

# “SECURING RIGHTS, PROTECTING NATURE”

## INDONESIAN CIVIL SOCIETY’S URGENT CALL TO COP16

Cali, Colombia, 21 October – 1 November 2024

Indonesia is one of the most biologically diverse countries in the world and one of the largest archipelagic nations, with over 17,000 islands. Its expansive territory includes 190 million hectares of land and 327 million hectares of ocean. The country's territory, divided by seas, straits, and tectonic plates, creates not only a rich variety of natural landscapes, plant and animal life but also cultural traditions. Given this unique interdependence between nature and culture, managing biodiversity in Indonesia requires a comprehensive approach that recognizes the contributions of Indigenous Peoples (IPs) and Local Communities (LCs). These communities have long played a crucial role in the conservation and sustainable use of biodiversity.

During COP16 of the UN-CBD in Cali, Colombia, Indonesian Civil Society Organizations (CSOs) call for the global community to strengthen its resolve and implement concrete actions in:

1. **Recognizing Indigenous Peoples and Local Communities’ Contributions to Biodiversity**

**Conservation and Sustainable Use:**

Indigenous and local communities are vital to protecting biodiversity. Their traditional knowledge and practices are integral to the sustainable management of ecosystems;

2. **Halting the Drivers of Biodiversity Loss:**

Urgent action is needed to stop the ongoing destruction caused by destructive industries and unsustainable practices that threaten biodiversity both on land and seas;

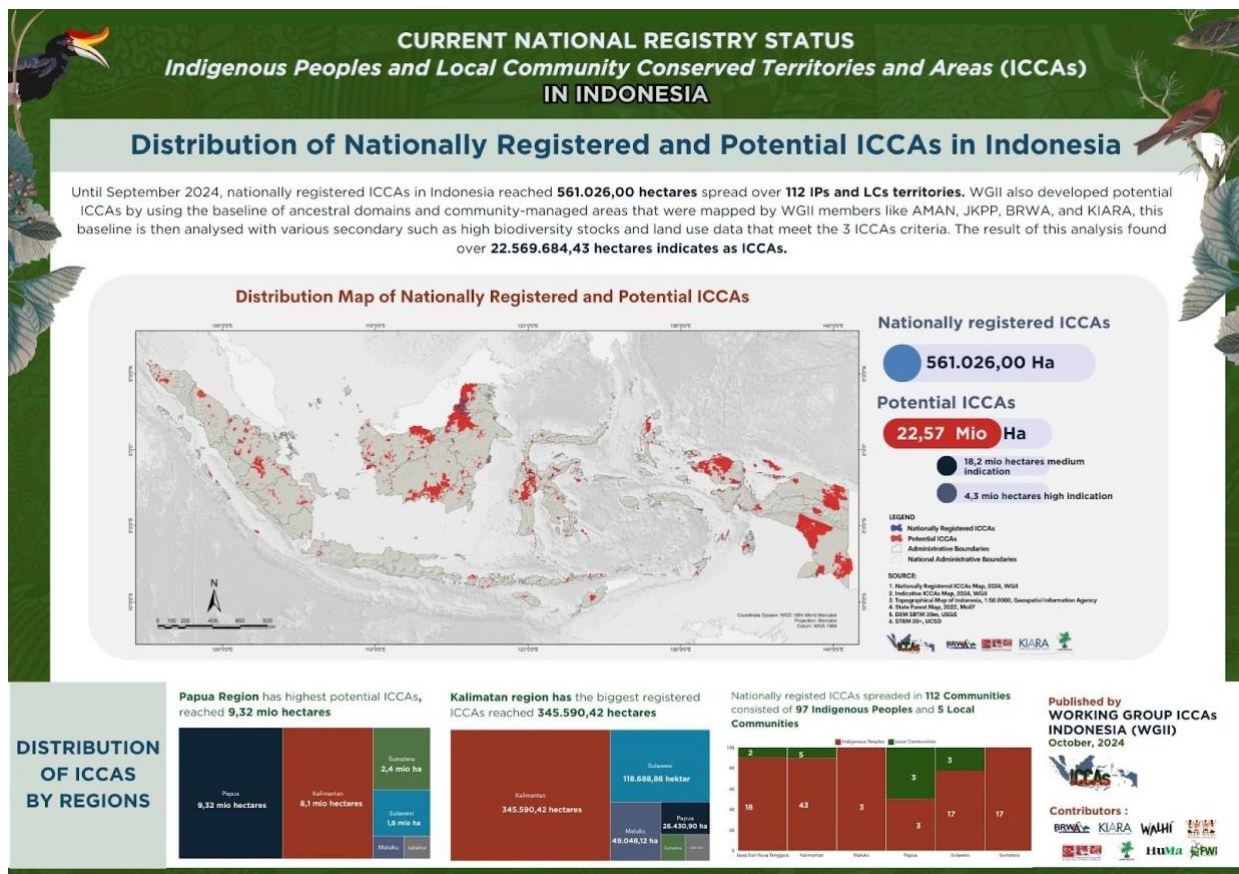
3. **Mobilizing Resources for Indigenous Peoples and Local Communities:**

