



Avoiding the mistakes of the Aichi Targets – Why implementation of the Kunming-Montreal GBF must be unapologetically transformative

Yemi Katerere (African CSO Biodiversity Alliance) and Simangele Msweli (African Wildlife Foundation, Nairobi)

The Kunming-Montreal Global Biodiversity Framework (GBF) was adopted at the Convention of Biological Diversity (CBD) COP 15. As countries prepare for implementation they must avoid repeating the shortcomings of the Strategic Plan 2011-2020 that failed to fully achieve any of its 20 Aichi Targets. Requirements include a less polarizing global vision for our planet and transformative actions that challenge the business as usual mind-set.

Focusing on economic growth as a measure of progress destroys ecosystems and biodiversity. We must evolve towards a kinder and more empathetic economic model embedded in nature and inclusive wealth within and between countries. Interventions should embrace justice, equity and be designed using a rights-based approach.

Implementation must give greater attention to the root causes of the biodiversity poly-crisis and not just the challenges. Putting more land and oceans under protection will not on its own reduce biodiversity loss. It requires boldly confronting the underlying causes of biodiversity loss such as the disproportionate ecological space occupied by developed countries and that is driving unsustainable consumption patterns and unsustainable debt that

diverts financial resources away from biodiversity interventions. Inequities associated with these are immoral and unjust.

Implementation should urgently address the lack of localization of funding for conservation and sustainable use. A bottom-up and rights-based approach can only be possible if funds reach those directly involved in biodiversity conservation at the local level, especially the Indigenous Peoples and Local Communities (IPLCs).

Any temptation to reduce the GBF into a conservation strategy must be avoided. The GBF must pay equal attention to all three objectives of the CBD and allocate greater resources than in the past towards sustainable use and fair and equitable sharing of benefits arising from the utilization of genetic resources.

Finally, transformational change for a successful GBF needs greater global equity and ecological and social justice. This includes the flow of financial resources from the North to the South and especially, flow of resources to local actors who are custodians of the lands and oceans they own, inhabit or use daily.

The opinions, commentaries and articles printed in ECO are the sole opinion of the individual authors or organizations.

The Kunming-Montreal Global Biodiversity Framework takes important steps for social and environmental justice

Ameyali Ramos, Carolina Rodríguez and Aquilas Koko Ngomo, ICCA Consortium*

On 19 December 2022, Parties to the UN CBD adopted the Kunming-Montreal Global Biodiversity Framework (GBF). After years of negotiations and many COVID-induced delays, Indigenous Peoples and local communities (IPLCs) successfully advocated for key forms of recognition, marking a new minimum standard in the CBD.

While the process left a lot to be desired and the outcome is far from perfect, the GBF includes multiple references to human rights (including the right to a clean, safe and healthy environment), the human rights-based approach, the rights of IPLCs, and full, effective and equitable participation in decision-making, and the recognition of the customary systems in the sustainable use.

Notably, Target 3 (the “emblematic” target of the GBF, commonly known as 30x30), which calls for at least 30% of terrestrial, inland water, and coastal and marine areas to be effectively conserved and managed, includes a direct reference to recognizing and respecting the rights of IPLCs. Explicit recognition of Indigenous and traditional territories in their own right, as a third pathway beyond protected areas and OECMs, is a critical step forward in providing options for Indigenous Peoples and local communities to choose the best form of recognition in their particular context. This is especially important in light of historical, continuing, and potential future injustices in the name of conservation, including through protected areas and OECMs.

Several other targets in the GBF speak to issues of justice and equity, including:

- participatory and inclusive spatial planning (Target 1);

- recognition of effectively manage human-wildlife interactions to minimize human-wildlife conflict for coexistence, and genetic diversity and their adaptive potential in situ conservation;
- respect and protection of the customary sustainable use in use, harvesting and trade of wildlife (Target 5);
- protection and promotion of the customary use of IPLCs as important part of social, economic and environmental benefits for people (Target 9);
- inclusion of agroecology as a strategy for sustainable production (Target 10);
- ensure fair and equitable sharing of benefit through taking effective legal administrative or policy measures in utilization of genetic resources (Target 13);
- enhancing the role of collective actions, including by IPLCs, and of Mother Earth-centric actions and non-market-based approaches for resource mobilization (Target 19);
- free prior and informed consent in knowledge sharing (Target 21);
- ensuring full, effective and equitable participation in decision-making for IPLCs and access to justice and protection for environmental defenders (Target 22); and
- gender equality (Target 23).

