Mannar Island, concerns have been raised about the integrity of EIA processes, including allegations of fraudulent handling of community consent.¹⁷⁹ Given the significant economic potential of sand mining, residents express concern that an EIA will fail to fully assess the risks.¹⁸⁰

“SRI LANKA’S 1978 CONSTITUTION DOES NOT RECOGNISE LAND AS A FUNDAMENTAL RIGHT. OVER 80% IS STATE-OWNED AND THE DISPLACEMENT OF LOCAL PEOPLE FOR LARGE-SCALE DEVELOPMENT PROJECTS IS REPORTEDLY WIDESPREAD.”

Clean-up efforts in Sri Lanka following the X-Press-Pearl Accident © Tashiya de Mel / Greenpeace

That said, a landmark Supreme Court ruling does provide some protections. The Eppawala case, brought against a phosphate mining operation in 2000, concluded that, while the Sri Lankan Constitution does not explicitly include the right to a healthy environment, environmental well-being is essential for the exercise of other human rights. It further held that the State has a duty to protect natural resources for present and future generations, that economic development must not come at the expense of environmental damage or the rights of citizens, and that decision-making on environmental matters requires public participation.¹⁸¹ Observers have noted that the judgement is highly relevant to the Mannar Island case.¹⁸²

Even so, despite these important protections, environmental and human rights defenders in Sri Lanka are facing significant risks. The country's reliance on rapid natural-resource-based growth gives rise to frequent environmental and land-related conflicts. Where local communities, environmentalists, and others protest destructive developments and demand natural resource protections, they have encountered harassment, threats, intimidation, violence, criminalisation, and legal actions¹⁸³ – including in Mannar.¹⁸⁴

“THE COUNTRY’S RELIANCE ON RAPID NATURAL-RESOURCE-BASED GROWTH GIVES RISE TO FREQUENT ENVIRONMENTAL AND LAND-RELATED CONFLICTS.”

With regard to environmental policy, Sri Lanka has not yet updated its NBSAP to align with the KM-GBF¹⁸⁵ or made its full National Targets available. However, the country has separately published a national 30x30 strategy, developed with support from the international SPACES consortium,¹⁸⁶ focused on projects for which the country is seeking investment.¹⁸⁷ These include increasing protected areas on land from 31 to 36% of the national territory, enhancing marine conservation, and strengthening sustainable fisheries management practices.



While public materials refer to stakeholder engagement and collaboration with communities and NGOs, it is not clear how the public was involved in the development of this strategy, nor how community-led action might be enabled and supported.¹⁸⁸

Aside from the NBSAP and 30x30 strategy, Sri Lanka has enacted a wide range of environmental laws and policies, including those focused on the marine environment. Yet a recent comprehensive review of legal frameworks for the protection and conservation of the country's marine environment notes that implementation and enforcement of these laws remain weak. Some laws are outdated, others still need regulations to be issued, and governance capacity for implementation is limited.¹⁸⁹

These issues also extend to MPAs. Sri Lanka's MPA coverage is currently very low – just 0.3% of the national area reported in the global Protected Planet database (with no reported OECMs to date).¹⁹⁰ Recent national mapping and network analyses show legal overlaps, fragmented management and weak effectiveness across MPAs. Further confusion is created by overlapping institutional mandates with unclear lines of governance authority.¹⁹¹

“SRI LANKA’S MPA COVERAGE IS CURRENTLY VERY LOW – JUST 0.3% OF THE NATIONAL AREA REPORTED IN THE GLOBAL PROTECTED PLANET DATABASE (WITH NO REPORTED OECMS TO DATE).”

Moreover, many MPAs exist on paper but lack staffing, equipment, monitoring systems, or sustainable budgets, resulting in weak management and enforcement.¹⁹² Community engagement and conflict resolution are specific areas of concern. While MPA management plans can help prevent and manage conflicts with local fishing communities, these are often not prepared. There are also provisions in the Fauna and Flora Protection Ordinance allowing for recognition of traditional usage within MPAs, but no such recognition has

been granted.¹⁹³ In light of its Seventh National Report to the CBD, Sri Lanka is likely to be on track to meet at least 30% protection on land, while anticipated progress in marine and coastal areas remains unclear.¹⁹⁴

Other environmental policies and plans are mixed on the inclusion of people-centered approaches. For example, the National Environmental Action Plan (2022-2030) section on Marine and Coastal Resources contains limited references to community-based approaches, mostly in relation to tourism development and coastal climate resiliency programs.¹⁹⁵ Similarly, the Strategic Action Plan for Mangroves (2022-2026) does not give prominence to community-led action.¹⁹⁶ At the same time, Sri Lanka does have legal and policy frameworks for both fisheries and marine conservation co-management. The Fisheries and Aquatic Resources Act (No. 35 of 2013) enables the creation of Fisheries Management Areas (FMAs) and Fisheries Management Committees to involve members of fishing communities in the management of coastal fisheries.¹⁹⁷ With regard to marine conservation, Special Management Areas (SMAs) are a co-management approach supported in the Coast Conservation and Coastal Resource Management Act for integrated coastal resource management.¹⁹⁸

Clean-up efforts in Sri Lanka following the X-Press-Pearl Accident © Tashiya de Mel / Greenpeace





“THE SRI LANKA MANGROVE CONSERVATION PROJECT PROTECTED 21,782 ACRES (8,815 HECTARES) OF SRI LANKA’S EXISTING MANGROVE FORESTS BY SETTING UP COMMUNITY BENEFIT ORGANISATIONS (CBOs) IN 1,500 SMALL COMMUNITIES ADJACENT TO THE NATION’S MANGROVE FORESTS.”