Adequate resources must be directed toward Indigenous and local communities to support their continued efforts in conserving biodiversity and managing natural resources sustainably.

## Recognizing Indigenous Peoples and Local Communities' Contributions to Biodiversity Conservation and Sustainable Use

Indigenous Peoples and Local Communities (IPs and LCs) are vital to biodiversity conservation in Indonesia, using traditional knowledge to manage ecosystems such as forests, coasts, and rivers. The potential for Indigenous and Local Communities Conserved Areas and Territories reaches over 22 million hectares. Despite their crucial role, only 16% of Indigenous territories have been legally recognized, while facing ongoing threats from extractive industries. Securing tenure rights for IPs and LCs is key to protecting biodiversity and supporting global frameworks like the KM-GBF.

Indigenous Peoples and Local Communities, including traditional and small-scale farmers, fishers, village-level community groups, rural women, and youth, play a crucial role in biodiversity conservation and sustainable resource use. For thousands of years, Indigenous Peoples have practiced local wisdom and traditional knowledge to manage natural resources. Studies show that such traditional knowledge is more effective and resilient in addressing crises like biodiversity loss and climate change. These practices are found across various ecosystems in Indonesia, including coastal areas, forests, lands, rivers, and lakes. Examples include *Tana' Ulen*, *Tembawang*, *Leuweung Tutupan/Titipan*, *Sasi*, *Awig-Awig*, *Lubuk Larangan* and *Panglima Laot*.



Source: Working Group ICCAs Indonesia (WGII)

