

The National Biodiversity Strategy and Action Plan and Indigenous Peoples in Myanmar



The National Biodiversity Strategy and Action Plan (NBSAP) of Myanmar provides the national guiding framework for the conservation and sustainable management of biodiversity. The NBSAP was first developed in 2011, and in 2015 it was updated through a series of consultations and workshops at the national and regional level to incorporate new data and reflect new threats and opportunities brought by the changing political situation in Myanmar¹.

Myanmar's NBSAP is organized around the Aichi Biodiversity Targets, 20 global targets that were agreed upon at the 10th Conference of Parties (COP) to the Convention on Biodiversity (CBD) in Nagoya, Japan, in 2010². Myanmar, along with the other signatories of the CBD, has a commitment to contribute to these global targets by developing and implementing national targets set in the NBSAP. The Aichi Biodiversity Targets are designed to address the direct causes and underlying drivers of biodiversity loss, protect ecosystems, species, and genetic diversity, and promote the sustainable use of biodiversity.

The CBD recognizes the unique value of the traditional knowledge and practices of indigenous people and local communities for conservation in Article 8(j)³ and for sustainable use of resources in Article 10(c)⁴ of the Convention. Aichi Target 18 recognizes these values as a cross-cutting theme that should be integrated into the other targets. This includes recognizing community management of forests, freshwater and marine fisheries, and conservation areas and recognizing customary tenure. Traditional knowledge has a key role to play in researching and maintaining agricultural biodiversity, and the Nagoya Protocol (another agreement under the CBD and Target 16) protects the ownership of traditional knowledge over genetic resources.

¹ The NBSAP can be downloaded in Burmese and English at: <https://www.cbd.int/nbsap/about/latest/default.shtml#Myanmar>

² The Aichi Targets (2011-2020) were adopted in decision X/2 as part of the revised and updated Strategic Plan for Biodiversity.

³ Article 8(j): Parties shall, "Subject to its national legislation, respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge, innovations and practices"

⁴ Article 10(c): Parties shall "protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements."

Customary Tenure

Recognizing customary tenure (Targets 3 and 18) will help to achieve multiple other targets, including expanding the area of land under conservation (Target 12), protecting species (Target 11), protecting wetlands, dry mixed deciduous forests, mangroves, and coral reefs (Target 5 and Target 10), and protecting agrobiodiversity (Target 13). Recognizing community conservation areas (also called ICCAs, Target 11), and expanding community forests (Target 15) and community fisheries (Target 6) and Locally Managed Marine Areas (Target 10) are all potential tools to recognize customary tenure and strengthen community resource management.

Target 3 and 18: Recognize customary tenure systems

Target 3.1: By 2020, the national legal framework on tenure encourages conservation and sustainable management	
Action 3.1.1	Finalize a National Land Use Policy and Land Law that strengthen smallholder and customary tenure rights
Action 3.1.2	Develop implementing rules and regulations that recognize customary tenure of land, freshwater, and marine resources, including communal tenure and rotational and shifting taungya

Target 18. 1: By 2020, customary land use tenure systems has been recognized in Myanmar's legal framework and a mechanism for recognizing communal tenure is operational	
Action 18.1.1	Pass a National Land Use Policy and Land Law that recognizes customary land use systems
Action 18.1.2	Develop implementing rules and regulations to allow registration of customary communal tenure
Action 18.1.3	Harmonize recognition of customary and communal tenure into relevant laws, dispute resolution mechanisms, and land use planning processes
Action 18.1.4	Begin to register communal land

Target 3 and *Target 18* include recognition of customary tenure in the national legal framework as a way to enable sustainable community management. Customary tenure defines rules for managing land, including agricultural fields, orchards, rotational agriculture, grazing land, water, and forests. It also defines the institutions, like village councils and customary justice systems, that uphold, adapt, and enforce management rules. While customary practices vary between different cultures, they usually include limits on the sale of land and timber, and protection for watershed forests, riparian forest, and sacred areas.

Part of recognizing customary tenure is recognizing the right of indigenous peoples and local communities to give or withhold Free, Prior, and Informed Consent (FPIC) over projects that will affect their land. Target 18.2 aims to incorporate FPIC into land governance so that communities can protect their land and make informed decisions about proposed government, business, and development projects.