Mangrove forest in Madu Ganga, Sri Lanka
© Kalaiarasy / Wiki Commons

Progress toward community-led conservation

Positive results from participatory community conservation have been demonstrated through the Sri Lanka Mangrove Conservation Project, implemented with support from Seacology. The project protected 21,782 acres (8,815 hectares) of Sri Lanka’s existing mangrove forests by setting up Community Benefit Organisations (CBOs) in 1,500 small communities adjacent to the nation’s mangrove forests.¹⁹⁹ Participants in the CBOs (mostly women) received sustainable livelihoods training and microloans, in exchange for leadership in mangrove conservation activities, including mangrove propagation, reforestation, and protection.²⁰⁰ National discussions on the concept of OECMs, including locally managed marine areas, offer potential to further strengthen community-led marine conservation.²⁰¹

Policy frameworks for SMAs and FMAs provide important foundations for participatory community approaches to marine conservation and coastal fisheries, but their effectiveness to date has been hampered by weak implementation. Past limitations of FMAs include the absence of comprehensive fisheries management and development plans, limited stakeholder

participation (especially of women, youth, and other marginalised groups), and insufficient economic benefits for fishers.²⁰² Governance issues include that Fisheries Management Committees are not compulsory and regular meetings are not required.²⁰³ Strengthening implementation will require prioritising the development of comprehensive co-management plans, creating more participatory co-management platforms, and reforming governance and capacity.²⁰⁴ Overlaps among MPAs, FMAs, and SMAs have also created challenges.

Sri Lanka’s current Marine and Coastal Plan (2024-2029) extensively reviews experience with SMAs and sets policies for future work that incorporate lessons learned. Identified challenges include impacts of the COVID pandemic, lack of a proper legal and institutional framework, and a projectised approach which means SMA support activities stop once projects funded by international donors have ended. With a strengthened legal framework and anticipated new regulations, the plan lays out a programmatic approach for revitalisation of SMAs. A list of new sites to be declared as SMAs includes four in the Mannar District. The plan further lays out the process for establishing, managing, and monitoring SMAs, and emphasises that SMAs should enhance the livelihoods of communities in those sites.²⁰⁵

RECOMMENDED ACTIONS

▶ **Ensure community consent for development activities through stronger environmental and social assessment policies and practice, and strengthening the foundation for Free, Prior and Informed Consent (FPIC).**

As a top priority, local communities must have prior information, genuine consultation, and options to give or withhold consent to activities with significant risks to their environments, cultures, and livelihoods. For Mannar Island, this means the government must:

- ▶ Ensure that any proposed development activities – such as wind power or sand mining – are comprehensively assessed for their environmental, social and human rights impacts, taking a whole-island approach and using independent research.
- ▶ Ensure that any proposed development, conservation, or land and coastal use changes are subject to fair and mandatory public consultation processes.
- ▶ Review existing activities – such as wind power and sand mining exploration – to ensure that they comply with social, environmental and human rights standards.

At a policy level, effective community consent requires:

- ▶ Policy reform to integrate the Eppawala judgement's principles on environmental rights and FPIC in natural resource governance.²⁰⁶
- ▶ Guaranteeing communities' access to information on all proposed projects, conditions for fair public consultation processes and informed consent criteria, and access to justice and redress for negative impacts, including as part of the new national mining policy.²⁰⁷
- ▶ Increased protections for environmental human rights defenders.

▶ **Strengthen the foundations for rights-based and community-led conservation and natural resource governance in Sri Lanka.**

- ▶ As Sri Lanka's updated NBSAP is developed, ensure that it integrates the new human rights-based provisions of the KM-GBF on indigenous and community rights and contributions, with practical measures for their effective implementation.

- ▶ Improve protected area management plans to make them more practical, with effective, fair and just mechanisms for community consultation and engagement.
- ▶ Pursue legal reforms to recognise and protect community tenure rights to lands and natural resources, as a critical enabling condition for rights-based and community-led conservation.
- ▶ Ensure that community-led management or co-management policies strengthen community livelihoods, such as for fisheries, agriculture, and eco-tourism.

▶ **Pilot community-led marine conservation.**

Community-led conservation can regenerate biodiversity and benefit local livelihoods. Areas that are locally designed, managed and monitored with legal recognition or co-management agreements can align conservation with fisher livelihoods, reduce conflict over access, mobilise low-cost monitoring and enforcement (community patrols and norms), and build legitimacy for complementary measures such as no-take zones.²⁰⁸ Piloting community-led marine conservation measures in Sri Lanka will require moving beyond conventional co-management approaches to ensure that community decision-making and action are at the core of conservation area design and management.

On Mannar Island, there is potential to pilot community-led conservation models where coastal communities have defined decision-making authority over zoning, access rules, and monitoring. Areas proposed as SMAs under the Marine and Coastal Spatial Plan (2024–2029) offer possible points of entry for this.

However, decisions on site selection, governance structure, and conservation measures would require further, site-specific community consultations and agreement. In addition, management of these areas must improve upon existing SMA practice by centering community decision-making power in their design and ongoing governance. Monitoring and evaluation (M&E) for community-led conservation should also be strengthened, including through development of a national M&E framework for these areas, plus capacity building for communities in participatory methods and customised indicators reflecting local priorities.

