

## AN APPEAL FOR A CODE OF CONDUCT FOR MARINE CONSERVATION

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### Summary

Marine conservation actions, promoted to conserve natural values and support human wellbeing, are rapidly increasing to meet global targets for ocean protection. Yet the quality of governance processes and the social consequences of some marine conservation initiatives have been the subject of critique and even human rights complaints. This is a matter of concern as poor governance and social issues may jeopardize the legitimacy of, support for, and long-term effectiveness of marine conservation. A clearly articulated and comprehensive set of social standards - a code of conduct - is needed to guide marine conservation. A code of conduct can provide explicit guidance and enable marine conservation processes and actions that are fair, just and accountable, while helping to achieve ecological objectives and marine conservation targets. Socially responsible marine management and conservation will engender support and enable the protection of the marine ecosystems that are fundamental for securing universal human rights.

**We urge conservation organizations, policy-makers, funders and practitioners to be proactive in developing and supporting the uptake and implementation of a code of conduct for marine conservation. This will ensure that marine conservation initiatives are fair, just, accountable and effective.**

### Past mistakes and the risks for marine conservation

Marine conservation can be accomplished through good governance processes and produce beneficial social outcomes for local people and communities. However, there are many examples worldwide where mistakes have been made in the pursuit of marine conservation. For example, some marine conservation actions have been deemed unjust or unlawful, which has led to complaints regarding human rights transgressions and lengthy court battles. In other places, local groups have felt that the governance processes and social consequences of top-down marine conservation have been inappropriate or unacceptable. This has produced strong and active opposition to marine conservation in some cases. For conservation funders and NGOs, these critiques also pose a significant risk to the “brand” of conservation organizations and the social license of marine conservation initiatives, producing activism or advocacy against NGOs and marine conservation. There is the risk that lack of attention to the human dimensions of conservation and persistent and unresolved issues will slow progress towards conservation targets and, ultimately, undermine the effectiveness and success of marine conservation.



Indigenous small-scale fishers worldwide rely on fishing for survival (Nathan Bennett)



Women in Thailand gleaning for household subsistence in the foreshore. (Nathan Bennett)

### Why a code of conduct?

A code of conduct could help to improve marine conservation practice through serving as:

**1) A guidance document:** A code of conduct can serve as a set of guidelines for conservation organizations in order to promote more just and equitable conservation policies and practice. This can reduce and help to navigate potential conflicts.

**2) An educational or capacity building tool:** A code of conduct can be used to familiarize emerging conservation professionals with key issues and to inspire the next generation of conservationists to engage with conservation in ways that are appropriate and mindful of differing social, cultural, economic, and institutional contexts.

**3) An accountability mechanism:** A code of conduct can form the basis of a set of measurable performance indicators that could be used to hold members (i.e., donors, NGOs, governments, researchers, individual practitioners) of the marine conservation community accountable for their actions.

## A code of conduct for marine conservation...

- ...is a clearly articulated and comprehensive set of social principles and standards to guide marine conservation.
- ...is relevant to the diverse parties engaged in marine conservation, including researchers, practitioners, governments, NGOs, community organizations, the private sector, funders and global conservation organizations (e.g., IUCN, CBD, UNEP).
- ...is applicable to different types of marine conservation initiatives, ranging from small coastal marine protected areas (MPAs) to MPA network planning to large-scale MPAs.
- ...applies to different processes associated with marine conservation, including research, public outreach and engagement, policy development, decision-making, and the implementation of management actions.
- ...should be taken into account at all stages of marine conservation processes – for example, prior to entry, during initial conversations, during planning, during implementation, in ongoing management, in monitoring and adaptation.



Rapa Nui leaders on Easter Island discussing marine conservation. (Jaime Aburto)

## A draft code of conduct:

Recognizing the need for a code of conduct for marine conservation, an international group of marine conservation practitioners and researchers met at the IUCN World Conservation Congress in Honolulu, Hawaii in September 2016 to discuss the benefits, key principles and next steps in the process\*\*. Based on this initial meeting and a review of key policy documents, we developed and published a draft code of conduct for further consideration.

### **Towards a Code of Conduct for Marine Conservation**

(Draft Objectives and Recommendations for Further Discussion and Refinement)

- I. Fair conservation governance and decision-making processes
  - Ensure *recognition* of and respect for the presence and rights of local communities, indigenous people, traditional users and marginalized populations.
  - Facilitate decisions through *participatory* processes, which are *inclusive* of stakeholders and rights-holders and give equal *voice* – irrespective of gender, ethnicity, ability, age, language, religion, socioeconomic status or nationality.
  - Follow *due process* and respect the right of *self-determination* for sovereign nations and autonomous groups.
  - Document *free, prior and informed consent*.
  - Ensure availability of adequate *resources and capacity* to support collaboration during planning stages and in effective management.
- II. Socially-just conservation actions and outcomes
  - Protect inherent and fundamental *human rights, dignity and freedoms*.
  - Recognize and respect local *tenure and indigenous rights* to resources, traditional and cultural practices, including affirming existing areas and territories conserved and sustainably used by indigenous peoples and local communities.
  - Protect *intellectual property* and *cultural diversity and heritage*.
  - Consider the needs and aspirations of stakeholders and rights holders to maintain and make efforts to increase *social wellbeing*.
  - Maintain *food and livelihood security* for local people and communities.
  - Promote *equitable distribution* of benefits and costs, including fair *access and benefit sharing agreements*.
  - Ensure that actions taken increase *environmental sustainability* and the provisioning of ecosystem goods and services.
- III. Accountable conservation initiatives and organizations.
  - Employ a process of planning, iterative *learning* and *adaptive management* based on social considerations, including incorporating lessons from past mistakes in future initiatives.
  - Commit to adhering to these principles and adopt a policy of *transparency* and *accountability* that includes a system of downward accountability, independent auditing and graduated sanctions for transgressions.
  - Enable access to fair mechanisms for *conflict resolution* and *remediation or redress* where needed.

## An appeal for further action

Proactive attention to governance and social considerations will pay dividends and help to avoid costly mistakes for conservation. A code of conduct can promote marine conservation processes and actions that are fair, just, accountable and effective. Such an approach is critical if we are to achieve marine conservation goals while building sustainable communities, societies, and oceans. We hereby appeal for further action to develop and mainstream a code of conduct in marine conservation. Ultimately, the development and uptake of a code of conduct for marine conservation will require that conservation donors, NGOs and global conservation organizations support next steps, including a) discussions with key stakeholders to negotiate a legitimate and broadly agreed code of conduct, b) the production and dissemination of guidance and educational documents, and c) further consideration of accountability mechanisms. The development and implementation of a code of conduct for marine conservation is warranted, urgent and past due.

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