

## The Big Business of Biodiversity Destruction

simone lovera - friends of the earth international

*"The issue is whether conservation organizations want to remain pure, or whether they want to become integrated in the trade offs of real life society."*

This was just one of the many statements that made eyebrows frown during the dialogue organized by IUCN-and-business-partners on the controversial theme of biodiversity offsets. The strong interest of the business partners of IUCN in this conservation strategy is not surprising: seldom has there been a more attractive win-win-win option. Now mining, oil and other corporations cannot only enter a precious ecosystem and destroy it, but they can, through this destruction, create a brilliant business opportunity for

biodiversity offsets. That is, in cooperation with interested partners they can set up a cute-looking protected area to "compensate" for the destruction caused by their activities. What an excellent greenwash opportunity. Imagine the "Shell Inc. Nature Reserve" in the Niger Delta, the "Exxon wildlife refuge" in Alaska, the "Newmont Forest" in Papua New Guinea, and the "Petrobras Indigenous Reserve" in Ecuador. Doesn't that sound like a great corporate marketing strategy? And of course, the third gain is that the local communities that used to be opposing the project can be nicely divided by throwing them a handful of jobs and a handful of beads, which means that half of the community will become dependent on income from the offset. And we should not overlook the impact these policies will have on the NGO community. It cannot be denied that the biodiversity offset market will provide a natural incentive to accept destructive projects. The more destructive the project, the larger the amount of money will be that will be spent on the biodiversity offsets. Talking about jobs, beads and perverse incentives.....

Sounds evil? This is just the beginning. The naivety with which the CBD community is welcoming the business community into its ranks is truly remarkable. Or maybe we are naïve. Maybe the CBD community that invited some of the world's most destructive companies to the Business and Biodiversity Initiative meeting in

Sao Paolo last month is very well aware of the business opportunities that these devils represent. After all, hasn't the very active involvement of business in the climate change process brought about wonderful business opportunities? Who cares about the fact that the Papua New Guinea proposal to include "avoided deforestation" in the Clean Development Mechanism<sup>1</sup> will totally undermine the climate regime. We are talking Big Bucks for Biodiversity Business!!! So why bother highlighting the total lack of synergy between the CBD and a climate regime that promotes genetically engineered trees, large-scale oil palm plantations, and the rapid replacement of natural grasslands, cerrado's, tropical forests and other "degraded" lands by oceans of soy, sugar cane and eucalypt for biomass production. The more destruction, the more biodiversity business! In fact, even the nuclear plants that are currently being reopened all over Europe provide great biodiversity business opportunities, now that conservationists discovered that sites like Chernobyl are actually great wildlife reserves where Wisents and other beasts can quietly roam without being disturbed by human beings.<sup>2</sup> A better "synergy" is unthinkable!

<sup>1</sup> Avoided deforestation? In PNG???? Surely, they must be using FAO definitions that do not count the replacement of primary rainforest by monoculture oil palm plantations as "deforestation"!

<sup>2</sup> Surely, IUCN President Valli Moosa has this biodiversity business opportunity in mind when expanding the nuclear activities of his company Eskom.

### IN THIS ISSUE

Biodiversity Destruction.....	1
10(c).....	2
US Ratification?.....	3
Bits n' Bites .....	4

ECO has been published by the NGO (non-governmental organisation) community at most Conferences of Parties of the International Environmental Conventions. It is currently being published at the 11<sup>th</sup> SBSTTA to the Convention on Biological Diversity in Montreal, Canada coordinated by the CBD Alliance. The opinions, commentaries, and articles printed in ECO are the sole opinion of the individual authors or organisations, unless otherwise expressed.

SUBMISSIONS: Welcome from all civil society groups. Please give to Jessica Dempsey at morning NGO meetings or submit to [jdempsey@interchange.ubc.ca](mailto:jdempsey@interchange.ubc.ca)

*The production of ECO is generously supported by SWEDbio.*

# What?! Real Implementation of the CBD? Bringing the CBD home with article 10(c)

jessica dempsey - CBD Alliance and gavin winter - Wapichan People

Tuesday evening in the cavernous Assembly Hall II, delegates were treated to excellent examples of actual – dare we say it – *implementation* of Article 10(c) of the CBD, which requires Parties to “protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation and sustainable use requirements.”

Presentations from representatives of the Karen and Hmong peoples of Thailand and the Wapichan people of the South Rupunini Guyana demonstrated the rich Indigenous customary management and use of biodiversity in addition to the challenges these communities face to continue.

The Wapichan case study focused on customary use within their traditional territory in Guyana where local Wapichan researchers (following a protocol for ethical and culturally appropriate investigation) compiled maps of traditional occupation and use, and documented information related to customary use and traditional practices. The researchers found that the Wapichan institutions and knowledge promote ‘sensible’ (sustainable) use of resources.

