

UNPFI SIDE EVENT, APRIL 2022

RIGHTS OF INDIGENOUS PEOPLES ENGAGED IN FISHERIES AND AQUACULTURE

The right to lands, territories and natural resources is essential for the millions of indigenous people across the globe depending on fisheries for their livelihoods, food security and nutrition. However, the human rights situation of indigenous peoples engaged in fisheries and aquaculture and their contribution to sustainable fisheries and aquaculture has received limited attention.

The objective of the side event is to draw attention to the human rights issues faced by indigenous peoples engaged in fisheries and aquaculture, in the context of the UNPFII's discussions on the 2030 Agenda for Sustainable Development and the need to recognize and respect indigenous peoples' land and resources rights in that context.

The recognition and protection of indigenous peoples' rights to coastal lands and marine territories and resources are central for upholding livelihoods and food security, and also constitute the basis for the realisation of their broader human rights to self-determination, cultural integrity, and adequate standard of living, among others. However, **in many parts of the world, indigenous peoples' rights in the context of coastal and marine ecosystems are not adequately recognised, protected and enforced.** In fisheries and aquaculture sectors, indigenous peoples are often discriminated against and excluded from decision-making processes. This leads to risks that their rights are ignored or undermined by blue economy or conservation initiatives¹, such as the establishment of marine protected areas and market-based distribution of fishing quotas.

Sustainable Development Goal 14 Life Below aims to conserve and sustainably use the oceans, seas and marine resources for sustainable development and encompasses the provision of access for small-scale artisanal fishers to marine resources and markets. Implementation of SDG 14 and strategies for strengthening the blue economy must be aligned with human rights standards and take adequate considerations towards population groups dependent on coastal ecosystems and marine resources. Any action designed and implemented to achieve Goal 14, should be human rights-based and be guided by the UNDRIP and other relevant human rights instruments, to the extent that it may affect indigenous peoples. Indigenous peoples should participate in the development, implementation, monitoring and evaluation of such action, including any relevant policy, plan or project. However, indigenous peoples' contribution to sustainable development and management of crucial marine and coastal ecosystems is often overlooked and disregarded in national planning and development efforts. Indigenous peoples contribute to sustainable management of coastal and marine ecosystems through specialised knowledge systems and practices. The better their rights are recognized, respected and supported, the better can

¹ UN Report of the Special Rapporteur on the rights of indigenous peoples, UN Doc. A/71/229, 29 July 2016, para. 32.

indigenous peoples make use of their knowledge and ability to successfully conserve and manage biodiverse ecosystems.

Marine ecosystems at a global scale are threatened by the negative impacts of multiple factors, including overfishing and destructive fishing practices; climate change; pollution; and expansion of oceans-based blue economy initiatives (such as shipping, aquaculture, tourism, ocean-based energy and extractive industries). Examples of specific challenges pertaining to indigenous peoples' rights includes the commodification of fish, unsustainable fishing subsidies and quotas as well as expansion of marine aquaculture undermine indigenous peoples' traditional occupations and livelihoods, based on marine resources.

2022 is a big international year for deliberations on sustainable oceans with the UN Oceans Conference 27 June - 1 July, the review of SDG 14 at the High-level Political Forum in July and with the decision by the UN General Assembly to declare 2022 the International Year of Artisanal Fisheries and Aquaculture (IYAFA 2022). Moreover, the recognition and protection of indigenous peoples' rights to coastal lands and marine territories and resources will be affected by the negotiation on the Post-2020 Global Biodiversity Framework² and the development of a new international legally binding instrument under the UN Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ)³. With the Post-2020 Global Biodiversity Framework, the UN Special Rapporteur on human rights and the environment⁴ and indigenous peoples and local communities⁵ are calling for a much stronger focus on human rights and a human rights-based paradigm shift within conservation and gives recommendations for essential improvements to the draft Post-2020 Global Biodiversity Framework. Human rights language also appears to be missing in the negotiations of the BBNJ.

This side event is designed to draw the attention of the UNPFII to the human rights issues facing indigenous peoples engaged in fisheries and aquaculture, with a purpose to support the Forum's advice on how to ensure that the rights of indigenous peoples are realized in the implementation of the 2030 Agenda. In the event, representatives of indigenous peoples engaged in fisheries and aquaculture will share information about the human rights issues they are facing and how their specialised knowledge systems and practices contribute to sustainable management of coastal and marine ecosystems. Finally, the event will provide an opportunity for joint reflection on concrete activities UNPFII can consider for increasing the attention to help address the human rights issues of indigenous peoples engaged in fisheries and aquaculture.

The side event is organised by IWGIA and the Danish Institute for Human Rights, co-sponsored by the Indigenous Peoples' Major Group for Sustainable Development (IPMG) and supported by the Food and Agriculture Organization of the United Nations (FAO).

²See for example the IISD's coverage of the Geneva Biodiversity Conference. Link [here](#).

³ IISD Summary report of the 4th Session of the Intergovernmental Conference (IGC) on the BBNJ, March 2022, para. 'Finishing the Weave'. Link [here](#).

⁴ UN Special Rapporteur on human rights and the environment, Policy Brief No. 1 Human rights-based approaches to conserving biodiversity: equitable, effective and imperative, July 2021. Link [here](#).

⁵ See for example the work of the Human Rights in Biodiversity working group and 'Implementing a human rights-based approach: A briefing for the post-2020 Global Biodiversity Framework'. Link [here](#).