



(Short version to be read in plenary followed by a longer version with further details below)

OEWG-3

Agenda Item 4 - Post-2020 Global Biodiversity Framework

Thank you, Mr. Chair, for this opportunity to present a summary of views of CBD Alliance members. Virtual negotiations do not allow for equitable participation of the global south and vulnerable groups. Our contribution does not imply accepting the process or proposed targets.

We have to address the systemic root causes of biodiversity loss in a deeply extractive and inequitable global economy driven by wealthy and powerful elites and corporations. 4-6 trillion USD of private and public investments and perverse incentives which promote destructive activities have to be phased out.

Financial flows have to be aligned and regulated to comply with the CBD. Target 18 should include measures to justly penalize destructive industries. Target 19 needs to mobilize public funds and disincentivize environmental degradation by addressing how debt, austerity and tax avoidance worsens it. But currently it instead calls implicitly for the use of public funding to “leverage” private investments, which triggers dependencies of public institutions on private sector interests.

The CBD obliges states to prevent the acceleration of the global biodiversity loss by regulating its main drivers, business and overconsumption particularly in rich states. But these CBD obligations are undermined by the proposed GBF. Its Targets 15 and 16 leave it for business and consumers to self-regulate as they wish.

CBD implementation should not adversely affect states' obligations on human rights related to the sustainable use of biodiversity. The right to a safe, clean, healthy, and sustainable environment and other environmental rights have to be respected.

Rights-based, community-based, and equitable governance for area conservation and the specific role, rights and tenure of IPLCs and women should be safeguarded in targets 1, 2, 3, 4, 6, 9, 10, 20 and 21. Target 21 must *explicitly* secure the rights of IPLCs and women. Women and girls have to be empowered through transformative gender-just biodiversity conservation and meaningful participation in its decision-making. The draft Gender Plan of Action should be reflected in the self-standing gender target proposed by the Women's Caucus.

People's rights to live with biodiversity in ways which allow it to regenerate and sustain people's life have to be advanced, also under the Goal B and its milestones. The utilitarian and monetarist approach in the goals and targets, separating people from 'nature', must be removed.

CBD does not have the time or resources to be confronted with extreme, new or insecure emerging technologies one by one, after they have been released into the environment in the absence of transparent regulatory frameworks. Participatory technology horizon scanning, assessment and monitoring, has to be ensured in a new mechanism that addresses precaution, free prior informed consent, liability and redress, and respect for human rights and knowledge systems of Indigenous Peoples and Local Communities and women.

Biodiversity loss cannot be recovered in full, as extinct is forever. Terms like 'net improvement' and 'net gain' should be thus avoided.

The totality of CBD obligations, the Rio Principles, the precautionary principle, polluter liability, intergenerational rights and the intrinsic value of biodiversity should be respected. We will be submitting

detailed comments on most of the GBF content in the coming days to set out how we think this can be achieved.

(Longer version)

CBD Alliance's general comments on GBF Draft 1

The following is a compilation of different views from civil society and specific recommendations will also be shared separately. This document is a contribution to the ongoing discussions but does not imply an acceptance of the current proposed targets since further discussion is required considering the challenges faced especially by the global south and those most vulnerable groups to follow the CBD negotiations given the current pandemic. Among others, the post-2020 GBF and its implementation must be comprehensive and balanced and targets could be added for this purpose.

1. Principles

The post 2020 GBF must be based upon important principles, including the Rio Principles. We want to particularly call for an explicit inclusion in the GBF of the precautionary principle, respect for human rights and indigenous rights, a gender and intergenerational perspective, justice and equity, benefit sharing, respect for all knowledge systems, and the recognition of the intrinsic value of nature. The GBF should make sure polluters are held responsible for the damage they cause, both towards nature and affected communities. Importantly, the GBF must do everything to ensure biodiversity returns within the safe limits of the planetary boundaries, as a basis for the development of all further work. Currently, there is a lack of even references to such principles.

2 Root Causes

The root causes of biodiversity loss lies within a larger context of the deeply extractive and inequitable global economy that is in place, both historically and today. We need to see the structural and systemic political-economy root causes, driven by wealthy and powerful elites and corporations, that need to be addressed.

Stop destructive activities. Biodiversity loss is primarily caused by destructive activities and the 4-6 trillion USD of private and public investments and 260 billion USD of perverse incentives that promote them. A strong target to align all human activities and financial flows with the CBD and its objectives and commitments and a strong target to phase out or redirect all perverse incentives with ambitious milestones, are central to the GBF. Target 18 should include a justice component – there is an urgent need to regulate finance and penalize industries that damage biodiversity and the rights of IPLCs. This is currently absent from the target. Simply relying on voluntary mechanisms that rely on businesses to “do the right thing” is not good enough.

Mobilise public funds and disincentivise environmental degradation. The phrase “leveraging private finance” in Target 19 is a nod to the claim that the public sector cannot provide all the finance needed, therefore the increasing need for private sector financing that is essentially about blended finance - the use of public, philanthropic or supranational funding to “leverage”, “unlock” or “catalyse” private investments. But this blended private-public finance creates dependencies of public institutions on private sector economic interests, which is one of the root causes of the corporate take-over of many UN processes at the moment. Instead of leveraging private finance, the target should rather point to other ways of mobilising public funds and establish policies that disincentive environmental degradation in the first place. If we address the structural barriers that countries face – debt, austerity and tax avoidance – there will be adequate public funds.