Compared to the Strategic Plan for Biodiversity and Aichi Targets adopted at COP10 in 2010, the GBF represents a significant step forward for social and environmental justice in general, and for the distinct rights of IPLCs in the context of the CBD.

Read more at: <http://bit.ly/3ZLo3Ve>

* As of COP15 in December 2022

Behind the scenes: what's up with biodiversity mainstreaming?

Helena Paul, Econexus

Decision 14.3 of COP14 says mainstreaming "should be one of the key elements of the post-2020 global biodiversity framework in order to achieve the transformational change required throughout society and economies, including changes in behaviour and decision-making at all levels". At COP15, the outcome on mainstreaming was merely to acknowledge the drafts, to call for more submissions, and to mandate SBI to keep working on it. All of this is the result of a process dominated by corporate interests.

COP14 mandated the creation of an Informal Advisory Group (IAG) to produce a Long-Term Approach to Mainstreaming (LTAM) document and an Action Plan (AP). Curiously, later on, and without a mandate, an Extended Consultative Network (ECN) was also set up. The ECN has no limit on numbers and no specifications regarding membership. This opened the door for business and banks to participate actively in both documents, particularly the AP.

Parties and civil society had far less involvement. This has resulted in drafts of the LTAM and AP that do not reflect the mandate of COP14. Moreover,

these documents have never been discussed in plenary.

However, in Geneva, there was a strong push to approve them. Fortunately, certain Parties, alerted by civil society, opposed this and instead called for a consultation to take place after Geneva.

In Montreal, the issue was again debated by a small group with strongly divergent views that decided to postpone further discussion until SBI4. This means that a vital issue, and two documents that fail to address it, have once again been postponed except for a further consultation closing 30th April to which it is important to respond (1).

We must now collectively answer this question: what must be done to ensure that all sectors genuinely make biodiversity central to their decision-making? If civil society does not engage, corporations, ever more active in the CBD and across the UN, will simply continue their work to mainstream business across biodiversity.

(1) <https://bit.ly/41fH7MB>

Targets 15 & 16: mission accomplished for business, biodiversity loses

Nele Marien, Friends of the Earth International

When the negotiation process for the GBF began, there were high expectations that it would become "transformative". In particular, hopes were that targets 14-16 would create a fundamental shift in the economic and corporate structures undermining biodiversity. So, what's the final result?

Target 14 makes a good start in calling for policies, regulations and planning to consider biodiversity. We must implement this in all countries without basing them on biodiversity accounting.

Target 15 is much more problematic! "Take legal, administrative or policy measures" means nothing when only oriented "to encourage and

enable business". Given the enormous impact of business on biodiversity, stringent policies are needed to stop destructive production methods. Voluntary measures, encouraging and enabling, will not stop industry from pursuing profits through destructive projects.

The proposal for corporations to monitor, assess, and transparently disclose is no guarantee for action. The monitoring focuses on the risks of biodiversity decline for businesses, as the proposed indicator (the Taskforce on Nature-related Financial Disclosures [TNFD]) shows.

The original call by business to “make reporting mandatory” gave a semblance of willingness to address biodiversity loss, while these measures are irrelevant for having no impact. At the same time, measures that would address corporate impacts on biodiversity were carefully avoided.

Target 16 seeks to transfer responsibility from policymakers and producers to consumers. This is unfair, as buying “green” products is generally only available for the middle class in the Global North. Other consumers are made to feel “guilty”, while it is the economic system that is organised in an environmentally unfriendly way. Furthermore, corporations often provide labelling on products which conceal their environmental and human rights impacts. The target institutionalises greenwashing!

The overwhelming presence of corporate actors at COP has ensured that their production processes are not at risk of needing to change fundamentally. Instead, all kinds of false solutions were brought into the GBF, visibly and invisibly (2). The expected transformative change is indefinitely postponed yet again.

Civil society’s task is to continue denouncing the impacts of business and economic systems on ecosystems, human rights, and indigenous territories while proposing measures with a real impact.

(1) <http://bit.ly/438gtXM>

(2) Read Nele’s article “Nature Positive” was problematic – but is its absence from the GBF sufficient to prevent harmful offsetting? in the first issue of this Special Edition of ECO at: <https://bit.ly/3zDOxNM>

Kunming-Montreal GBF: Implementation and monitoring will be key in securing the wins of HRBA

Cristina Eghenter, WWF International

The new Kunming-Montreal Global Biodiversity Framework (GBF) agreed at COP15 was hailed as historic in the media. There are important milestones to celebrate, among others, the mission to halt and reverse biodiversity by 2030, the alignment of financial flows, the consideration of a more equitable allocation of resources from developed to developing countries, and business disclosure on biodiversity impact; the recognition of the multiple values of biodiversity; the commitment to increase biodiversity-friendly practices in agriculture, including agroecology, as well as to reduce the global footprint of consumption in an equitable manner.