Target 18.2: By 2020, FPIC principles are institutionalized in government, private sector, and donor programmes	
Action 18.2.1	Prepare guidelines on FPIC for government use, including guidelines on consultation processes
Action 18.2.2	Ministries overseeing sectors, particularly extractive industries, with significant potential impact on indigenous peoples and local communities affirm FPIC principles
Action 18.2.3	Produce and disseminate guidelines for FPIC and grievance mechanisms to government and private sector
Action 18.2.4	Train relevant government staff on FPIC principles and consultation methods to increase awareness and capacity

Conservation and Sustainable Use

Customary tenure is particularly important for biodiversity conservation because it is the primary method of land management practiced by communities living in uplands, areas with relatively healthy forests, and areas that contain high biodiversity and endangered species. By recognizing customary tenure, communities can, with appropriate support, manage their resources sustainably and protect them from the commercial agriculture and extractive industries that drive deforestation in the country⁵.

Traditional and community conserved areas are some of the oldest and best protected places in the world. Internationally, these diverse areas are known as Indigenous Peoples' and Community Conserved Territories and Areas (ICCAs). ICCAs are one of the governance types that are targeted to be recognized in Target 11.2. In an ICCA, communities hold decision-making power, while in co-management, which is also included in Target 11.2, communities, government, and other organizations make decisions together. ICCAs range from small strictly protected religious areas to vast landscapes sustainably managed by local people. In Myanmar, no-hunting zones around pagodas, forests protected on steep slopes and in watersheds, and nat spirit forests and sacred mountains across the country could all be considered ICCAs.

Target 11: Protected Areas

Target 11.1: By 2020, 8% of Myanmar's land area is conserved within Protected Areas, including ICCAs	
Target 11.2: IUCN governance categories and management categories are recognized in policy and practice	
Action 11.2.2	Recognize additional governance types and management categories using appropriate legal tools, including amendments of laws and revisions of implementing rules and regulations
Action 11.2.3	Pilot governance types and management categories by establishing co-management PA systems, recognizing ICCAs, and developing PA zonation

⁵ Kissinger, G. 2017. *Background report for identifying the drivers of deforestation and forest degradation in Myanmar. UN-REDD Programme.*

Recognition of ICCAs would help to meet Myanmar's national target for conserved areas by recognizing areas that can be managed through local institutions and are compatible with local livelihoods and cultural practices. If ICCAs and customary tenure are not recognized, the expansion of protected areas risks undermining local customary tenure and management practices, leading to deforestation and environmental degradation.

Target 11.3 is to improve management effectiveness of protected areas under government management or co-management, including by involving local communities in co-management, designating buffer zones, and participatory biodiversity monitoring through the development of management plans. These actions can be used to incorporate traditional knowledge and customary practices in protected area management.

Target 5: Reduce the rate of deforestation, degradation, and fragmentation

The global Target 5 is to cut the rate of deforestation at least in half, and to protect habitats that are particularly threatened by degradation and fragmentation. In Myanmar, wetlands, dry mixed deciduous forest, and mangroves are under particular pressure so are prioritized in the national Target 5. They are also suited to community management, including under customary tenure, because they tend to be both fragmented and under heavy human use.

Target 5: Reducing deforestation, forest degradation

Target 5.1: By 2020, at least 10% of dry mixed deciduous forest and mangrove forest has been put under some form of protection, including sustainable use and management

Action 5.1.1

Establish ICCAs, Community Forests (CF), and/or Protected Areas in priority dry mixed deciduous forest and mangrove forest areas to improve sustainable management

Target 5.3: By 2020, all wetland areas surveyed and prioritized for conservation value

Action 5.3.3

Establish community-based participatory monitoring and management programme in Ramsar⁶ sites and potential Ramsar wetlands

Target 6: Fisheries and Target 10: Coral Reefs

Target 6.1: By 2020, states/regions have approved laws allowing for community and/or co-managed fisheries

Target 6 addresses unsustainable fishing as a driver of biodiversity loss, and one of the national targets is to bring more freshwater and near-shore areas under sustainable community management. Coastal states and regions have been revising their Freshwater Fisheries Laws to allow legal recognition of Community-based Fisheries Associations. The NBSAP has targets to amend the laws in the remaining states and regions, recognize an additional 400 community fisheries associations, expand the area these associations manage and co-manage with the Department of Fisheries to cover 10,000 ha, and provide support to manage these areas sustainably.