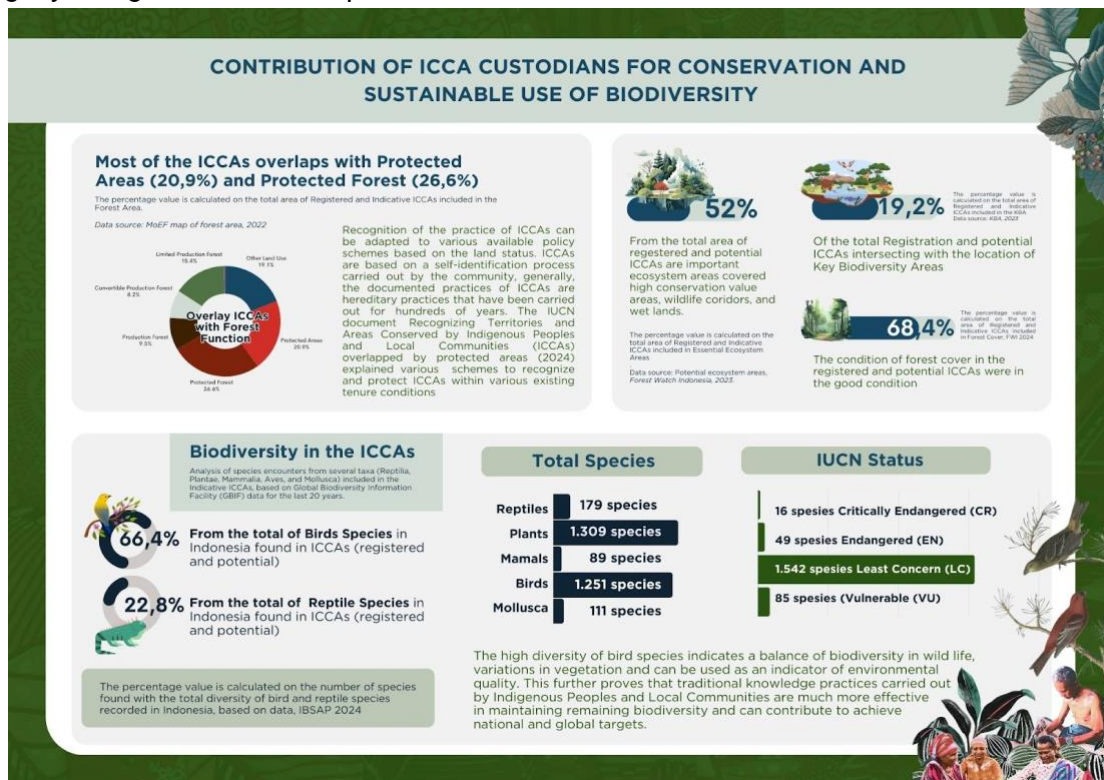
As of October 2024, WGII (Working Group on Indigenous and Local Communities Conserved Territories and Areas Indonesia) has registered approximately 561,026 hectares of territories and areas protected and conserved by Indigenous Peoples and Local Communities (ICCAs). In addition to already registered territories and areas, there is significant potential for ICCAs, covering an estimated 22.57 million hectares. About 52% of high conservation value areas are managed by Indigenous Peoples and Local Communities, with 68.4% of the area still covered by natural forests.

Despite the substantial contributions of Indigenous Peoples and Local Communities in safeguarding nature and sustaining life, their rights remain largely unrecognized. As of August 2024, only 16% of Indigenous Peoples' territories have received formal legal recognition (BRWA, 2024). Out of the 23 million hectares of potential customary forests, only 265,250 hectares have been legally designated. The complex and

lengthy process of legal recognition for Indigenous Peoples contributes to this gap.

Meanwhile, Indigenous Peoples and Local Communities face ongoing threats of land grabbing and ecosystem destruction. Around 22%, or 6.7 million hectares, of Indigenous Peoples' territories overlap with extractive industries like plantations, mining, and logging.

Therefore, securing tenure rights for Indigenous Peoples and Local Communities is essential to preserving remaining biodiversity and supporting the achievement of the KM-GBF (Kunming-Montreal Global Biodiversity Framework) through Free, Prior, and Informed Consent (FPIC). This demand was also strengthened by the encouragement to adopt the Program of Work of the Article 8j and the establishment of the Subsidiary Body of the article 8j to enable a full and effective protection of traditional knowledge, IP and LCs rights by implementing the Section C of KM-GBF.