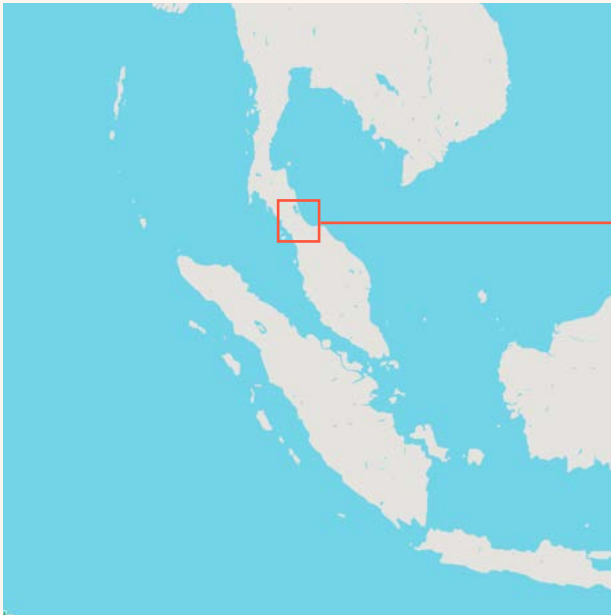


CASE STUDY 4: THAILAND



Local fishing community, Chana © Songwut Jullanan / Greenpeace

GREENPEACE INTERNATIONAL / GLOBAL OCEAN JUSTICE NOW



Channa District, Thailand © Google Maps

The Chana district in Thailand’s Songkhla province boasts an abundance of marine life, from mullet, sillago and bean clam to vulnerable species like humpback dolphins and sea turtles.²⁰⁹ Buddhist and Muslim communities have coexisted in this district for centuries, with forests, agricultural land, freshwater and coastal ecosystems sustaining a variety of livelihoods. Small-scale fisheries, in particular, are a vital source of income, food security and cultural identity, and have been sustainably managed for generations through inherited knowledge.²¹⁰

Yet, despite its ecological and cultural importance, the area has been beset by large-scale development initiatives for years – often without meaningful consultation of local people.^{211,212,213} Previous megaprojects include gas separation infrastructure, pipelines, deep-sea port proposals, coastal land reclamation, and power plants, many of which were approved without completed impact assessments or transparent disclosure of expected trade-offs. Well-documented consequences include reduced fisheries productivity, altered coastlines, increased pollution, land-use changes, and disruptions to long-standing livelihood systems.²¹⁴

For over a decade, local people have been resisting these mega-projects, with community networks monitoring environmental impacts,^{215,216} challenging incomplete or unlawful Environmental

“PREVIOUS MEGAPROJECTS INCLUDE GAS SEPARATION INFRASTRUCTURE, PIPELINES, DEEP-SEA PORT PROPOSALS, COASTAL LAND RECLAMATION, AND POWER PLANTS, MANY OF WHICH WERE APPROVED WITHOUT COMPLETED IMPACT ASSESSMENTS OR TRANSPARENT DISCLOSURE OF EXPECTED TRADE-OFFS.”

Health Impact Assessment (EHIA) processes, questioning decision-making by state and security agencies, and seeking transparency regarding agreements they deem to put corporate or geopolitical interests before local welfare. Engagement has come from diverse groups of small-scale fishers, farmers, youth, women, religious leaders, and traders, using a variety of collective action strategies.

These long-standing issues have been brought to a head by the proposal for the “Chana Industrial Estate – Model City” – a large-scale, state-backed development plan aimed at transforming Chana District into an industrial and logistics hub.

“WHILE FRAMED AS ECONOMIC GROWTH, THE PROPOSAL HAS SPARKED SUSTAINED RESISTANCE DUE TO CONCERNS OVER ENVIRONMENTAL DEGRADATION, THREATS TO SMALL-SCALE FISHERIES, AND THE EROSION OF COASTAL LIVELIHOODS.”

While framed as economic growth, the proposal has sparked sustained resistance due to concerns over environmental degradation, threats to small-scale fisheries, and the erosion of coastal livelihoods. These concerns center on rapid approval processes, limited baseline data, and the role of the Southern Border Provinces Administrative Centre (SBPAC) in directing planning, despite inconsistencies between the industrial profile and the district’s existing resource-based economy.

Spurred by these concerns, communities in Chana entered into a participatory process drawing on extensive local

ecological knowledge and strengthened further by collaborative data gathering with Greenpeace Thailand, academic researchers, and civil society partners. This collaboration generated an evidence base of ecological surveys, economic assessments, and modelling of air pollution impacts.²¹⁷ Communities used these datasets to conduct a scenario analysis, identifying their development priorities based on ecological risk and economic value. Discussions converged on the need for formal recognition and legal status for the community’s local marine conservation area – a governance tool for safeguarding breeding grounds, regulating destructive fishing practices, and restricting industrial activities in ecologically sensitive zones. Expanding from this foundation, communities articulated a broader, long-term vision: a Sustainable Development Strategy for coastal management, anchored in local stewardship, ecological integrity, and evidence-based planning. This Sustainable Development Strategy²¹⁸ is the community alternative to the proposed Chana Industrial Estate and Deep Sea Port, as well as to any future threats to their hometown.

Chana community protest at the UN office in Bangkok
© Chanklang Kanthong / Greenpeace



Enabling and constraining conditions for rights-based and community-led conservation

Thailand's revised National Biodiversity Strategy and Action Plan – adopted in October 2024 – provides a strong foundation for rights-based and community-led approaches like the Chana Sustainable Development Strategy.

