



## THE INGREDIENTS FOR A SUCCESSFUL GBF: UPDATED VERSION

The elements that should form part of it and those that shouldn't  
and the reasons why

READ THE FULL CBD ALLIANCE  
DOCUMENT HERE:



[bit.ly/3gTQlyM](https://bit.ly/3gTQlyM)

## From Climate COP to the Biodiversity COP: time for Real Solutions and Real Commitments.

Souparna Lahiri, Global Forest Coalition

COP27 was hyped up to be the "Implementation COP". While the last-minute agreements on a proposed funding mechanism for loss and damage and a "ready to operationalise" text for Article 6.8 on non-market approaches were indeed welcomed, Sharm el-Sheikh also emerged as yet another in a long line of COPs of false solutions. We were left with carbon markets still trying to cling on to the climate solution bandwagon and an ever-increasing number of mining, agribusiness, and fossil fuel lobbyists (1) polluting climate conversations inside the negotiation rooms. Across governments, in both the Global North and South, it's the dirty and harmful industries driving biodiversity loss and climate change that dominate climate policymaking.

Just a few weeks later we're facing a similar corporate-muddled setting, and a potentially similar outcome from COP15 in Montreal, which is tasked with negotiating a Global Biodiversity Framework (GBF) to guide global policy on biodiversity conservation for the coming decades.

While the world is looking for real solutions to the climate crisis and biodiversity loss, the negotiating texts are

replete with carbon credits, carbon removals, net zero (2), net gain or loss (3) nature positive or nature-based Solutions (NbS).

This false solution nexus includes the conservation lobby peddling forest carbon offsets, biodiversity offsets, REDD+ and the strengthening of exclusive and violent fortress conservation measures through the expansion of protected areas while not willing to operationalise human rights, including gender rights and the rights of Indigenous Peoples and vulnerable communities.

Climate change and biodiversity loss require immediate action. Global policymaking and multilateral agreements must be led by science. It needs to recognise the role of rights-holders, including women in all their diversity and Indigenous Peoples: a systemic transformation must recognise their governance, rights, their traditional practices, knowledge and wisdom. Governments cannot fail us anymore.

(1)<https://corporateeurope.org/en/2022/11/cop27-90-sponsors-have-fossil-fuel-ties>

(2)<https://www.clara.earth/netzero>

(3)[https://globalforestcoalition.org/wp-content/uploads/2022/03/GFC\\_biodiversity-offsets.pdf](https://globalforestcoalition.org/wp-content/uploads/2022/03/GFC_biodiversity-offsets.pdf)

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

## DSI discussions require urgent focus on data governance

Nithin Ramakrishnan, Third World Network

The 5<sup>th</sup> meeting of the Open-Ended Working Group on the Post-2020 Global Biodiversity Framework (OEWG5) will continue to discuss issues relating to Digital Sequence Information (DSI) and the solutions required to address the challenges it creates for fair and equitable sharing of benefits. While there is a convergence on the need for sharing of benefits arising from use of DSI, most of the policy solutions on the table remain silent about data governance requirements.

Data governance is a required capacity which every Party needs to have if they want to retain sovereignty over their genetic resources and to obtain benefits from the knowledge associated with such resources. The current practices of the databases and their collaboratives do not respect the access and benefit sharing (ABS) principles of the CBD and the Nagoya Protocol, at least in three ways. Firstly, while these databases provide “free and unrestricted access” - popularly known as “open access” - they help private users of the databases circumvent international and national ABS obligations. Without placing benefit sharing conditions in their terms of use, they help exploit the lack of institutional capacities to regulate data flow.

This allows not only the databases, but also subsequent users, such as secondary databases or pharmaceutical manufacturers, to evade benefit sharing obligations.

Secondly, these databases do not disclose the details of the downloaders and do not require the users to periodically report back on their current usage, which could be very instrumental in legally enforcing benefit sharing requirements.

Finally, the databases, using their website terms of use, carve out a unilateral right for them to deny access to the users, even without notice. While this may not be a major concern for now, this unilateral right along with the fact that several of these databases are located in/hosted by the developed countries may threaten access denial to other countries in future.

Therefore, it is clear that without adequate governance on the behaviour of the databases, fair and equitable sharing of benefits will remain a pipe dream. Data governance is therefore the elephant in the room, which OEWG5 must reckon with.