### Key asks for negotiators:

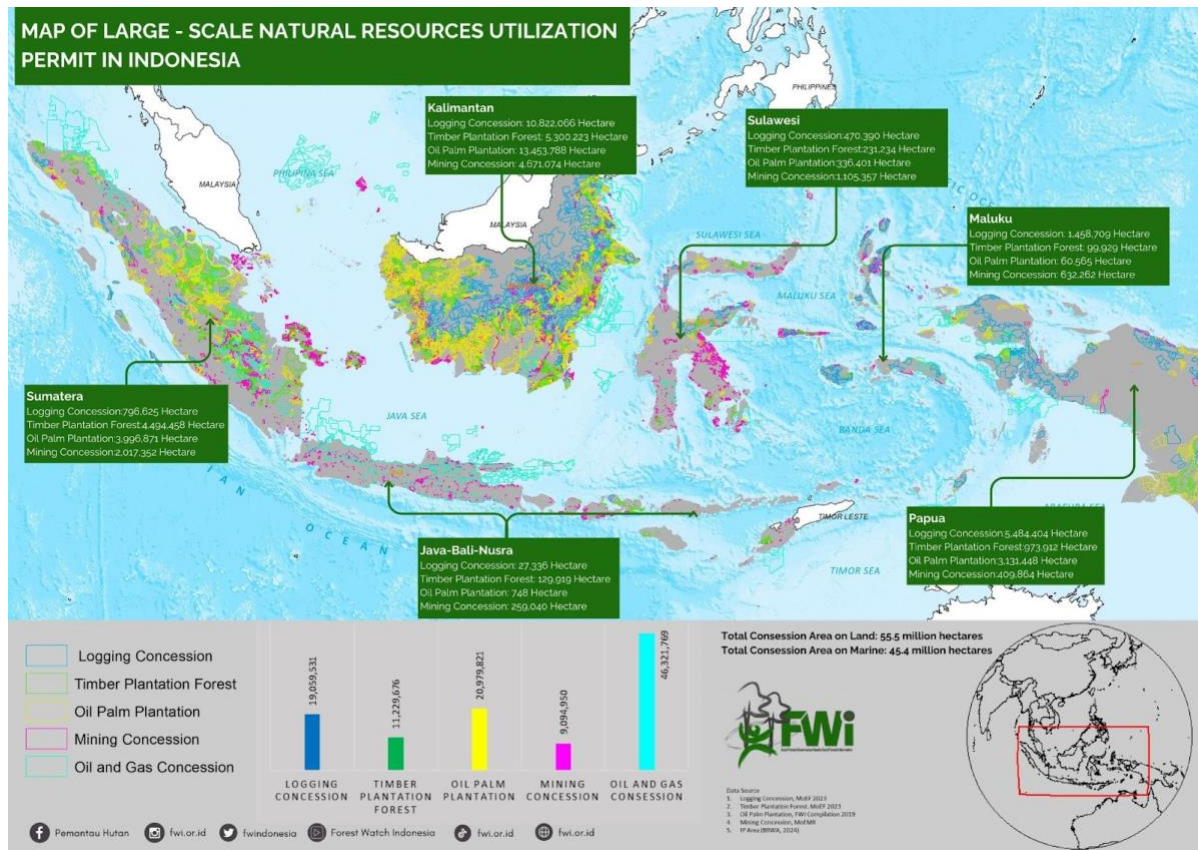
To ensure adequate support for IP and LCs rights in KM-GBF implementation, negotiators should support these key item negotiations:

1. **Item Negotiation 8 - Progress on Preparation of NBSAP:** Ensure the full and effective participation of Indigenous Peoples and local communities, women, youth, people with disabilities and other marginalized groups in the implementation, review and reporting IBSAP as a commitment to implement the Whole of Government and Whole of Society Approach.
2. **Item Article 8j:** Support and adopt the Ad Hoc Technical Expert Group recommendation to establish the Subsidiary Body of the Article 8j and adopt the Program of Work on the Article 8j.
3. **Digital Sequence Information:** Ensure legal framework to protect the rights of indigenous peoples and local community, and their traditional knowledge which is associated with the use of genetic resources, while ensuring the FPIC process in the access of genetic resources within indigenous lands and territories.
4. **Monitoring Framework:** Enable the third pathway to achieve 30 x 30 aside from Protected Areas and OECMs, by recognizing Indigenous, Traditional Territories and ICCAs in achieving Target 3 KM-GBF, and support land change and land tenure as the headline indicator of Target 22 in the Monitoring Framework.