For example, the *kaponaa tin pia’o*: “hunting line owner”:

“When my father knew he was soon going to die, he sat me down one day. He said: ‘this line is now yours. ...Don’t ever forget this line and do not be too stingy when others come to you to ask if they may use it. He also told me: ‘*puzruuyan diri puwaka dani, aonaa pu antamikitiana. Kaiwe piaipan karanat*: If you kill too many, you will waste. Do not punish it. Only use what you need’ [Simon Marcello, Aishara Ton 02/05]

However, these customary and traditional practices uses are not secure. Existing and proposed government legislation and policies do not provide adequate protections for the extensive system of Wapichan traditional land use. Current land titles cover only a limited extent of the area of customary use, while access rights can be extinguished or restricted by the government. Under the Draft 2005 Amerindian Bill, the State will not recognise collective holding of land title by several indigenous communities, undermining the traditional system of land governance. The Draft Bill also plans to subject traditional access rights of indigenous peoples to the rights of leaseholders, including concession holders. In short, if concessions or leases are sold over traditional Wapichan lands, their traditional practices risk being curtailed or lost completely. At the same time, while Wapichan communities exercise

traditional protective jurisdiction over biological resources in their ancestral territory, this customary jurisdiction is not recognised by the State.

The IMPECT case focused on customary uses in indigenous hill tribe communities in Northwest Thailand and also involved community mapping and the tracking of traditional practices. The summary included a presentation of highly sophisticated maps based on traditional land use categories. These maps have been created by the communities with their own technicians trained under a project supported by the Forest Peoples Programme. Like the Guyana case, participants heard how traditional institutions and customs promote sustainable use according to the regeneration capacity of natural resources, while some cultural and spiritual beliefs identify certain habitats as off-limits to regular use. The practice of rotational agriculture was highlighted as an important traditional practice that maintains agro-biodiversity and provides food security for the communities as well contributing to local biodiversity of plants and animals.



Legal and policy analyses undertaken as part of both case studies found that national laws on conservation, land regulation and natural resource exploitation are not fully consistent with Article 10(c), nor with the progressive elements of new national constitutions in Guyana and Thailand. In some cases, conservation laws in Thailand still criminalise sustainable traditional practices. In Guyana, the National Biodiversity Action Plan sees indigenous peoples above all as a threat to biodiversity. The two studies demonstrated how government policies often fail to recognise the critical link between customary land tenure and the maintenance of traditional knowledge and practices of indigenous and local communities

# Ocean Affinities: the USA & the CBD

rich blaustein

At the early September 2005 Ad Hoc Open-Ended Working Group on Review of the Implementation of the Convention, CBD Executive Secretary Hamdallah Zedan opened the meeting by extending his condolences to both the people and the government of the United States of America. Both then and now, Dr. Zedan's kind gesture of affinities serves to illuminate many of the marine, coastal and human concerns the CBD shares with the United States, still a non-party to the Convention.

Hurricane Katrina struck the United States at the same time US policy makers and oceans experts were considering the well-publicized work of two prominent US oceans commissions: the 2003 private Pew Oceans Commission report and the 2004 official United States Commission on Ocean Policy (USCOP) final report. These reports continue to be at the forefront of US oceans and coastal policy discussions, while the CBD SBSTTA-COP process also seeks to enhance and actualize its program for marine and coastal biological diversity. For both the US and the CBD, this focus on oceans signals a return to a time of idealism about the seas and their meaning for human life. This return to oceans is also an ideal occasion for review, dialogue and advocacy for US ratification of the CBD.

The two oceans commissions spoke directly to the CBD ratification issue. The Pew Oceans Commission report in its chapter on US international oceans policy states: "As first and critical steps, the Commission recommends that the United States ratify the 1982 United Nations Convention on the Law of the Sea (UNCLOS) and the 1992 Convention on Biological Diversity...The Convention on Biological Diversity is the premier international instrument devoted to biodiversity and ecological sustainability."

The United States Commission on Ocean Policy (USCOP), which was appointed by the current President Bush in fulfillment of a congressional mandate, did not go so far as to recommend CBD ratification. However, surprisingly it did recommend that a new White House interagency oceans committee "should coordinate an expedited review and analysis of the ocean related components of the United Nations Convention on Biological Diversity and recommend to the US Department of State whether from an ocean perspective ratification of this treaty would be beneficial to US interests."

No doubt the global prominence of the CBD is unavoidable in any examination of international oceans concerns, and the USCOP report offers an effective way for the US to seriously think about its marine and coastal benefits *and* benefits from full CBD status.

Additionally, the USCOP and Pew reports highlight many other common concerns between the US and the CBD. For example, the USCOP report even recommends "(t)he United States should take a leading role in the global effort to control the spread of aquatic invasive species by working internationally to develop treaties, agreements, and policies to minimize the introduction and establishment of such species." With the CBD as the distinct and leading forum for invasive species discussions, all of these USCOP invasive species objectives would only be realized -- to the US' great benefit - with CBD ratification.