It comprehensively integrates a HRBA to conservation, reflecting the prominence of human rights concerns in the KM-GBF. The process to develop the NBSAP specifically mentions consultation with civil society, including indigenous groups, local communities, women and youth groups. Among notable provisions:²¹⁹

- ▶ The NBSAP principles and guidelines include a whole-of-society approach²²⁰ and HRBA.
- ▶ The target on spatial planning calls for participatory and integrated spatial planning that respects the rights of Indigenous Peoples and local communities.
- ▶ The target on area-based conservation (aligning with Target 3 of the KM-GBF) refers to expanding both Protected Areas and OECMs (though not ITTs) in ways that respect the rights and responsibilities of Indigenous Peoples and local communities in areas under their traditional stewardship.
- ▶ The target on a “bio-based” economy recommends developing policies and legal frameworks that support conservation and sustainable use of biodiversity, including granting rights and support to Indigenous Peoples and local communities in the use of biological resources.
- ▶ Target 10 includes a range of provisions aligned with KM-GBF Target 22, including recognising and upholding the rights of Indigenous Peoples and local communities – as outlined in the UNDRIP and other international frameworks – ensuring access to information and justice, protecting environmental human rights defenders, and ensuring the rights, roles, and participation of local communities, Indigenous Peoples, women, youth, and vulnerable groups.

As highlighted in the NBSAP, these goals are anchored in a range of Thai policies such as the National Strategy and accompanying Master Plan. Thailand has also developed a Thailand Biodiversity Finance Plan (2023-2027) with support from the United Nations Development Programme (UNDP), laying out a range of strategies for financing implementation of the NBSAP. It includes mechanisms for channelling funds to local communities and Indigenous Peoples, including funding to Local Government Units (LOAs), tourism fees that could support local conservation initiatives, and biodiversity credits generated from community management of mangroves.²²¹



However, implementation of Thailand’s updated NBSAP and accompanying financial plan face significant challenges. As highlighted in the NBSAP itself, Thailand’s prioritisation of economic development – including infrastructure development and industrial projects – is a significant driver of ecosystem destruction.

Policies that favour short-term economic benefits over long-term sustainability, lax enforcement of environmental regulations, and the absence of integrated cross-sector planning, contribute further to biodiversity loss. Financial constraints are another key challenge, with the proportion of Thailand’s national budget allocated to conservation continuously decreasing. It dropped from 0.46-0.38% of government expenditure between 2018-2021, to 0.16% in 2022.²²²

In marine and coastal areas, proposals for massive industrial developments pose devastating threats to the environment and resource-dependent communities. These projects would severely undermine Thailand’s targets as set forth in the NBSAP. In addition to the Chana Industrial Estate, examples include:

- ▶ Thailand’s Land Bridge project plans to connect the Gulf of Thailand and the Andaman Sea via overland infrastructure that will be anchored by two deep-sea ports. Though it aims to grow the national economy, the land bridge risks inestimable costs to biodiversity and the livelihoods of coastal communities, including the Moken ethnic group.^{223,224,225} The deep-sea ports threaten the nursing ground of the Thai Mackerel fish, the Ranong Biosphere Reserve (RBR), and several other parks and reserves being promoted for UNESCO World Heritage consideration.²²⁶
- ▶ The Land Bridge is part of the larger Southern Economic Corridor (SEC), a special economic zone spanning four provinces (Chumphon, Ranong, Surat Thani and Nakhon Si Thammarat). The Office of Transport and Traffic Policy and Planning (OTP) has drafted a bill on the SEC; however, the draft bill has prompted concerns that the area could become an “independent state” for investors, with certain rights deemed above the law – namely those to safeguard and preserve the environment and natural resources.²²⁷

Fishing family, Chana

© Sirachai Arunrugstichai / Greenpeace





Fisher in Na Tub Canal, Chana District © Sirachai Arunrugstichai / Greenpeace

The prioritisation of commercial interests is not limited to mega-projects. Artisanal fishers have also raised concerns over a revision of the Fisheries Act to allow the use of seine nets with mesh sizes smaller than 2.5 centimeters under certain conditions, starting 12 nautical miles from the shore. They note that the law will benefit commercial trawlers, while negatively affecting small-scale vessels that depend on mature fish.²²⁸

Large industrial and infrastructure projects do require impact assessments in Thailand, but implementation challenges are reportedly widespread. For example, communities living near the Land Bridge project have formally criticised the planning process for flaws in conducting the EHIA, inadequate public consultation, and threats to sensitive ecosystems.²²⁹ Communities in Chana have demanded a proper Strategic Environmental Assessment (SEA) and report that project opponents were barred from attending public hearings on the Chana Industrial Park.²³⁰

Citizen-led protests against inadequate consultation have sometimes been met with violence.²³¹ An increase in the use of criminalisation strategies to intimidate environmental defenders has also been reported.²³² Thailand did enact legislation intended to prevent Strategic Lawsuits Against Public Participation (SLAPPs) and similar forms of legal harassment against individuals, including environmental human

“CITIZEN-LED PROTESTS AGAINST INADEQUATE CONSULTATION HAVE SOMETIMES BEEN MET WITH VIOLENCE. AN INCREASE IN THE USE OF CRIMINALISATION STRATEGIES TO INTIMIDATE ENVIRONMENTAL DEFENDERS HAS ALSO BEEN REPORTED.”