### Halting the Drivers of Biodiversity Loss on Land and Marine

*Indonesia's biodiversity on land and sea faces severe threats from large-scale extractive activities, which overlap with Indigenous territories, conservation areas, and essential ecosystems. Recent spike in global demands for commodities linked to energy transition further drives deforestation and biodiversity loss. Our call is to urge Indonesia to include Indigenous Peoples and local communities (IP&LC) in every decision-making process and conservation measure related to Marine and Coastal Biodiversity that shall be reflected in the Conservation and sustainable use of marine and coastal biodiversity and of island biodiversity Item and national policies.*

Despite Indonesia's vast potential of Indigenous Peoples and Local Communities in preserving remaining biodiversity, the country is still facing severe threats to its biodiversity due to massive industrial activities. Approximately 100.9 million hectares of land and marine areas are under extractive industry permits, posing serious risks to the country's natural ecosystems. Of this, 55.5 million hectares are on land, and 45.4 million hectares are in marine environments. This figure has not even accounted for additional threats from national strategic projects such as the new capital city Ibukota Nusantara (IKN), critical minerals mining, biomass production, food estates, dams, and livestock farming, among others. These extractive activities are further bolstered by various forms of funding, including state subsidies and financing from financial institutions like banks, insurance companies, and pension funds.



Source: Forest Watch Indonesia

Regulatory measures like the Omnibus Law, Mining Law, co-firing, food estate projects, and mining down-streaming facilitate biodiversity-threatening activities by simplifying the permitting process. These industries overlap not only with Indigenous territories but also with 1.05 million hectares of conservation areas and 20.58 million hectares of essential ecosystems such as wildlife corridors, wetlands, biodiversity parks, and key biodiversity areas. For example, in the nickel mining area, there are 18 iconic species threatened with extinction due to mining activities.

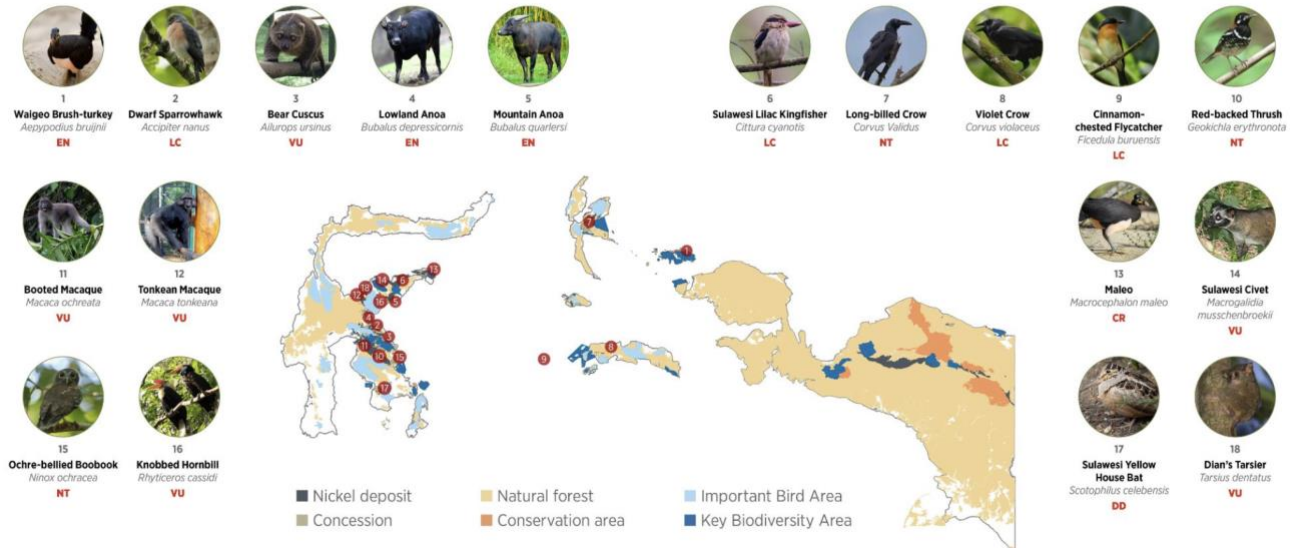
The primary drivers of biodiversity loss in Indonesia are global demands for agricultural commodities and energy, including those related to the energy transition. Most deforestation risk commodities from Indonesia are for the export