## Gene drives are the opposite of nature conservation

Over 140 CSOs demand a moratorium on genetically engineered gene drives at COP15

Ahead of the Meetings of the Convention on Biological Diversity (CBD) and its Cartagena Protocol on Biosafety in Montreal, civil society organizations from Africa, Asia, Europe, Australia and the Americas have issued a joint manifesto exposing alarming risks of environmental releases of genetically engineered gene drive organisms which could lead to irreversible ecological consequences and drive entire species into extinction.

A gene drive is a biotechnology that enables the forcible spread of genetic information within the genome of entire wild species, including lethal traits (read more at: <https://www.stop-genedrives.eu/en/>). The signatories of the manifesto are urging national governments at COP15 to resolve critical legal, environmental, biosafety and governance issues as well as fundamental ethical and cultural questions before considering any environmental release of gene drive organisms.

The call for a global moratorium (<https://www.stop-genedrives.eu/en/manifesto/>) is consistent

with demands at previous occasions including at COP13 in Cancun and COP14 in Sharm El-Sheikh. Recalling the goals of the CBD, Barbara Pilz, who coordinates the international Stop Gene Drives campaign states: “We urge decision makers to approach the issue of gene drives with utmost caution. Once released, they cannot be controlled, reversed or recalled and will respect no borders. This technology adds immense risks to the conservation of biological diversity and is at odds with the concept of nature protection. Let us not create another destructive legacy to future generations”

The manifesto highlights the need for multidisciplinary risk assessment and uncovers the lack of participatory decision-making processes on this topic to date. It reaffirms the precautionary principle and the need to include in the technology assessment knowledge from indigenous peoples’ and local communities’, whose territories are proposed for the first releases of gene drive organisms.

# A rights-based path for people and planet. Human rights proposals in the Post-2020 Global Biodiversity Framework

Forest Peoples Programme

As we move into the final rounds of negotiations of the Global Biodiversity Framework (GBF), the question is not if a human rights-based approach (HRBA) is needed, but how such an approach should be integrated into the framework, and what amendments are needed to make it effective. A briefing (1), prepared by the Human Rights and Biodiversity Working Group as input into the negotiations under the CBD, serves as a guide to answer those questions and to ensure the Post-2020 GBF achieves its aim for humans to live in harmony with nature.

The referred document provides clear and specific proposals on ensuring human rights are upheld in the GBF being negotiated at the 5th meeting of the Open-Ended Working Group (OEWG5) and COP15 in Montreal. It highlights what it takes to integrate a HRBA and how it can ensure effective, inclusive, equitable and just implementation of the GBF and the achievement of its goals and targets.

As the briefing shows, it is critical that the GBF integrates human rights concerns into key goals and targets where specific human rights have direct relevance, such as Target 3, where a recognition

of customary land and tenure rights can foster increased and improved conservation outcomes. It also proposes explicit and precise wording changes in Target 3 and multiple other targets in the GBF text to ensure that human rights are protected within them. This specific approach is vital, as a general reference to human rights principles (for instance, in Section B.bis) is insufficient to guarantee accountable and inclusive implementation of the GBF.

Even with the inclusion of effective, specific language, the GBF needs a well-developed monitoring framework, including indicators that appropriately monitor, track and report on how human rights are realised within the targets. Although it is unlikely that this monitoring framework will be finalised in Montreal, adoption of headline indicators that can track and monitor human rights impacts and outcomes is essential.

(1)<https://www.forestpeoples.org/en/briefing/human-rights-path-people-planet-post2020-global-biodiversity-framework>

## The Post-2020 Global Biodiversity Framework must help operationalise the new right to a clean, healthy and sustainable environment

Dr. Noëlle Kümpel, Head of Policy - Birdlife International

Since the last round of Global Biodiversity Framework (GBF) negotiations in Nairobi in July, the right to a clean, healthy and sustainable environment has been universally recognised by the UN General Assembly, via resounding support for Resolution 76/300 in July. This historic new right must now be recognised and critically implemented through all relevant multilateral environmental agreements to help address the escalating climate and biodiversity emergencies.

Following acknowledgement of the right in the UNFCCC COP27 Sharm El-Sheikh Implementation Plan last month, the momentum and justification for integrating the right to a healthy environment in the GBF is now undeniable. Having

recognition of the right to a clean, healthy and sustainable environment as an overarching principle in Section B.bis is a good first step. However, in order to help implement the right it must also be included in the “operational” parts of the framework: Goal B and accompanying Headline and Component Indicators, and the COP15 Decision. We urge Parties to champion this, in the context of respecting, protecting and fulfilling human rights more broadly as part of a human rights-based approach across the GBF. Look out for relevant events across COP15, including a full day dedicated to reimagining conservation and human rights on December 10 (Nature Positive Pavilion).