Regulation of business and finance. The GBF must explicitly include the regulation of business and finance, which target 14 currently fails to do. 'Biodiversity values' should be as defined by the CBD. (See decision X/3, paragraph 9(b)(ii)). Target 15 allows business to self-regulate while Target 16 leaves consumers to address overconsumption without a regulatory framework. If not addressed, the result would be a complete imbalance of power between business, government and society.

Address overconsumption. While Target 16 sets a numerical target for reduction of waste, it does not necessarily reduce overconsumption. It needs to include concrete timebound numerical limits to consumption of natural resources including soil.

3 Rights based approach

A rights-based approach to equitable, gender just governance of areas to ensure the conservation and sustainable use of biodiversity is essential for the resilience of systems of life, good health, and the use, restoration and conservation of natural resources.

Draft one **Goals, Milestones and Targets should be reviewed to ensure improved integration of a rights-based approach.** It is also important to adopt relevant indicators to ensure monitoring of RBA.

Acknowledge and enhance the interdependence of people and nature. Many of the goals and targets still take a unilateral, utilitarian and mostly monetarist approach. The framework should promote a reciprocal relationship between people and nature, by valuing the contribution of people and their cultures to the natural world. Goal B and its milestones should acknowledge this interdependence by aiming to maintain and enhance nature and people's mutual and interdependent well-being.

Recognise the right to a safe, clean, healthy, and sustainable environment. The recognition and implementation of this right can be a powerful tool to integrate mainstream biodiversity and embed a rights-based approach across policies and processes. It has gained momentum by its recognition by the Human Rights Council at its last session in March 2021. The fulfilment of this right should be referred to in at least one of the goals or milestones.

- Governance

Ensure equitable governance in area-based measures. Community-based conservation institutions and local governance regimes have often been effective in preventing habitat and biodiversity loss. Innovative, inclusive and equitable governance approaches to conservation are needed, including the recognition of the fundamental role of IPLCs in conserving biodiversity for the future. Recognition and respect of rights, and equitable governance should be reflected in targets 1 and target 3, 9, 10, 20 and preferably 4 and 6.

Support and protect human environmental rights defenders. Provide a safe and enabling environment and strengthen practical measures to support and protect human rights defenders in environmental matters, including effective and timely remedies in cases where IPLCs and other defenders face threats, criminalization and/or any form of violence. This should be embedded in the preface and further strengthened with explicit reference in Target 21.

- ICCAs

Secure the rights and customary practices of IPLCs to their lands, territories and resources. According to several reports, at least a quarter of the global land area is traditionally owned, managed, used or occupied by indigenous peoples. In addition, a diverse array of local communities conserve and sustainably use manage significant areas on land and in the sea, often under collective access and tenure regimes and do so in sustainable ways with positive impact for biodiversity and ecosystem services. Securing tenure rights is a crucial condition to achieve the area-based targets of the GBF, including strengthening gender responsive references to tenure rights of IPLCs in targets 1, 2 and 3.

- Gender issues

Gender equity and equality. While women play an important role as managers, leaders and defenders of biodiversity nature and agents of change in safeguarding the environment, women face limitations in terms of effective and equitable participation and access to and/or ownership of land and other resources. Efforts to conserve biodiversity need to be truly gender just and gender transformative, and ensure the empowerment, leadership, decision-making and meaningful participation of women and girls. **The priorities of the draft GPA need to be reflected in the self-standing gender target that has been proposed by the Women's Caucus** as well as at the level of other relevant targets and indicators (including sex/gender disaggregated data).

4. Technology

We are in a time where an unprecedented erosion of biological and cultural diversity stand in stark contrast with the rapid development of extreme technologies, from data-driven technologies to biotechnologies and Earth Systems manipulations such as geoengineering and gene drives. In most cases, these technologies are brought to the markets by powerful large private companies, in the absence of public and transparent regulatory frameworks and to pursue the increase of their profits instead of the public good. On the other pole, the contribution and knowledge systems of innovation of local communities, peasant and indigenous knowledge, especially women, to the conservation and sustainable use of biodiversity, are key to affirm the answers to biodiversity, climate and food crises.

CBD has not the time or resources to be confronted with new and potentially dangerous emerging technologies one by one and after they have been released into markets. Following CBDs precautionary decisions on climate geoengineering, it needs to ensure that proposed technologies are not based on geoengineering.

A new GBF must include provisions to develop the capacity for technology horizon scanning, participatory technology assessment and monitoring, the need to put technical co-operation in the context of precaution, participation, free prior informed consent, liability and redress, and the rights-based approach.

It needs to integrate the recognition and promotion of indigenous knowledge, practices and technologies, including in particular Indigenous women's knowledge, as well as the mandate to pursue synergies and collaboration with networks, including civil society networks, who carry out technology horizon scanning and technology assessment, as well as UN processes supporting indigenous knowledge and innovations.

All these elements should be integrated in the decision to establish a new mechanism for horizon scanning and technology assessment to ensure the implementation of the GBF goals.

Extinct is forever

Last but not least, biodiversity loss cannot be recovered in full, as extinct is forever. Therefore, the use of terms like 'net improvement' and 'net gain' should be avoided