rights defenders.²³³ However, this has been deemed inadequate, partly because it’s challenging to determine whether a lawsuit meets SLAPP criteria without a clear definition of “bad faith”.²³⁴

Historically, community land and resource rights have also gone unrecognised, weakening the foundation for communities to guard their environments against destructive developments, or to promote community-led conservation. As of 2020, no land in Thailand was officially “owned” by Indigenous Peoples or local communities, and only 2.53% was designated for their use through things like community forestry schemes.²³⁵ Compounding these challenges, Thailand’s National Park and forestry laws have tended to criminalise and restrict traditional livelihood activities of Indigenous Peoples and local communities.²³⁶



Two 2010 Cabinet resolutions concerning the upland Karen people and the coastal Chao Le community sought to provide avenues for their co-management of culturally-significant lands and resources as ‘Ethnic Way of Life Protected Areas’.²³⁷ However, these often proved ineffective in practice, since communities living on land declared to be national parks continued to face livelihood restrictions and evictions.²³⁸ For example, Chao Le communities in Koh Lanta have faced restricted access to traditional fishing grounds, contributing to livelihood loss and social marginalisation.²³⁹

A landmark bill on Protection and Promotion of the Way of Life of Ethnic Groups – adopted in August 2025 – offers potential to overcome some of these challenges. It is the first piece of legislation that explicitly aims to safeguard the identities, cultural heritage, and access to fundamental rights of Thailand’s estimated six million Indigenous Peoples and ethnic minorities. The bill contains 47 provisions that seek to legally recognise ethnic identities, address cultural loss, resolve land disputes, and mitigate displacement from development projects.^{240,241,242}

Despite its promise, the bill faces substantial criticism. Key weaknesses include the absence of formal recognition of the term “Indigenous Peoples”²⁴³ and only partial inclusion of FPIC.²⁴⁴ The final bill removed a provision to strengthen the Ethnic Way of Life Protected Areas approach by enabling community-led governance and not imposing national forestry and conservation laws unless public security or ecosystems were threatened. This proposal sought to address problems in implementing the 2010 Cabinet resolutions but raised concerns among some MPs.²⁴⁵

Nevertheless, indigenous leaders and advocates have called for the bill not to be rejected outright, but rather strengthened and used as a foundation for continued struggle toward genuine rights recognition and community-led conservation.²⁴⁶ For example, compromised language in the final bill on Cultural Heritage Protection areas offers potential to pursue recognition of community land governance, including in protected areas. Key next steps include to register ethnic groups and document their connection to their lands, recognising traditional knowledge as a basis for establishing that connection.

Progress toward community-led conservation

Building on their historic stewardship of lands and resources, Indigenous Peoples and local communities are advancing community-led conservation initiatives that contribute to Thailand's NBSAP targets. In marine and coastal areas, an existing tool under the Department of Marine and Coastal Resources (DMCR) called the "Talae Na Baan" (Homefront Sea) policy empowers coastal communities to act as primary guardians of their local waters. By enabling villagers to act as resource protectors (rather than just resource users), the policy aims to create a sustainable network of community-led marine conservation areas across Thailand.

In parts of the Chana sea, and elsewhere along the coast, the community has set rules for "Talae Na Baan" zones, where no fishing is allowed.²⁴⁷ In these areas, communities create "Fish Homes" by building Zung-Kor – traditional Thai artificial reefs made from natural materials like bamboo poles and coconut fronds – to restore biodiversity. Some fishermen also run Crab Banks, a nursery system where egg-bearing crabs release their larvae before being sold, exponentially increasing the crab population.

The Community-Based Marine Conservation initiative, supported by the Thai Sea Watch Association (Rak Talae Thai Association), has focused on the following: supporting communities to establish local regulations for marine and coastal management, protecting fishing areas from destruction by large fishing boats, establishing crab nurseries, and campaigning against destructive fishing tools.²⁴⁸ One year after implementing the community regulations, local fishermen increased their income by 20%.²⁴⁹ These initiatives offer promising examples of how community-led conservation can be further supported and scaled up.

While the "Talae Na Baan" policy encourages local stewardship, it lacks formal legal recognition as a standardised management tool. These zones often exist only as internal community rules that do not always hold up in court against large-scale state concessions for industrial development.²⁵⁰ However, applying the new global OECM framework to maximise formal recognition and support to relevant community conservation areas could transform them into a marine conservation powerhouse, one that bridges the gap between local tradition and international goals.

Local fisher, Chana © Songwut Jullanan / Greenpeace

"IN PARTS OF THE CHANA SEA, AND ELSEWHERE ALONG THE COAST, THE COMMUNITY HAS SET RULES FOR "TALAE NA BAAN" ZONES, WHERE NO FISHING IS ALLOWED. IN THESE AREAS, COMMUNITIES CREATE "FISH HOMES" BY BUILDING ZUNG-KOR – TRADITIONAL THAI ARTIFICIAL REEFS MADE FROM NATURAL MATERIALS LIKE BAMBOO POLES AND COCONUT FRONDS – TO RESTORE BIODIVERSITY."



