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## Why an Apex target is a bad idea

*Nataša Crnković, Center for Environment, Bosnia and Herzegovina*

Biodiversity is sooo sooo DIVERSE. A mission for the post 2020 plan should do justice to this diversity. We all recognize that measuring biodiversity is incredibly difficult. No single measure can actually capture all the richness of biodiversity. So one overall numerical goal can do injustice to the incredibly diverse and crucial interlinked aspects embedded in nature. **An area-based Apex goal?** That would disregard the quality of the areas, the amount of species and habitats in them. **A species goal?** That would disregard the abundance and full dimension of habitats, amongst others. Any other overarching measure would do injustice to many important parameters. One that is of special importance to this convention is bio-cultural diversity, and it is one that cannot be captured in numbers.

Biodiversity is so much more difficult to measure than climate, and even in the UNFCCC the "single metric" of CO2 is proving to be completely insufficient to capture differences between for example carbon stored in trees and carbon emissions from fossil fuels.

Biodiversity cannot be measured in numbers and that will never be possible. Many species will hopefully stay far from the eye of a human beings. In an attempt to simplify the diversity of life we are threatening to lose the essence of it – its diversity. Worse is that such an Apex goal could logically only be oriented towards conservation, which is just one of the objectives of the Convention. While we need to pay due attention to all three objectives of the convention, and we need to make halting the drivers the main focus of attention.

## Rights of Nature is fundamental in carving the future biodiversity actions

*Hemantha Withanage  
Executive Director, Centre for Environmental Justice, Sri Lanka*

Countries and legal systems increasingly recognize the rights of nature as a new tool for the protection of habitats. This is undoubtedly the recognition of the rights of the other species by humans and more broadly recognizing the rights of ecosystems. There is no doubt that single species cannot survive in this world without the support of ecological systems. Each species depend each other for material cycling and finding basic needs.

Human species are more dependent than any other animal or plant as our needs are more than any other species. Therefore it is impossible to protect a single species so we need to protect the whole ecosystem. Yet we are intervening many of the ecosystems for consumption, by pollution or destroying them for human needs. However countries such as Ecuador, New Zealand, Bangladesh and India, among others, have already made precedents by applying the "rights of nature" that recognize the legal rights of major ecosystems such as rivers, forests and mountains.

The new Ecuadorian Constitution rewrote in 2007-2008 includes a Chapter on Rights of Nature. Rather than treating nature as property under the law, Rights of Nature articles acknowledge that nature in all its life forms has the right to exist, persist, maintain and regenerate its vital cycles. And we – the people – have the legal authority to enforce these rights on behalf of ecosystems. The ecosystem itself can be named as the defendant.

Considering the river as an ancestor, after 140 years of negotiation, Māori tribe has won recognition for Whanganui river, meaning it must be treated as a living entity. The decision "Te Awa Tupua" will have its own legal identity with all the corresponding rights, duties and liabilities of a legal person.

Similarly, Colombia's highest court recognized the rights of the Colombian Amazon forests. In their ruling the judges said "It is clear, despite numerous international commitments, regulations ... that the Colombian state has not efficiently addressed the problem of deforestation in the Amazon.". In its ruling, the court recognized Colombia's Amazon as an "entity subject of rights", which means that the rainforest has been granted the same legal rights as a human being. In Asia, Bangladesh has recognized rights of the rivers by law, by code, a living entity. Ganges and Yamuna rivers in India, were also given the legal status of persons.

The future of the Biodiversity protection cannot ignore this concept of recognizing the rights of nature. Unlike other international conventions, the Convention on Biological Diversity is the right place for recognizing this at the international level. We believe that the adoption of a new Global Biodiversity Framework is the right place for this fundamental change.

## **Biodiversity loss: responsibility does not stop at the border**

*Nele Marien, Friends of the Earth International*

The world is more intertwined today than ever before. While biodiversity has been traditionally seen as very locally defined, nowadays the loss of biodiversity is as globalized and as intertwined as the economy itself.

Indeed, no country lives from its own resources only. All countries import products from other countries, many of which with considerable impacts on biodiversity. Eating meat in Europe? Consider the impacts of the animal ecological footprint due to deforestation in the Amazon. Using shampoo in Japan? Consider the impacts of palm oil plantations in Indonesia. Using a phone in the US? Consider the impacts of mining in the Democratic Republic of Congo. The list is endless.

It's the global demand that causes severe impacts in many valuable ecosystems around the world. If one country would manage to stop the further expansion of plantations, mining or others, the involved industries will search and find another place to get access to these resources. Therefore, we cannot put all the burden of loss of biodiversity on the countries that actually provide resources to others. Instead we must look to the countries where the highest consumption is concentrated. This aspect needs to be included in targets, and in biodiversity accountability.

High levels of resource use make that countries incur in responsibilities:

- to limit their aggregate consumption,
- to put stringent regulation on the actions of their national corporations in other countries,
- to prohibit imports of resources that cause biodiversity loss,
- to compensate economically for all the biodiversity loss their accumulated historical consumption has led to.

### **Brazil is on fire!**

*Ricardo Navarro, CESTA El Salvador*

In recent weeks, we have heard huge fires in the Brazilian Amazon and it is said that the smoke left Sao Paulo in the dark, More than 2,700 kilometers away, the smoke had already arrived in Argentina, then the fire spread to neighbor countries. President Bolsonaro said that fires occurred because some farmers burned their land to clean them and the fire went out of control, which could have happened in some cases, but the issue is that in 2019 the fires are simply too many. The National Institute of Space Research INPE of Brazil said that in 2019 the number of fires increased 80% compared to 2018, which forced President Bolsonaro to react

immediately, but not to put out the fires but to dismiss INPE director Ricardo Galvao, accusing him of lying.

A cause of the fires is undoubtedly climate change, causing the drought that persists in the area, but the Institute of Environmental Research of the Amazon IPAM affirms that this year the dry season has not been as severe as in previous years; however, the number of fires this year is 60% higher than in the previous 3 years, which suggests that not only climate change is responsible for fires. **In the search to blame someone, President Bolsonaro has said that the fires may have been caused by environmental NGOs to give a bad image to his government!**

With climate change, we will face every year increasingly strong extreme behaviors, but in the current case of Brazil there are other aspects that cannot go unnoticed. President Bolsonaro has dismantled the country's environmental policy, eliminated controls in the Amazon, said that climate change was pure speculation, joined the ministries of environment and agriculture to make the environmental matters dependent on the agricultural interests of landowners and he also expressed interest to end with indigenous reserves and open the Amazon to economic development.

President Bolsonaro's policy has motivated farmers, soybean growers, logging companies and developers to destroy the forest because it is considered an obstacle to the growth of their companies. The INPE notes that in July 2019, deforestation destroyed 2,254 km<sup>2</sup> of the Brazilian Amazon, 278% more than the 597 km<sup>2</sup> of the same month of 2018. Both, deforestation and fires are a major blow to the biodiversity of the Amazon. In response to the high levels of deforestation, the governments of Germany and Norway decided to cut economic support to Brazil.

Another worrying fact is what the indigenous communities in the Amazon mention that on top of climate change, the fires have also been promoted to end the indigenous reserves and allow corporations to grab the Amazonian lands to be able to dedicate them to agribusiness. If this were true, we would be in the presence of a strong threat not only to the biological and cultural diversity of the area, but also to a situation of aberrant crimes of ethnocide.

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