

Letter for the Sri Lankan Government to consider Indigenous Peoples and Local Communities' Free, Prior and Informed Consent mechanisms in the conservation and management of coastal areas.

Minister of Fisheries, Aquatic and Ocean Resources of Sri Lanka

Hon. Minister of Fisheries

Mr. Ramalingam Chandrasekar

Copy:

Biodiversity Department MOE

Marine Environment Protection Authority (MEPA)

Coast Conservation & Coastal Resource Management Department (CC&CRMD)

Sri Lanka Coast Guard (SLCG)

National Aquatic Resources Research and Development Agency (NARA)

Dear Sir,

We write to respectfully urge the Government of Sri Lanka to strengthen the recognition and implementation of Indigenous Peoples' and Local Communities' rights within national biodiversity policies, particularly through the meaningful application of Free, Prior and Informed Consent (FPIC). As the world prepares for the 17th Conference of the Parties to the Convention on Biological Diversity (CBD COP17) in October 19-30, Sri Lanka has an important opportunity to demonstrate leadership on the 30x30 targets (30% protection by 2030) by embedding human rights-based approaches within biodiversity conservation and coastal governance, including redressing priorities in favour of which ecosystems should be protected, how, and who needs to be involved.

Across forests, oceans and coastal ecosystems, Indigenous Peoples and local communities are already protecting biodiversity through customary governance systems, traditional knowledge and community-led conservation practices. However, Sri Lanka has yet to adequately recognise and support these systems and practices at political, legal and finance levels.

Progress towards 30x30 targets must be measured by ‘how well’, not only ‘how much’

Indigenous Peoples and Local Communities are already among the world’s most effective biodiversity protectors and stewards of ecosystems. As such, rights-based and community-led conservation is not a secondary or optional approach to biodiversity implementation – it is fundamental to achieve credible and durable implementation of the [Kunming-Montreal Global Biodiversity Framework](#) (KMGBF).

Consequently, Greenpeace South Asia respectfully recommends that the Government of Sri Lanka:

- Make Free, Prior and Informed Consent (FPIC) mandatory, through a clearly defined legal mechanism, moving from simple consultation to meaningful participation of Indigenous Peoples and local communities regarding all industrial, coastal development, and biodiversity conservation projects.
- Ensure the protection of environmental human rights defenders and uphold the right to peaceful assembly and freedom of expression.
- Harmonise and align 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, and with full participation of Indigenous Peoples and local communities.

Human rights-based approaches are already recognised within the KM-GBF (e.g. [Target 22](#)) and should now be operationalised. Therefore, we respectfully call on the Sri Lankan government to deliver on its global commitments under the Convention on Biological Diversity (CBD) and the Kunming-Montreal Global Biodiversity Framework (KM-GBF) to curb biodiversity loss through a human rights-based approach with the following specific recommendations:

- ❖ **Ensure community consent for development and conservation activities through stronger environmental and social assessment policies and practices, and strengthen the foundation for Free, Prior and Informed Consent (FPIC).**

As a top priority, community participation should move beyond consultation to meaningful engagement, ensuring that Indigenous Peoples and local communities have timely access to information, genuine opportunities to participate in decision-making, and the ability to give or withhold consent for activities that may significantly affect their lands, waters, cultures, livelihoods, and customary rights.

- Ensure that any proposed development activities – such as power generation infrastructure or minerals mining – are comprehensively assessed for their environmental, social and human rights impacts, taking an ecosystem-based approach and using independent research.
- Ensure that all proposed development and conservation initiatives are subject to transparent, inclusive, and mandatory consultation and consent processes that are accessible, culturally appropriate, and conducted before decisions are made.
- Review existing development and conservation projects to ensure compliance with national legislation, international human rights standards, and environmental safeguards.

At a policy level, effective community consent requires:

- Policy reform to integrate the Eppawala judgement's principles on environmental rights, and Free, Prior and Informed Consent (FPIC) in natural resource governance.
- 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.
- 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 National Biodiversity Strategic Action Plan (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 that recognise and protect community tenure and customary rights to lands, coastal areas, and natural resources as a foundation for effective conservation.
- Ensure community-led management and co-management approaches that simultaneously strengthen biodiversity conservation and sustainable livelihoods, particularly within fisheries, agriculture, and nature-based tourism.

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

Sri Lanka has a significant opportunity to demonstrate leadership by piloting community-led marine conservation initiatives that place local communities at the centre of decision-making. 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. 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.

Potential pilot initiatives could be explored in Mannar Island and other coastal landscapes, including areas identified as Special Management Areas (SMAs) under the Marine and Coastal Spatial Plan (2024–2029). Any pilot programme should be developed through site-specific community consultations and be based on the free, prior and informed consent of affected communities.

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 the

development of a national M&E framework for these areas, plus capacity building for communities in participatory methods and customised indicators reflecting local priorities.

We respectfully encourage the Government of Sri Lanka to consider these recommendations as part of the ongoing review of the National Biodiversity Strategic Action Plan (NBSAP) and the development of the national framework for Other Effective Area-Based Conservation Measures (OECMs). Greenpeace South Asia would welcome the opportunity to contribute as a constructive stakeholder through technical discussions, consultations, and validation processes in support of these national efforts.

Yours sincerely,
Greenpeace South Asia