RECOMMENDED ACTIONS

While Thailand's new NBSAP sets good principles and directions, concerted action to strengthen community-led, rights-based conservation is essential to address powerful economic development drivers, overcome historical conflicts, and achieve NBSAP Targets. The following points offer key recommendations for putting HRBAs to conservation into practice:

▶ **Strengthen support for community-led marine conservation action, including through implementation of an OECM pilot in Chana.**

Coastal communities in Thailand are already taking a leadership role in conservation by establishing and managing marine conservation areas. These need increased political, technical and financial support, as part of planned implementation of Thailand's revised NBSAP. In Chana, in particular, communities are seeking to connect their existing, smaller-scale conservation zones into a larger area, leading to more effective conservation results and power to withstand environmental threats. Given the high biodiversity in Chana, there is also potential to work with relevant government agencies to establish the first formally-recognised marine OECM in Thailand. This effort would build on the successful experience of the Thai Sea Watch Association, expanding the approach to a larger area with formal recognition through Thailand's Office of Natural Resources and Environmental Policy (ONEP).

This kind of support will require a genuine decentralisation of power from the national government to local governments and communities, who will only be empowered to implement conservation measures with fully-resourced, technical capacities and support. Implementation of Thailand's Biodiversity Finance Plan should also prioritise direct access funding to Indigenous Peoples and local communities – including in coastal areas – and integrate safeguards to protect against risks from increased restrictions on (or competition for) the use of natural resources.

▶ **Change the planning of large development projects to account for biodiversity and community needs – based on genuine consultation and environmental, economic and social assessments.**

Thailand's Seventh National Report to the CBD includes a mapping of harmful subsidies, which constituted approximately

6.28 billion USD between 2021-2023 and, if redirected, could boost resources available for protecting biodiversity. Notably, "rigid infrastructure projects affecting river and coastal ecosystems" stood out as a major category in this assessment.²⁵¹

In Chana, responding to citizen protests and informed by data from participatory local research, the government is now conducting a SEA for the Chana Industrial Park. This approach looks at the broader, long-term environmental and social impacts of development plans, beyond individual projects. This kind of assessment – and meaningful processes for community consent – should be central to all industrial and infrastructure development proposals in Thailand. Fulfilling the targets in Thailand's NBSAP and commitments under the CBD requires that the government put biodiversity and sustainability at the center of its economic development and take a HRBA.

▶ **Pass sub-laws and regulations to strengthen and support implementation of the law on Protection and Promotion of the Way of Life of Ethnic Groups.**

Secure community land and resource tenure underpins both effective community-led conservation and the power of communities to determine local development priorities. While the new law on Protection and Promotion of the Way of Life of Ethnic Groups provides a foundation, it must be strengthened with regulations that align with international standards under the UNDRIP and the KM-GBF. Specifically, sub-laws should evolve from a narrow focus on "ethnic identity", toward a legal recognition of "Indigenous Territories" – acknowledging the inherent, pre-existing rights of communities to their total environment, including the spiritual and cultural dimensions of their lands and seas. This implementation must be conducted with the full participation of communities to eliminate conflicting policies and ensure that "consultation" matures into FPIC.²⁵²



Local fishing boats, Chana © Songwut Jullanan / Greenpeace

An aerial photograph of a beach scene. In the foreground, a large wooden boat is beached on the sand. Several people are visible on the beach and in the shallow water. In the background, more boats are docked at a pier. The image is partially obscured by a red banner at the top and a green vertical bar on the left side.

CROSS-CUTTING THEMES AND KEY INSIGHTS

A review of the four case studies reveals a number of recurring themes that affect the ability of countries to meet their commitments under the KM-GBF – including its provisions on human rights-based and community-led conservation. A number of promising initiatives also emerge, but all four case studies make it clear that these require significantly greater investment.

Prominent issues, standards and best practices include:

▶ **Community-led conservation is a powerful strategy for success but requires more support from governments**

The case studies illustrate the widespread presence of community-led initiatives to conserve coastal environments and resources, including to increase the sustainability of fishing and other community livelihoods. Coastal communities, their knowledge, and their management practices are a tremendous resource for conservation. They have the potential to significantly contribute toward conservation goals in effective, equitable, and lasting ways, while simultaneously safeguarding their own livelihoods. In each case study, governments have recognised this potential to some extent. However, community-led conservation initiatives consistently require much greater policy, programmatic, and financial support. With regard to Target 19, dedicated funding mechanisms with direct access for Indigenous Peoples and local communities to support community-led conservation are not yet in evidence, a finding consistent with wider international experience.²⁵³

▶ **Slow review and implementation of NBSAPs**

Countries are not doing enough to leverage the innovative opportunities offered by the KM-GBF. Among the four case studies, only Thailand and Chile have produced an updated NBSAP and, while Senegal has submitted updated National Targets, they are not yet detailed enough to guarantee support for community rights and action. Completed NBSAPs will test whether governments provide a foundation for the mainstreaming of biodiversity conservation and counter destructive coastal developments. To succeed, they must centre and promote rights-based and community-led conservation, with strong political, technical, and financial support toward ongoing conservation work by Indigenous Peoples and local communities.

▶ **Unsustainable coastal development**

Problems range from industrial and infrastructure development (Thailand, Sri Lanka) to industrial fishing and fish production (Senegal, Chile). Impacts on communities include increased food insecurity, restrictions on access to traditional lands and fisheries, negative effects of pollution on human health, and restrictions on traditional cultural practices. These issues further reflect government prioritisation of economic interests over sustainable development that supports community livelihoods and governments' own KM-GBF conservation commitments. They also reflect insufficient mainstreaming of biodiversity conservation in decisions regarding economic development. As highlighted in the 2025 Land Gap report, prioritisation of extractive development is often driven by wider systemic pressures on governments to pay debts, attract international investment, and comply with international financial institutions.²⁵⁴ Limitations in the scope and/or implementation of social and EIAs also contribute to problems of unsustainable or destructive development.