From the perspective of a Human Rights-Based Approach (HRBA), this GBF was historic for rights, for Indigenous Peoples, for gender equality and inter-generational equity. If the integration of human rights was short of the adoption of a full and systematic framework, it was nevertheless a clear recognition that a HRBA is key to achieving rapid and ambitious progress in the conservation and sustainable use of biodiversity. It is also a major win for civil society (and some governments) that have been calling for an ambitious and transformational GBF to tackle the root causes

of biodiversity loss effectively and equitably, with an implementation that is inclusive, framed by rights-based actions and a whole-of-society model.

Despite a clear paradigm shift in terms of rights-based discourse, other targets in the new framework remain “mixed” and tend to safeguard the current economic model that generated the main drivers of biodiversity loss. Therefore, the risks of corporate capture and ineffective mainstreaming of biodiversity in productive sectors are still real as well as the possibility that the achievements in HRBA might be undone by other business-as-usual actions.

The question remains of whether the new set of goals and targets is fit for purpose and ambitious enough to “make peace with nature” in the words of the United Nations Secretary General, and redress inequalities and injustices caused by ecosystem degradation and environmental conflicts. Civil society has an important responsibility to hold Parties accountable over the HRBA elements of the GBF through monitoring, shadow reporting and voluntary commitments.

Limited action agreed on technology and synthetic biology

Lim Li Ching, Third World Network

CBD Parties have successfully established a multidisciplinary process for horizon scanning, monitoring and assessment of the most recent technological developments in synthetic biology. The outcome was however fraught, with fragile gains. Only one intersessional cycle was agreed to, with no guarantee of its continuation, despite Parties previously agreeing that the process should be “broad and regular”.

There were clear divisions between Parties that grow and export genetically modified crops, and other Parties that tend to take more precautionary approaches to living modified organisms (LMOs) and new genetic technologies.

Intransigent positions were also reflected in the discussions on Target 17 of the Global Biodiversity Framework (GBF). The biosafety target met with such divergence of views that Parties could only agree to restate existing provisions of the Convention related to the need to regulate, manage or control the risks of LMOs resulting from biotechnology, and to the handling of biotechnology and distribution of its benefits. All other proposed elements of the target, such as horizon scanning, monitoring and assessment, and socio-economic considerations, were dropped.

This is really a wasted opportunity for what was purported to be a “missing” Aichi Biodiversity Target, and a lost chance to take forward the discussions on biosafety in the context of halting and reversing biodiversity loss.

The same blinded approach was also prevalent throughout the GBF - with a strong focus on science, technology and innovation and the sidelining of precaution, without the balance of technology assessment, the benefit of horizon scanning and monitoring. This may leave Parties hampered in

their ability to be able to properly identify and assess new technologies, whose developments are far outstripping regulatory abilities.

Nonetheless, the provisions of the Convention, including the precautionary approach as set out in its preamble, as well as Article 8(g) and Article 19, which set out the biosafety obligations, remain *sine qua non*. In addition, obligations under Article 7 (identification and monitoring) and Article 14 (impact assessment) relate directly to the task of horizon scanning, monitoring and assessment. Furthermore, insofar as LMOs resulting from synthetic biology and other new genetic techniques meet definitions under the Convention and the Cartagena Protocol on Biosafety, they would also be regulated as such.

Other decisions adopted by Parties to the Cartagena Protocol do address new genetic techniques. In the decision on risk assessment and risk management, Parties agreed to develop guidance materials to support the risk assessment of LMOs containing engineered gene drives. The decision recalls the importance of the precautionary approach, and notes the existing guidance on the assessment of socio-economic considerations.

Moreover, the decision on detection and identification sets up a process for possible further work on new detection techniques, and on the detection and identification of newly developed LMOs, which could include gene edited organisms and other LMOs resulting from synthetic biology and new genetic techniques.

These decisions in sum therefore continue to address the new technologies, despite the best efforts of opponents to thwart this important work.

What does COP15 and the GBF mean for banks?

