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No rights, No biodiversity

Why Indigenous Peoples are Central to Conservation

by Cultural Survival

Biodiversity thrives in forests, rivers, mountains, and seas that Indigenous Peoples have stewarded across generations. For us, caring for biodiversity is not a policy choice; it is who we are. Therefore, protecting biodiversity is inseparable from protecting the rights of Indigenous Peoples. Our cosmovisions, lifeways, and cultures emerge from our relationships to Mother Earth and a deep sense of responsibility to care for the ecosystems we all depend on. Yet, our ability to steward ecosystems depends on maintaining our lifeways, ceremonies, economies, and tenure systems.

The KMGBF will only succeed if it treats Indigenous Peoples as **rights holders**, not stakeholders. Its implementation must move from participation to partnership, and from consultation to recognition. Indigenous Peoples' rights to our lands, territories and resources, to self-determination, and to *Free, Prior and Informed Consent* are affirmed in the *UN Declaration on the Rights of Indigenous Peoples*, and the KMGBF itself.

Target 3 will only be successful if it is achieved with Indigenous Peoples and never at our expense. Recognizing and supporting Indigenous Territories and traditional conservation systems are integral parts of implementation. Conservation measures must not lead to displacement, dispossession, restrictions on customary livelihoods, violations of rights, nor the creation of protected areas without full participation of Indigenous Peoples. We urge Parties to recognize and support Indigenous Peoples' territories, Indigenous conserved areas, and Indigenous-led conservation as essential contributions to Target 3, which must be achieved in connection with Targets 21 and 22.

Indigenous Peoples must have autonomy in stewarding our territories and shaping the futures of our communities. The Parties must ensure the full, equal, effective, and inclusive participation of Indigenous Peoples in decision-making processes on biodiversity issues at all levels, including representation in governing and monitoring bodies. Participation must go beyond mere consultation or

exchange of information. Indigenous Peoples must retain authority over their knowledge, including determining when, how, and by whom it may be accessed or used.

Rights without remedies are only promises on paper. Parties must establish effective mechanisms for access to justice, legal remedies, and accountability when Indigenous Peoples' rights are violated. Indigenous environmental and human rights defenders must be protected from threats, violence, intimidation, criminalization, and repression. Every attack on a defender is an attack on biodiversity and must be investigated with those responsible held accountable.

Indigenous Peoples make enormous contributions to achieving the goals of the CBD and KMGBF, and the resources reaching them must reflect that. We urge the Parties to increase direct funding to Indigenous Peoples and Indigenous-led organizations for conservation, restoration, monitoring, sustainable use of natural resources, and knowledge transfer, as well as other priorities of Indigenous Peoples. Funding mechanisms must be accessible, predictable, long-term, transparent, subject to right-protecting safeguards, and developed in collaboration with Indigenous Peoples.

Upholding the rights of Indigenous Peoples to self-determination and to govern our territories is critical to achieving the *2030 Agenda* and *Sustainable Development Goals* and to building a future of mutual flourishing for us all.

Biodiversity Finance: Deliver your promises

Theiva Lingam (Sahabat Alam Malaysia – Friends of the Earth Malaysia)

At COP17, a central debate has emerged over biodiversity finance. Developing countries argue that before discussing new contributors, developed countries must fulfil their mandatory financial commitments under the Convention.

The concern is straightforward: The global biodiversity finance system is failing to provide the scale of support needed to achieve the KMGBF. Biodiversity-rich developing countries are expected to safeguard much of the world's biodiversity while facing debt burdens, climate impacts and limited fiscal space.

Under Article 20, developed country Parties are required to provide *new and additional financial resources* to enable developing countries to implement the Convention. Developing countries accepted extensive conservation and sustainable use commitments, while developed countries accepted corresponding responsibilities for finance and technology transfer

For many developing countries, the debate also reflects broader questions of equity. Historical patterns of resource extraction, unequal consumption and environmental degradation have created significant imbalances, while many countries in the Global South continue to shoulder a disproportionate share of the costs of conserving globally important biodiversity.

Against this backdrop, some developed country Parties are advocating for the biodiversity-finance sovereign contributor base to be broadened including putting in place a process that may circumvent existing provisions for additional countries to make voluntary contributions. Developing countries argue that such discussions risk shifting attention away from the more immediate challenge of fulfilling existing obligations.