▶ **Weak community tenure rights**

While the nature and extent of recognition varies across each case study, a common issue is that weak tenure rights undermine the ability of Indigenous Peoples and local communities to effectively resist destructive developments and activities that impact their environments. Tenure rights are a critical foundation for community-led conservation, so failure to recognise and enforce them also impedes community participation in achieving KM-GBF commitments. Governments can address these issues by fully recognising the land and resource rights of Indigenous Peoples and local communities, in line with the UNDRIP, ILO 169, the Voluntary Guidelines on the Responsible Governance of Tenure,²⁵⁵ and related international frameworks.

▶ **Lack of community voices in decision making**

All four case studies reveal that Indigenous Peoples and local communities are not being given ways to meaningfully participate in economic decisions that affect their environments and ways of life. Large-scale industrial and infrastructure developments are being approved without community participation or consent and in some cases, without prior knowledge. This is leading to conflicts and protests that have been known to turn violent. Governments can remedy this by strengthening community consultation and consent processes for coastal development, and taking into account communities' traditional knowledge, expertise, experiences, and priorities –including by supporting shifts to community-led conservation. Several well-established international frameworks lay out principles and best practices for achieving this. The UN Guiding Principles on Business and Human Rights²⁵⁶ establishes HRDD, meaningful consultation, and consent procedures for private sector investments. The UNDRIP²⁵⁷ establishes the rights of Indigenous Peoples to FPIC concerning projects that affect them and their territories. FPIC is further recognised as a best practice standard for local communities.²⁵⁸ As noted above, Section C of the KM-GBF calls for all implementation of conservation measures to ensure FPIC and full and effective participation in decision-making.²⁵⁹

▶ **Threats to environmental human rights defenders**

An alarming trend is the prevalence of harassment, threats, violence, criminalisation and/or legal actions against Indigenous Peoples and local communities who protest destructive developments. This creates an environment of intimidation that further restricts community participation and unjustly harms those involved.

Left: Kayar fishing village, Senegal © Matthew Kemp / Greenpeace

RECOMMENDATIONS

GREENPEACE CALLS ON GOVERNMENTS TO DELIVER ON THEIR GLOBAL COMMITMENTS UNDER THE CBD AND THE KM-GBF TO CURB BIODIVERSITY LOSS THROUGH A HUMAN-RIGHTS BASED APPROACH

- ▶ **Legally recognise and support the customary and tenure rights of Indigenous Peoples and local communities over their territories, lands and waterways.**
 - ▶ This requires a holistic approach to the environment – including its spiritual, cultural, and ecological dimensions – recognising that tenure in marine and coastal contexts has particular characteristics that must be reflected in law and practice.
 - ▶ Harmonise national laws in line with international standards, including the International Labour Organisation Convention 169, the UN Declaration on the Rights of Indigenous Peoples and the Voluntary Guidelines on Responsible Governance of Tenure. National legal frameworks must be strengthened to protect ancestral waters and ensure that indigenous and community land and resource tenure underpins both effective conservation and the power of communities to determine their own development priorities. These legal instruments must be developed with the full participation of communities and aim to eliminate policies that negatively affect their traditional relationship to land, forests, and seas.
- ▶ **Secure full, meaningful participation for Indigenous Peoples and local communities in all levels and stages of marine and coastal protection and management processes.**
 - ▶ Make Free, Prior and Informed Consent mandatory, moving from simple consultation to meaningful participation of Indigenous Peoples and local communities regarding all industrial and coastal development projects.
 - ▶ Ensure the protection of environmental human rights defenders and the right to peaceful protest.

Seagrass, Mannar Island © Greenpeace

▶ **Urgently recognise and scale up Indigenous and local community-led conservation initiatives to close the implementation gap of the KM-GBF, particularly Goal A, Target 3, Target 22 and Section C, through a human rights-based approach to protected areas, OECMs and ITTs.**

- ▶ Formally recognise the contributions of Indigenous Peoples and local communities to Target 3, including through guidelines for recognising Indigenous and Traditional Territories as a distinct category of protected and conserved areas.
- ▶ Legally secure community-led initiatives for protected areas and OECMs, including existing models such as Locally Managed Marine Areas and co-managed conservation systems.
- ▶ Support community leadership and co-governance as primary management types. These initiatives must be supported by direct resource allocation and capacity-building, recognising them as the current future custodians of these territories.
- ▶ Develop and/or fully implement landmark legislation for granting customary rights and titles – with necessary financial, administrative, regulatory and political support.
- ▶ Include tangible indicators for human rights based approaches into the KM-GBF monitoring framework, and ensure NBSAPs and their respective monitoring frameworks explicitly include rights-based and community-led conservation measures.

▶ **Close the finance gap by mobilising adequate, predictable and sustainable funds, and ensuring direct access to Indigenous Peoples' and local communities' coastal conservation efforts.**

- ▶ Establish dedicated, decentralised funding mechanisms that reach Indigenous and local coastal communities directly. These mechanisms must prioritise direct resource allocation for community-led design, management and monitoring, traditional knowledge transmission, and technical capacity-building. This includes supporting the institutional development of local organisations to manage and report on national and international funds, ensuring long-term stewardship of indigenous and traditional waterways.
- ▶ In all international funding mechanisms, include a minimum proportion of funding to be distributed through direct access mechanisms to Indigenous Peoples and local communities, at least 20%, with simplified, accessible and transparent mechanisms.
- ▶ Phase out harmful financial incentives and shift subsidies away from industrial/extractive sectors toward community-based sustainable livelihoods and small-scale artisanal fishing. Reallocated funds should specifically support Indigenous Peoples and local communities, ensuring they have the financial security to continue sustainable stewardship of marine biodiversity.