⁶ A Ramsar site is a wetland area that has been designated as having international importance under the Ramsar Convention on wetlands.

Target 10.1: By 2020, 15% of Myanmar's coral reefs are conserved within MPAs, including LMMAs and other area-based conservation measures

Target 10 calls for the protection of 15% of Myanmar's coral reefs, including under community management through Locally Managed Marine Areas (LMMAs) which are being piloted in the Myeik Archipelago.

Target 12: Conservation of Species

Species conservation can be promoted through traditional practices that include restrictions on hunting certain species, in certain areas, and during certain times of year. According to the traditional beliefs of some ethnic nationalities, some threatened species like hornbills and clouded leopards are protected from hunting. Customary tenure systems sometimes also include areas where hunting is not allowed, as in sacred forests, and some are supposed to stop or restrict hunting during breeding season. The degree of regulation on hunting in customary systems varies widely, and such traditions may not be currently followed, but where they exist they do provide a basis for improving hunting regulation and protecting wildlife.

Target 13: Conservation of Genetic Diversity

Target 13.1: By 2020, priorities for the conservation of plant genetic resources have been identified and are addressed by programmes to promote in situ conservation

Maintaining the genetic diversity of cultivated plants, including varieties of crops and their wild relatives, is essential for maintaining food security and adapting to climate change. Traditional agriculture generates and maintains a large proportion of this agricultural biodiversity through generations of saving, testing, and exchanging seeds. Many of these varieties are grown with traditional knowledge and planted in rotational agriculture fields, which are threatened by cash crops, commercial seeds, and tenure insecurity.

Traditional Knowledge

Target 18: Traditional knowledge, innovation, and practices of indigenous peoples

The global Aichi Target 18 recognizes that traditional knowledge and practices can contribute to the achievement of each of the Aichi Targets and is essential for maintaining biodiversity. Target 18 states:

By 2020, the traditional knowledge, innovations and practices of indigenous and local communities relevant for the conservation and sustainable use of biodiversity, and their customary use of biological resources, are respected, subject to national legislation and relevant international obligations, and fully integrated and reflected in the implementation of the Convention with the full and effective participation of indigenous and local communities, at all relevant levels.

Myanmar's national targets under Target 18 are to recognize customary tenure, institutionalize FPIC, and to incorporate traditional knowledge in educational materials for schools, universities, and protected area community outreach, with a particular focus on reaching women and youth.

Target 18.3: By 2020, traditional knowledge documented, recognized, promoted, and protected through incorporation into education and conservation outreach education

Action 18.3.1	Incorporate traditional knowledge, practices, and beliefs in PA education materials
Action 18.3.2	Develop educational materials on traditional knowledge, practices, and beliefs for university coursework on forestry and conservation

Target 18.4: By 2020, traditional knowledge, practices, and beliefs are documented, recognized, protected, and promoted in formal and informal education

Action 18.4.1	Integrate traditional environmental knowledge into school curricula
Action 18.4.2	Promote environmental awareness and engagement for youth and women's groups

Target 16: The Nagoya Protocol

Target 16: By 2020, the Nagoya Protocol is actively implemented in Myanmar

The Nagoya Protocol was adopted at the 10th COP of the CBD and requires signatories, including Myanmar, to establish a transparent legal framework to protect and recognize ownership of traditional knowledge about genetic resources. Communities who hold traditional knowledge should have the ability to give and withhold Free, Prior, and Informed Consent (FPIC) over use of their knowledge, and negotiate agreements with researchers and others to ensure that they equitably benefit from the use their knowledge. The Nagoya Protocol applies, for example, to pharmaceutical research on medicinal plants that are used by indigenous peoples.



Karen Indigenous Peoples' Traditional Way of Fishing by Using *Bine(Hong Nwe)* in Bago Yoma



Fishing by Net in Hmaw Long (Mone Stream) in Kanpetlet, Chin State

The Global Aichi Biodiversity Targets (2011-2020)

Strategic Goal A: Address the underlying causes of biodiversity loss by mainstreaming biodiversity across government and society



Target 1:

By 2020, at the latest, people are aware of the values of biodiversity and the steps they can take to conserve and use it sustainably.



Target 2:

By 2020, at the latest, biodiversity values have been integrated into national and local development and poverty reduction strategies and planning processes and are being incorporated into national accounting, as appropriate, and reporting systems.