# How business is quietly taking over the Convention on Biological Diversity

Helena Paul, EcoNexus

The health of biodiversity and ecosystems should be central to every decision taken by governments because human survival and well-being depends on resilient ecosystems and healthy planetary systems in general. Governments should therefore comprehensively regulate and monitor banks and businesses to ensure compliance.

## However, this is not happening for several reasons:

- In the global north, many governments prefer to rely on businesses to self-regulate and to voluntarily report on their activities, instead of monitoring what is actually happening on the ground.
- In the global south, many governments are weak as regards the rule of law, or deeply in debt, which means that it is very hard for them to resist pressure from banks and businesses to open up to unsustainable resource exploitation.

Meanwhile business is constantly gaining power and access across the UN and the CBD: for example, the World Economic Forum (WEF) and the World Business Council for Sustainable Development (WBCSD) have launched the Business for Nature initiative, the Natural Capital

Coalition and the Capitals Coalition. They are introducing problematic language in CBD texts that helps to delay real action on biodiversity loss now. Such language includes no-net-loss/net gain, nature-based solutions, biodiversity offsets and payment for ecosystem services.

## What should happen instead?

- Corporations must not be allowed to self-regulate or apply pressure to governments weakened by debt and the need for financial resources.
- We need global, enforceable, regulation of corporations to tackle their global reach and supply chains.
- Corporations should be excluded from decision-making at the CBD and across the UN.
- Much text in the draft Global Biodiversity Framework requires revision to tackle these issues, especially Targets 14-16, 18 and 19.1.
- We need a whole-of-government/whole-of-society approach with Common but Differentiated Responsibilities (CBDR).
- Women, Indigenous Peoples and Local Communities, smallholder farmers, citizens are not stakeholders but rights holders.

# Agroecology: The CBD's transformative opportunity

Faris Ahmed and Patrick Mulvany

Agroecology is a systems approach that has the power to build resilience in the face of the biodiversity, climate and food crises, and achieve multiple biodiversity targets across scales, with substantial co-benefits across the majority of the Sustainable Development Goals. Biodiverse agroecology and adaptable food systems that work with nature are required to restore biodiversity, especially in the places where people live and work, to push back against global warming and to realise food security.

Agroecology is critical to all three pillars of the CBD. Prioritising biodiverse agroecology (1) in the Post-2020 Global Biodiversity Framework (GBF) provides an unparalleled opportunity to address not only the urgent biodiversity challenges at all levels (genes, species and ecosystems) but also the delivery of simultaneous, multiple co-benefits to GHG reduction and climate adaptation, food security, sustainable livelihoods and human rights. As substantiated by scientific evidence (2), agroecology addresses many of the direct and indirect drivers of biodiversity loss that are exacerbated by homogeneous monocultures and industrial food systems while enhancing heterogeneous agricultural biodiversity.

Early CBD decisions recognized the "special nature" of agricultural biodiversity, agreed actions that were necessary

to enhance it in production systems and established a Program of Work on Agricultural Biodiversity in the 1990s to "promote the positive effects and mitigate the negative impacts of agricultural systems and practices on biodiversity in agro-ecosystems and their interface with other ecosystems." However, in the past decade, agricultural biodiversity has fallen away from the CBD agenda (3).

In the GBF negotiations, agroecology is not prioritised, despite its relevance across multiple targets. The phrase "Agroecological approaches" appears bracketed in Target 10 of the Nairobi text (June 2022), and it is not mentioned in the Informal Group's streamlined report. Significantly, it is also missing in the outcomes of the COP27 Climate Conference. Agroecology must be included, at the least, in Target 10 of the GBF as the primary option for ensuring all areas under agriculture, aquaculture and forestry are managed sustainably. Without its inclusion in the GBF, we will miss the mark.

(1)<https://researchcentres.wlu.ca/unesco-chair/outreach-and-action/global-biodiversity-framework.html>

(2) <https://www.fao.org/3/ca5602en/ca5602en.pdf>

(3)<https://www.foei.org/wp-content/uploads/2022/03/Replanting-Agricultural-biodiversity-in-the-CBD.pdf>