Fishing community, Chana

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Local activist from Kayar fishing village, Senegal
© Momath KANE / Greenpeace

▶ **Mainstream rights-based nature protection as a primary filter through which all industrial and coastal development must pass**

- ▶ Use the NBSAP process to mandate cross-ministerial cooperation, ensuring Ministry of Environment goals aren't overruled by ministries of Industry, Energy, Tourism, or Infrastructure. National development priorities must be re-aligned to prioritise the long-term ecological integrity of ancestral waterscapes and the food security of local people over short-term industrial and extractive investment.
- ▶ Mandate comprehensive SEA, as well as environmental and social impact assessments that evaluate cumulative impacts of industrial projects. Assessments must account for the cumulative intergenerational loss of traditional livelihoods and ensure that future economic prospects are not compromised by short-term industrial gain.
- ▶ Take action to phase out or strictly regulate industries that undermine local food security and ecosystem health.
- ▶ Re-evaluate or stop large-scale development projects that have been proposed without community consent (FPIC) or adequate environmental safeguards. Consent processes must be inclusive, ensuring Indigenous Peoples' and local communities' specific knowledge and long-term interests in ancestral territories are represented in final decisions and management.

LIST OF ABBREVIATIONS

AMCP	Aire Marine Communautaire Protégée Community Co-managed Marine Protected Area
APAC	Aires et territoires du Patrimoine Autochtone et Communautaire Territories and areas conserved by Indigenous Peoples and local communities (ICCA)
CBD	UN Convention on Biological Diversity
CBO	Community Benefit Organization
CONADI	Corporación Nacional de Desarrollo Indígena National Corporation of Indigenous Development
COP17	The 17th meeting of the Conference of the Parties
DMCR	Department of Marine and Coastal Resources
ECMPO	Espacios Costeros Marinos de Pueblos Originarios Marine Coastal Spaces for Indigenous Peoples
EHIA	Environmental Health Impact Assessment
EIA	Environmental Impact Assessment
EIS	Environmental Impact Statement
ESIA	Environmental and Social Impact Assessment
FAO	Food and Agriculture Organization
FMA	Fisheries Management Area
FMFO	Fishmeal and Fish Oil
FPIC	Free, Prior and Informed Consent
HRBA	Human Rights-Based Approach
HRDD	Human Rights Due Diligence
ICCA	Territories of Life, or Territories and areas conserved by Indigenous Peoples and local communities

IEE	Initial Environmental Examination
IIFB	The International Indigenous Forum on Biodiversity
ILO 169	International Labour Organisation Convention 169
IPBES	The Intergovernmental Panel for Biodiversity and Ecosystem Services
ITT	Indigenous and Traditional Territories
KM-GBF	Kunming-Montreal Global Biodiversity Framework
KNR	Kawésqar National Reserve
LMMA	Locally-Managed Marine Area
LOA	Local Government Unit
MPA	Marine Protected Area
NBSAP	National Biodiversity Strategy and Action Plan
OAS	Organisation of American States
OECM	Other Effective Area-based Conservation Measure
ONEP	Office of Natural Resources and Environmental Policy
OTP	The Office of Transport and Traffic Policy and Planning
PROCASEF	Projet Cadastre et Sécurisation Foncière Cadastre and Land Tenure Improvement Project
RBR	Ranong Biosphere Reserve
SBAP	Biodiversity and Protected Areas Service
SBPAC	Southern Border Provinces Administrative Centre
SEA	Strategic Environmental Assessment
SEC	Southern Economic Corridor

SENRM	Sustainable Environment and Natural Resource Management
SLAPP	Strategic Lawsuit Against Public Participation
SMA	Special Management Area
UNDP	United Nations Development Programme
UNDRIP	UN Declaration on the Rights of Indigenous Peoples
UNGP	UN Guiding Principles
VGGT	Voluntary Guidelines on Responsible Governance of Tenure

GLOSSARY OF KEY TERMS

Human rights-based approach (HRBA)	Human rights-based approach to biodiversity recognises that the well-being of people is inherently linked to biodiversity ²⁶⁰ and furthers the realisation of human rights through biodiversity actions, by avoiding harm to human rights, taking action based on principles of human rights, and achieving improved human rights outcomes. ²⁶¹
Tenure	The rights, rules and responsibilities over land and natural resources, defining who can access the natural resources of an area and in what way. ²⁶² Tenure rights encompass the historical and social relations and institutions that govern access to, use of and control over those resources. ²⁶³
Customary tenure	Rights to land, territories and waters based on the historical use, customary laws, and traditional practices of Indigenous Peoples and local communities.
Secure community tenure	The certainty that a community's rights to land, territories, waters and natural resources will be recognized by others based on their Free, Prior and Informed Consent (FPIC) and protected in cases of specific challenges. ²⁶⁴ This often includes formal legal recognition of the rights of Indigenous Peoples and of local communities to their lands, territories, waters and natural resources.
Ocean justice	The fair and equitable governance of marine and coastal resources, prioritising the rights, livelihoods, leadership and participation of Indigenous Peoples and local communities, over the short-term economic gain of extraction and infrastructure development.

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