Target 3:

By 2020, at the latest, incentives, including subsidies, harmful to biodiversity are eliminated, phased out or reformed in order to minimize or avoid negative impacts, and positive incentives for the conservation and sustainable use of biodiversity are developed and applied, consistent and in harmony with the Convention and other relevant international obligations, taking into account national socio economic conditions.



Target 4:

By 2020, at the latest, Governments, business and stakeholders at all levels have taken steps to achieve or have implemented plans for sustainable production and consumption and have kept the impacts of use of natural resources well within safe ecological limits.

Strategic Goal B. Reduce the direct pressures on biodiversity and promote sustainable use



Target 5:

By 2020, the rate of loss of all natural habitats, including forests, is at least halved and where feasible brought close to zero, and degradation and fragmentation is significantly reduced. an take to conserve and use it sustainably.



Target 6:

By 2020 all fish and invertebrate stocks and aquatic plants are managed and harvested sustainably, legally and applying ecosystem based approaches, so that overfishing is avoided, recovery plans and measures are in place for all depleted species, fisheries have no significant adverse impacts on threatened species and vulnerable ecosystems and the impacts of fisheries on stocks, species and ecosystems are within safe ecological limits.



Target 7:

By 2020 areas under agriculture, aquaculture and forestry are managed sustainably, ensuring conservation of biodiversity.



Target 8:

By 2020, pollution, including from excess nutrients, has been brought to levels that are not detrimental to ecosystem function and biodiversity.



Target 9:

By 2020, invasive alien species and pathways are identified and prioritized, priority species are controlled or eradicated, and measures are in place to manage pathways to prevent their introduction and establishment.



Target 10:

By 2015, the multiple anthropogenic pressures on coral reefs, and other vulnerable ecosystems impacted by climate change or ocean acidification are minimized, so as to maintain their integrity and functioning.

Strategic Goal C. Improve the status of biodiversity by safeguarding ecosystems species and genetic diversity



Target 11:

By 2020, at least 17 per cent of terrestrial and inland water areas, and 10 per cent of coastal and marine areas, especially areas of particular importance

for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well connected systems of protected areas and other effective area-based conservation measures, and integrated into the wider landscapes and seascapes.



Target 12:

By 2020 the extinction of known threatened species has been prevented and their conservation status, particularly of those most in decline, has been improved and sustained.



Target 13:

By 2020, the genetic diversity of cultivated plants and farmed and domesticated animals and of wild relatives, including other socio-economically as well as culturally valuable species, is maintained, and strategies have been developed and implemented for minimizing genetic erosion and safeguarding their genetic diversity.

Strategic Goal D: Enhance the benefits to all from biodiversity and ecosystem services



Target 14:

By 2020, ecosystems that provide essential services, including services related to water, and contribute to health, livelihoods and well-being, are restored and safeguarded, taking into account the needs of women, indigenous and local communities, and the poor and vulnerable.



Target 15:

By 2020, ecosystems that provide essential services, including services related to water, and contribute to health, livelihoods and well-being, are restored and safeguarded, taking into account the needs of women, indigenous and local communities, and the poor and vulnerable.



Target 16:

By 2015, the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization is in force and operational, consistent with national legislation.

Strategic Goal E. Enhance implementation through participatory planning, knowledge management and capacity building



Target 17:

By 2015 each Party has developed, adopted as a policy instrument, and has commenced implementing an effective, participatory and updated national biodiversity strategy and action plan.



Target 18:

By 2020, the traditional knowledge, innovations and practices of indigenous and local communities relevant for the conservation and sustainable use of biodiversity, and their customary use of biological resources, are respected, subject to national legislation and relevant international obligations, and fully integrated and reflected in the implementation of the Convention with the full and effective participation of indigenous and local communities, at all relevant levels.



Target 19:

By 2020, knowledge, the science base and technologies relating to biodiversity, its values, functioning, status and trends, and the consequences of its loss, are improved, widely shared and transferred, and applied.



Target 20:

By 2020, at the latest, the mobilization of financial resources for effectively implementing the Strategic Plan for Biodiversity 2011–2020 from all sources, and in accordance with the consolidated and agreed process in the Strategy for Resource Mobilization, should increase substantially from the current levels. This target will be subject to changes contingent to resource needs assessments to be developed and reported by Parties.



ပွိုင့် (ရိုးရာဝန်းကျင်မြှင့်တင်ရေးအဖွဲ့)

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