

Harmful Instruments, False Solutions, and Private Interests Take Over Global Biodiversity Summit

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The 15th session of the Conference of Parties (COP15) to the United Nations Convention on Biological Diversity (UNCBD) concluded in the early hours on Monday, December 19th with the adoption of the post-2020 Global Biodiversity Framework (GBF), known as the <u>Kunming-Montréal Global Biodiversity Framework</u>. The UNCBD is a multilateral treaty with three core goals, "the conservation of biological diversity; the sustainable use of its components; and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources." Additionally, the post-2020 GBF defines targets for biodiversity conservation for the next decade, and with nearly 200 Parties and an estimated 15,000 attendees present for the biodiversity summit, there were various obstacles and points of tension that Parties did not agree on.

Although the framework includes 20 references to Indigenous Peoples, and some references to our rights including the right to Free, Prior and Informed Consent (FPIC), human rights, and the rights of Mother Earth, COP15 prioritized the expansion of false solutions, harmful instruments, and the financialization of Mother Earth over the true protection of biodiversity. In section C, Considerations for the implementation of the framework, made reference to rights of nature and the rights of Mother Earth as being an integral part of its successful implementation. While rights of Mother Earth are aligned with Indigenous Peoples' worldviews and part of our own stewardship practices, these references are nothing more than recommendations for Parties and there remains a gap in implementation.

Of the 23 Targets in the framework, seven targets included references to Indigenous Peoples. Traditional [Indigenous] Knowledge was also referenced ten times and Free, Prior and Informed Consent was referenced twice. However, the concerns for implementation despite these references are apparent in Target 21, where the text states, "...traditional knowledge, innovations, practices, and technologies of Indigenous Peoples and local communities should only be accessed with their free, prior and informed consent [FPIC], in accordance with national legislation." Ultimately, this means that FPIC is contingent on whether that Party recognizes the rights of Indigenous Peoples and that it is subject to

national legislation first and foremost.

Prominent on COP15's agenda also included new financial instruments tied to Nationally Determined Contributions (NDC) and foregin debt, the expansion of nature-based solutions (NBS), including biodiversity offsets through the framework, as well as digital sequencing information (DSI) and the expansion of geoengineering technologies. The final text of COP15, the post-2020 GBF, includes a range of false solutions that cater to private finance. These false solutions include NBS, the financialization and commodification of nature, geoengineering, and offsetting schemes as well as genetic engineering in the forms of synthetic biology and gene drives. By continuing to promote and proliferate these false solutions, the framework subordinates the sacredness of Mother Earth, her web of life, to the chains of the markets, capitalism and the growth of the corporate dominated systems. The passage of this framework does not question the viability of a global economy whose jurisprudence places property rights above all, and a system that prioritizes private interests over Indigenous and human rights.



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Finance was another major theme at COP15, including discussions on banking, insurance, and hosting the first ever 'Finance and Biodiversity Day' at the global biodiversity summit. Private interests pushed to establish a uniform system of standards and metrics for measuring 'natural capital', which includes biodiversity, as well as to create a new type of 'biodiversity credits' to be harmonized with other carbon markets in the future. Not only are these efforts pushing for the more swift and aggressive commodification of Mother Earth, but are also paving the way for debt-for-nature swaps, in which countries in debt, mostly in the Global South, would pay off debt by handing over their biodiversity to banks.

Debt for nature is a dangerous concept that threatens the sovereignty and tenure of Indigenous Peoples, and prevents developing nations from attaining economic power. The

inclusion of private and financial sectors has culminated so far into profit-driven frameworks that are antithetical to natural law. Biodiversity is not a metric, nor translates into shareholder gains and financial market reporting. To attach ownership and price tags on the natural resources that maintain the balance of earth's systems that sustain all life further commodifies Mother Earth and does not address the true threats to biodiversity loss, rather is an expansion of false solutions.

Moreover, Target 3 in the post-2020 GBF sets out a 30×30 goal, to conserve 30 percent of the world's lands and 30 percent of the world's waters for biodiversity conservation. While Parties and private interests acknowledge that Indigenous Peoples have a unique and crucial role in preserving biodiversity, there remains a gap for ensuring the protection of Indigenous Peoples' sovereignty over their lands on Target 3, that goes beyond just mere recognition and respect for the rights of Indigenous Peoples over their territories. In achieving Target 3, there has been an aggressive push to include market-based approaches and in terms of implementation, there is a real risk and threat to ensuring Indigenous Peoples' rights over their lands, waters, and territories are upheld, which includes the implementation of their Free, Prior and Informed Consent (FPIC) to engage on this conservation target.

IEN's Carbon Policy Educator, Thomas Joseph, shares his concerns regarding Target 3 in the framework, "The ratification of Target 3, which focuses on the implementation of the global 30×30 initiative, is nothing more than manifest destiny in the 21st century. This will lead to the largest land and resource grab of Indigenous Peoples' territories since westward expansion. The Kunming-Montreal Global biodiversity framework guarantees a continuation of the commodification of our Mother Earth using market based mechanisms like nature-based solutions and carbon trading. Our relationship with our Mother Earth must change and we cannot use market approaches or colonial tactics to preserve the remaining biodiversity."

Another key vehicle in achieving targets outlined in the GBF are nature-based solutions (NBS). However, the discussions at COP15 fixated on how to financialize nature and co-opt Traditional Indigenous Knowledge. While Parties might highlight the role of Indigenous Peoples and local communities in the implementation of NBS projects, they perpetually disregard and downplay the risks of human rights violations, land and resource grabs, and the unintended negative impacts of associated climate and biodiversity projects led by the private sector.

Furthermore, digital sequencing information (DSI) was another focal point at COP15. This included interventions related to the access to information derived from genetic resources and the altering of genes in the name of preserving biodiversity. At COP15, technical and policy information around DSI was intentionally hidden and obscured from Indigenous Peoples. DSI is not only dangerous because of its potentially destructive and irreversible ecological impacts, but particularly for Indigenous Peoples because it is a way for governments and private industry to extract, commodify, and monetize Traditional Indigenous Knowledge. Likewise, DSI poses the risk of restricting Indigenous Peoples' benefits or use of their own genetic resources. Indigenous Peoples' communities and lands have already become testing sites for new, risky technologies without their Free, Prior and Informed Consent.

IEN's Executive Director, Tom BK Goldtooth shares his reflections on this year's global biodiversity summit, "The outcome of the UNCBD COP15 leaves Mother Earth open to be

bought and sold by the private sector and through carbon trading. Violating Traditional Indigenous Knowledge, the agreement embraces the risky and dangerous gene drive extinction technology. Indigenous Peoples are not safe from this new agreement. Rather, we stand at more of a risk of being forced into a capitalist system that demands the expansion of the destruction of Mother Earth in order to continue its continuous growth. We are at a point of no return to stop biodiversity loss and climate change, and it is clear that the UNCBD and UNFCCC are not the platforms to deliver the frameworks that will prevent a global catastrophe."

All in all, COP15 prioritized the continued commodification and exploitation of Mother Earth over finalizing a global framework that upholds Indigenous and human rights. Private interests paired with developed countries pushed for false solutions that put profit over biodiversity protection, yet again let those who are driving immense biodiversity loss off the hook, leaving those on the frontlines without adequate resources or protection to continue to protect the remaining biodiversity on Mother Earth. Stay tuned for Indigenous Environmental Network's full analysis of the outcomes of COP15 in early 2023.

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