market – 72% for coal, 70% for nickel, 62% for palm oil, and 25% for timber. Since 2016, mining for nickel and coal has been the leading cause of deforestation and biodiversity loss. Rapid expansion of nickel mining in Indonesia is fueled by the electric vehicle boom in China, Europe, and the US. Additionally, biomass demand for energy. From Japan and South Korea, backed by state subsidies, has also increased deforestation in Indonesia. Expansion of nickel mining for energy transition is threatening many iconic species in Indonesia.

Indonesia faces severe biodiversity loss threats, not only on land but also in its marine environment. A significant factor in marine biodiversity loss is the rapid rise in seawater temperature and acidity caused by climate change, overfishing, pollution, and mining.

## Threatened species in jeopardy

Of 3.1 mha nickel deposit, 2.5 mha (80% deposit area) are the habitat of 18 iconic threatened species.



Source: Auriga Nusantara

Climate change has intensified coral bleaching, which accelerates biodiversity loss and deprives vulnerable groups, such as traditional fisherfolk and coastal communities, of their livelihoods, further increasing their climate vulnerability. Additionally, the ongoing exploitation of nickel on small islands exacerbates environmental degradation, leading to contamination, water scarcity, and increased financial burdens for local communities. A lack of transparency in land management further undermines public participation in biodiversity oversight, leading to exclusive management practices and accelerating biodiversity loss.

Halting drivers of biodiversity loss depends on reducing harmful Incentives by at Least \$500 Billion per Year, and Scale Up Positive Incentives for Biodiversity (Target 18) and Conserve 30% of Land, Waters and Seas (Target 3). To ensure both targets are achieved, COP16 must strengthen implementa-

tion and monitoring frameworks of KM-GBF while also ensuring respect for Indigenous Peoples and Local Communities rights.

### Key asks for negotiators:

1. Ensure an appropriate, inclusive, and effective implementation of Target 3 to protect the remaining biodiversity by respecting IP and LCs rights and FPIC processes.
2. Support headline indicator in the monitoring framework of target 10 on Sustainable Agriculture; target 15 to open the data of number of companies disclosing their biodiversity related risk, dependencies and impacts and target 18 on positive incentives in place to promote biodiversity conservation and sustainable us; and value of subsidies and other incentives harmful to biodiversity.
3. Support the adoption of the long-term strategic approach to mainstreaming biodiversity where

parties are required to integrate, as far as possible and as appropriate, the conservation and sustainable use of biological diversity into relevant sectoral or cross-sectoral plans, programs and policies.

### **Mobilizing Resources for Indigenous Peoples and Local Communities**

*Recognition and support for the role of Indigenous peoples and local communities in conserving biodiversity are crucial to ensure that international biodiversity funding reaches the right beneficiaries. Currently, funding mechanisms for IPs and LCs have not been able to widely benefit these communities. Therefore, alternative mechanisms are needed to provide Indigenous peoples and local communities with direct access to funding through the implementation of the Kunming-Montreal Global Biodiversity Framework (KM-GBF).*

Target 19 of the KM-GBF mandates adequate financial commitments to support its implementation, aiming for USD 200 billion annually through various financing schemes. Currently, there are efforts to introduce market-based mechanisms, such as biodiversity credits, offsets, and other market instruments, to support KM-GBF implementation, as mentioned in Target 19(d). However, these market-based mechanisms pose high risks, potentially leading to the loss of community livelihoods and perpetuating practices like green grabbing due to lack of implementation of FPIC and conflict with Indigenous Peoples' tenurial rights and perspective on how to manage forest and resources.