The issue proved contentious at SBI7 in Nairobi, where Parties were unable to reach consensus. It has now returned to COP17 through a revised non-paper that introduces several new options alongside Options A to D. During the Nairobi discussions, *Option B*, which proposed expanding the contributor base and amending the list by using the World Bank's high-income classification as a proxy while excluding UN-recognised Small Island Developing States, was firmly rejected by developing countries.

Options E and F instead focus on strengthening and securing existing commitments. *Option E* expresses concern

over declining biodiversity finance, calls for increased funding through future replenishments of the Global Environment Facility (GEF), and proposes closing discussions on broadening the contributor base in light of the continued lack of consensus. It is grounded in the principle of *common but differentiated responsibilities* (CBDR). *Option F* reaffirms the existing contributor list, while seeking more equitable burden-sharing amongst contributors, greater predictability in financing, and reforms to improve the speed and effectiveness of fund disbursement.

Options G and H seek to broaden and periodically revise the contributor base based on evolving national circumstances and capabilities, a shift that many developing countries view as inconsistent the provisions of Article 20 of the Convention. *Option H* goes further by proposing a formal process through which additional Parties could voluntarily assume contributor responsibilities and potentially be added to the contributor list through future COP decisions. This goes beyond the mandate of Decision 16/34, which did not call for the creation of a mechanism to expand or revise the list of contributors.

The debate is unfolding as key biodiversity funding commitments move in the wrong direction.

According to figures cited by developing countries, Official Development Assistance declined by 23.1% between 2024 and 2025. The 9th replenishment of the GEF is reportedly 27% lower than the previous replenishment, representing its weakest outcome in 16 years. Further, financial flows continue to move from the Global South to the Global North through mechanisms such as debt repayments and payments for intellectual property royalties, despite developing countries bearing a significant share of global biodiversity conservation costs.

COP17 should prioritise increasing and improving access to biodiversity finance for developing countries, rather than reopening debates on expanding the contributor base while existing commitments remain unmet.

Voluntary contributions can complement biodiversity finance, but they cannot dilute, defer or replace the obligations of developed-country Parties. The credibility of the CBD depends on delivery of those obligations, not on whether the burden can be shifted to developing countries.

“Trust will be the TFFF's most valuable asset.”

So where are its investment safeguards?

Tom Picken (Rainforest Action Network)

There was a celebratory mood at Monday's TFFF event at COP17, with references to Brazil's election result greeted by loud applause. The Netherlands added to the momentum, announcing plans to contribute up to US\$500 million over ten years to the *Tropical Forest Forever Facility* (TFFF). “Trust will be the TFFF's most valuable asset,” stated Luxembourg's environment minister, Serge Wilmes. Luxembourg will host the Tropical Forest Investment Fund (TFIF), the TFFF's investment arm.

With governments committing serious money, why would a fund established to *protect* forests adopt an investment framework with substantially weaker environmental and social safeguards than even the much-criticised *International Finance Corporation* (IFC)?

Civil society has documented decades of environmental and human rights harms linked to IFC investments, particularly those channelled through commercial banks and financial intermediaries. Despite formal safeguards, weak due diligence, opacity and inadequate accountability have allowed damaging investments to continue.

The TFFF should learn from these failures, not establish a system with fewer protections. Under the proposed model, the TFIF would invest in bonds, using returns to finance forest conservation payments. Yet *Concept Note 3.1* provides little detail on how environmental and social risks associated with those investments would be assessed or addressed.

The concept note proposes a limited exclusion list, including restrictions on some deforestation-related activities.

But these provisions are poorly elaborated and appear to apply only to corporate bonds, with no equivalent reference to sovereign debt. More fundamentally, there is no clearly established system of portfolio-wide environmental due diligence, independent environmental oversight or accountability for investment-related harms.

The problem goes beyond the exclusion list. The concept note calls for a “*clear, bright-line distinction*” between the investment fund and conservation facility, with investment decisions made “exclusively” to optimise risk-adjusted returns and maintain the fund's financial standing.