Hannah Greep, BankTrack

“Never before have the business and finance sector been so present at a biodiversity COP.” This is how the Executive Secretary of the CBD, Elizabeth Mrema, opened the first ever ‘Finance Day’ at COP15. The conference was the first time that financial institutions and businesses have shown up in large numbers to discuss how biodiversity impacts their business and they stressed the importance (1) of protecting biodiversity alongside efforts to curb the effects of climate change. However, little was said on how financial institutions will address their continued finance for industries that are driving biodiversity loss.

The Global Biodiversity Framework (GBF) calls on governments to ensure that all public and private

financial flows align with the goals and targets aimed at halting and reversing biodiversity loss by 2030. But what does it actually mean for financial institutions to align with the GBF? We suggest that the most important steps are: to divest from harmful industries known to be driving biodiversity loss, support regulation that ensures transparency and accountability for financial institutions’ disclosure and reporting on nature-related risks and impacts, and ensure the protection of human and Indigenous rights across all sectors.

(1) <http://bit.ly/3ZK2x3m>

You can read more about what COP15 and the GBF entails for banks at: <http://bit.ly/3zBCe4F>

Did Africa get a good deal vis-a-viz its redlines during COP15 negotiations?

Wellington Matsika (Alumni Charles R. Wall Young Policy Fellow, African Wildlife Foundation) and Sthembile Ndwandwe (Alumni Charles R. Wall Young Policy Fellow and Doctoral student at the University of Cape Town)

Resource mobilisation and digital sequence information (DSI) were the main redlines for Africa during COP15 negotiations. Africa called for an ambitious resource mobilisation strategy, which includes a dedicated fund outside the Global Environment Facility (GEF) to mobilise new and additional funds for biodiversity financing, in line with Articles 20 and 21 of the CBD. However, the Kunming-Montreal Global Biodiversity Framework (GBF) lacks the required ambition and follows a business-as-usual approach by perpetuating over-dependency on GEF, which has been unable to mobilise adequate, predictable, timely and easily accessible financing for biodiversity. It hopes on GEF reforms and fails to send a strong political signal that biodiversity loss is a crisis that urgently needs to be tackled through a new fund additional to and separate from GEF. The GBF fails to reflect

justice in financing biodiversity. By committing to mobilise at least \$30 billion annually by 2030, developed countries successfully escape their responsibility to pay for more than 50% loss of biodiversity they cause in developing nations.

On DSI, Africa aimed to guard against having a global pact that perpetuates utilisation of Africa’s genetic resources and indigenous knowledge without compensation and acknowledgement. Africa called for the establishment of a multilateral global mechanism for sharing benefits from the use of DSI, including capacity building for developed countries to generate, analyse and use DSI and a fund financed through a 1% levy on retail sales of biodiversity-related products in developed countries.

Although a decision was made to establish a multilateral benefit-sharing mechanism, it is too early for Africa to celebrate before the modalities of how the mechanism will operate are negotiated.

Africa needs to continue its legacy of steadfast agency to ensure it meaningfully benefits from the use of DSI.



Source: AJEMALIBU Self Help

Enforcing Community led biodiversity conservation leadership within the Guinean Forest of West Africa

Harrison A. Nnoko Ngaaje, AJESH (AJEMALIBU Self Help)

At COP15 an event organised by AJESH (AJEMALIBU Self Help) based in Cameroon, presented lessons learnt from programs implemented within the Ebo forest landscape in the Yabassi legacy Key Biological Area (KBA), the experience of WCS-Canada, The African Women Network and the Association of Traditional Rulers in Africa.

The different presenters outlined the community's effective engagements in protecting biodiversity. Discussions addressed the following points:

- Environmental education in schools and communities for future generation preparedness.
- Community participatory mapping and land use planning for effective protection of the rights of Indigenous Peoples and Local Communities (IPLCs) and their access to land and resources.
- Landscape restoration and management underpinning traditional species growing and protection taking into account indigenous and traditional knowledge and practices.
- Community biodiversity protection (Community Forestry) looking at community forest and conservancies taking into account the involvement of women and IPLCs in the entire establishment and management schemes in Africa and Canada.
- Monitoring illegal logging and poaching with the role traditional rulers play in ensuring biodiversity is protected and not ravaged by illegal and illicit practices for self-gains.
- Promotion of community wellbeing is an approach that incentivises the communities in Africa and Canada to effectively involve and take ownership in biodiversity conservation practices. Here discussions and focus was on promoting added-value of community traditional and cultural income generating practices with the integration of technology with limitations on bringing totally new alternative approaches that do no or are not adaptable to the culture and practices of the people.