Stakeholders should focus on improving biodiversity governance, promoting non-market mechanisms, and prioritizing rights-based approaches. Efforts to increase and mobilize funding must also be directed towards actors contributing to biodiversity conservation, such as Indigenous Peoples, Local Communities, women, and youth. This can be achieved by enabling adequate, simple, transparent, and accountable funding mechanisms that they can access directly. Current funding mechanisms for Indigenous Peoples and Local Communities have not been able to reach communities widely. Therefore, alternative mechanisms must be developed to ensure they gain direct access to funding from KM-GBF implementation.

#### **Key asks for negotiators:**

1. Support the mechanism for channeling funds to actors contributing to biodiversity conservation and sustainable use, such as small-scale fishers and farmers, women, youth, and indigenous communities, by establishing a simple and accountable funding mechanism that they can directly access.
2. Do not support market-based funding mechanisms (credit/trade-off/offset) or nature-based solutions that could result in the loss of Indigenous Peoples' and Local Communities' rights over their territories, living spaces, traditional knowledge, and natural resources.
3. Allocate funding to develop a national Gender Action Plan as part of its implementation.

## CALL TO ACTION

We, the undersigned Indonesian CSOs, **urge the global community and all Parties at COP16 CBD** to take the following actions:

1. Ensure that efforts to achieve the 30 by 30 target are not conducted in ways that infringe upon the rights of Indigenous Peoples and result in "green grabbing," a common practice in establishing conservation areas.
2. Strengthen the recognition of Indigenous Peoples and Local Communities' contribution in the conservation and sustainable use of biodiversity by securing tenurial rights and legally recognizing areas and territories conserved by Indigenous Peoples and local communities (ICCAs).
3. Facilitate the learning and intergenerational exchange of traditional knowledge as a collective form of advocacy.
4. Ensure participatory process and involvement of Indigenous Peoples, local communities, women, youth, and other vulnerable groups in the implementation, review and monitoring of KMGBF and NBSAP.
5. Help monitor and report harmful practices that threaten biodiversity in Indonesia, such as extractive industries, large-scale agriculture, mining, and wildlife trade.
6. Halt extractive industries that endanger biodiversity.
7. Halt funding, subsidies, and permits for extractive industries that threaten biodiversity and encroach on community-managed areas, and redirecting these resources to restorative activities.
8. Hold accountable those involved in activities causing biodiversity loss by requiring the restoration of degraded ecosystems.
9. Protect biodiversity-rich tropical ecosystems while upholding the rights and needs of vulnerable communities, including Indigenous Peoples and Local Communities, small and traditional fishers, rural women, youth, and smallholder farmers that depend on healthy ecosystems to live.
10. Provide direct funding mechanisms for Indigenous Peoples and Local Communities, small farmers, small and traditional fishers, rural women, and youth who have contributed to global biodiversity protection and ecosystems restoration.



**SUPPORTED BY:**

1. Forest Watch Indonesia (FWI)
2. Working Group ICCAs Indonesia (WGII)
3. Ancestral Domain Registration Agency (BRWA)
4. Perkumpulan HuMA Indonesia
5. Global Youth Biodiversity Network (GYBN) Indonesia
6. MADANI Berkelanjutan
7. The Indonesian Institute for Forest and Environment (RMI)
8. Action for Ecology and People Emancipation (AEER)
9. Yayasan EcoNusa
10. Auriga Nusantara
11. The Indigenous Peoples Alliance of The Archipelago (AMAN)
12. Sajogyo Institute
13. Indonesian Community Mapping Network (JKPP)
14. Yayasan HAKA
15. WALHI
16. The Indigenous Youth Front of The Archipelago (BPAN)
17. Perempuan AMAN
18. EcoAdat
19. The Indonesia Legal Aid Foundation (YLBHI)
20. Jaringan Pemantau Independen Kehutanan (JPIK)
21. Yayasan PIKUL
22. Greenpeace Indonesia