The TFIF's financial responsibilities are spelled out in detail. Its obligation to avoid investing in environmental destruction is not. The TFFF's environmental mission risks being kept at arm's length from decisions about where its money is invested. The comparison has limits. IFC financing and TFIF bond investments involve different obligations, and IFC's safeguards have repeatedly failed communities. But a fund established specifically to protect tropical forests should aim higher.

The TFIF needs binding environmental and social obligations across its investments, independent oversight with authority over investment decisions, transparent portfolio disclosure, and accessible grievance and remedy mechanisms. These must be embedded in its governing instruments and investment mandates, alongside financial responsibilities. If trust is to be the TFFF's most valuable asset, there must be accountability for how it makes its money, not just how it spends it.

The safeguards gap: published frameworks compared

Safeguard	IFC	TFIF
Environmental and social standards	Formal standards, often poorly enforced	No comparable comprehensive framework
Due diligence	Risk assessment requirements, with documented failures	No clear portfolio-wide environmental due diligence system
Exclusions	Established exclusion list	Limited provisions, important gaps
Accountability	Independent CAO complaints mechanism	No clear investment-related complaints mechanism
Investment Governance	Environmental responsibilities formally established	Financial duties explicit; environmental duties unclear

Spell it out: How the IPBES assessments can speed up the KMGBF

Nathalie Rutz (Pro Natura/Friends of the Earth Switzerland)

In the past two years IPBES has approved three major assessments:

- **Transformative Change Assessment** on the underlying causes of biodiversity loss and the determinants of change;
- **Nexus Assessment** on the interlinkages between biodiversity, water, food and health;
- **Business and Biodiversity Assessment** on business impacts and dependencies on biodiversity and nature's contributions to people

They offer practical guidance on how to achieve KMGBF targets 14 (integrate biodiversity in decision-making), 15 (business assessment and disclosure), 16 (sustainable consumption) and 18 (harmful subsidies). According to the Global Review, these targets are among those with the lowest coverage in national target setting - so much remains to be done.

Under item 17(e), the COP is discussing how to take up these assessments and encourage Parties to use them nationally. Building on the draft coming from SBSTTA, the non-paper contains several paragraphs (2, 5 and 9) with corresponding suggestions. Some Parties now want to delete these paragraphs and only name the assessments. **This would reduce their visibility and understanding, slow their uptake, and therefore delay progress on targets 14-16 and 18.** The assessments were jointly commissioned and endorsed by all IPBES members, including those now asking to shorten the text. What is the point in ordering and financing assessments whose findings are later concealed?

The main question in Yerevan is how to accelerate progress on the KMGBF. Spelling out actions based on the assessments shows Parties what they can do. Therefore **paragraphs 2, 5 and 9 should remain as detailed as they are now** (non-paper on item 17(e), version 3, 26 October 2026).

How many lobbyists are there at COP 17?

Helena Paul (Econexus)

Industry lobbying at the CBD is aimed at preventing action that might threaten corporate profits. In 2024, At COP 16 there were twice as many industry lobbyists as at COP 15 and in some cases industry lobbyists outnumbered national delegates:

"There were more lobbyists from agribusiness, fossil fuels, pharmaceuticals, food and beverage processing and that brought the total of industry delegates to 1,261.

Quite a few were registered as delegates with countries [...] rather than as representatives of their industries. Food and agriculture companies such as Nestlé and Cargill nearly doubled their attendees [in 2024] to 33." (Source: <https://desmog.com>)

Much of the lobbying is aimed at avoiding real action on biodiversity loss and climate change. For example, it may promote carbon offsets rather than genuine emission reductions, and 'afforestation', often in the form of monoculture tree plantations, frequently of alien, sometimes invasive species such as fast-growing, genetically modified eucalyptus, rather than genuine protection of forests.

These activities can make industry look as if it is taking positive action - and they also yield profits. For example, eucalyptus is used for the production of paper, construction materials and biomass as well as for generating carbon credits. (Source: <https://carboncredits.com>)

So it will be interesting to see how many industry lobbyists are present at COP17, which parties host them in their delegations, and what they focus on.

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We thank the Heinrich-Böll-Stiftung for their financial support.
Submissions are welcome from all civil society groups.
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