The Pew and USCOP commissions speak much more to the need for full US participation in the CBD. In the US context, the two commissions resonate with the era begun by President John F. Kennedy, who articulated a reverence and responsibility for our common oceans. About this President Kennedy best emblemized this sense of oceans and biological commonality in his famous reflection: " We are tied to the ocean. And when we go back to the sea, whether it is to sail or to watch, we are going back from whence we came." More than forty years after JFK's time, the oceans continue to demand reverence, proper management, and good will -- attributes integral to the CBD promise and that will only be brought to fruition when all nations ratify the CBD.

## ***10(c) continued from pg 2***

In each case, the presenters stressed that national policies are out of step with international standards and best practice. Both presentations recommended reform of national laws and policies to bring them into line with governmental commitments under the CBD as well as under national constitutions.

**Thank you,  
Madame Chairperson**

Big thanks to Annemarie Watt, Chairperson of Working Group I, for supporting speaking opportunities for NGOs and IPOs. Despite the rantings of some Party delegates, NGOs and IPOs have a central importance in actual implementation of the CBD while IPOs and local communities often experience the brunt of biodiversity loss or biodiversity conservation projects. We welcome the openness and look forward to further contributions at COP 8.

**One Conventions' incentive is another Conventions' pain in the #\$\$#\$\$^**

A recent article in the New Scientist (Nov 22, 2005) should be of great interest CBD parties and delegates. Author Fred Pearce identifies links between the increase in biofuel production – a Climate Change incentive – and the loss of tropical forests.

Biofuels are increasingly demanded, especially in the EU where laws require conventional fuels to be blended with biofuels to help countries meet their Kyoto targets. Recently the British government announced a target for biofuels to make up 5 per cent of transport fuels by 2010.

According to the article, Europe's biofuel demand has, in the past, been dominated by home-grown rapeseed (canola) oil. But with the growing demand for biofuels at 25 % per year, the price of rapeseed has increased, leading fuel manufacturers to palm oil and soyabeans.

This increase in demand for palm oil and soyabeans has driven up prices for these commodities (Palm oil prices

jumped 10 per cent in September alone, and are predicted to rise 20 per cent next year), leading to the expansion of palm and soya plantations in the tropics. And, as folks from the biodiversity convention know, the expansion of palm and soya plantations are not so good for forest biodiversity, as tropical forests are cleared to make room. See [http://www.truthout.org/issues\\_05/112505EB.shtml](http://www.truthout.org/issues_05/112505EB.shtml) for full text of article

**GE Trees:  
finally on the radar!**

In WG I and II, the issue of genetically engineered trees came onto the radar screen. This is a crucially important topic for biodiversity and thus should be considered by COP 8.

**MEA & Consumption**

Miraculously UNEP/CBD/SBSTTA/11/7/CRP.1 maintained the paragraph urging Parties to address unsustainable consumption patterns that impact biodiversity. Unsurprisingly they managed to remove the concrete action – which was to actually 'consider this issue further at its ninth meeting'.

The MEA clearly identifies consumption as an indirect driver of biodiversity loss:

“Consumption of ecosystem services and of energy and nonrenewable resources has an impact, directly and indirectly, on biodiversity and ecosystems. Total consumption is a factor of per capita consumption, population, and efficiency of natural resource use. Halting biodiversity loss (or reducing it to a minimal level) requires that the combined effect of these factors in driving biodiversity loss be reduced”.

When will the CBD address this crucially important issue?

**Shameless consumption**

First you unwrap the plastic wrap. Then you take out the plastic bag containing plastic utensils. Finally, you open the rigid plastic container. Now, enjoy your lunch and that side event!

There's more. At least several times a day you use a STYROFOAM cup and fill it with (likely not fair trade/shade grown) coffee and tea. Then you drop it in the garbage.

Welcome to the CBD, you know, an *environmental* Convention.

**Filling the void –  
Marine and Coastal  
Diversity**

Yesterday morning's discussions on Marine and Coastal Diversity regarding deep seabed genetic resources beyond national jurisdiction and the identification of technical options for their conservation and sustainable use were very stimulating because of the diversity of views expressed on the floor.

We really appreciate that some countries raised their voice and called for urgent action on this delicate matter. There is no more time left to devote to political or semantic discussions. What is at stake is the future of deep-sea biodiversity. Even as we speak, irreparable damage is being inflicted on deep sea habitats around the world by deep sea bottom trawling. Bioprospecting now appears as a new threat.

It was encouraging to hear the Pacific Island and African states, as well as the Netherlands, grasp the nettle and call for a new instrument under the mantle of the UN which will address the whole range of issues affecting the global commons that are the high seas.