Biodiversity and finance: building on common ground with customary rights-holders

A briefing for the post-2020 Global Biodiversity Framework

Global finance for biodiversity has grown significantly over the past 10 years and is now estimated at between US$78 billion and $147 billion per year. However, it is greatly outweighed by public subsidies and broader financial flows that drive biodiversity loss, which are estimated at between US$500 billion and several trillion per year.

Meanwhile, although the substantial biodiversity contributions of customary rights-holders are widely recognised in global policy (including both indigenous peoples and other local communities with customary rights to lands and natural resources),[1] their actions to protect and maintain their lands and the biodiversity that they contain continue to be undermined on the ground, including by environmentally and socially harmful projects and programmes that receive public subsidies.[2] Ironically, some of these are projects and programmes that are designed to further the aims of biodiversity conservation but, because they displace customary rights-holders, they often have the reverse effect.

These two factors—a) the net negative impacts of financial flows on biodiversity and b) the lack of adequate and appropriate direct support for customary right-holders—are major constraints to effective biodiversity financing.

About this briefing

This briefing has been produced as part of a series co-authored by Forest Peoples Programme (FPP) and partner organisations to expand on, and explore the policy implications of, the research and findings in the 2nd edition of the Local Biodiversity Outlooks. It is intended to contribute towards the evidence-based negotiations and dialogues towards the post-2020 Global Biodiversity Framework of the UN Convention on Biological Diversity (CBD). It has been produced with financial support from the Swedish International Development Cooperation Agency (Sida) through Swedbio at the Stockholm Resilience Centre. This briefing was written by Helen Newing, with contributions from Helen Tugendhat and Claire Bracegirdle.

Image: An Ifugao woman on her way to collect young rice plants for transplanting into one of her family's paddy fields in the Philippines. Credit: Chris Stowers.

Forest Peoples Programme

In this briefing, we give an overview of biodiversity finance and make the case for increasing support to customary rights-holders. We also describe the financial flows driving biodiversity destruction and show how they harm local people as well as nature. We then make recommendations for action in six key areas where there is scope to increase the effectiveness of biodiversity finance by building on common ground with customary rights-holders. These are as follows:

1. Increasing long-term, direct financial support for the actions of customary rights-holders. Priority areas for funding include legal and political support for land titling; support for other communal land designations, including as Indigenous and Community Conserved Areas (ICCAs) or Other Effective Conservation Measures (OECMs); and support for local sustainable production systems.

2. Strengthening environmental and social safeguarding systems, both for biodiversity finance and more widely, including in terms of implementation and accountability.

3. Eliminating or reforming subsidies that harm nature and people.

4. Increasing financial and political support for rights-holders to participate in policy processes at all levels.

5. Addressing barriers to reform, including vested interests in global policy and funding processes.

6. Improving financial reporting, including by disaggregating figures on funding provided to customary rights-holders and accounting that includes their in-kind contributions appropriately and effectively.

The policy context: biodiversity and finance in the draft post-2020 Global Biodiversity Framework

An updated zero draft of the post-2020 Global Biodiversity Framework published in August 2020[3] is the point of reference for this briefing. It comprises:

- an overall vision and four Goals for 2050;

- a mission, milestones and twenty Action Targets for 2030

- four cross-cutting issues: implementation support mechanisms; enabling conditions; responsibility and transparency; outreach, awareness and uptake.

Figure 1 shows how these elements come together in the Framework's Theory of Change.

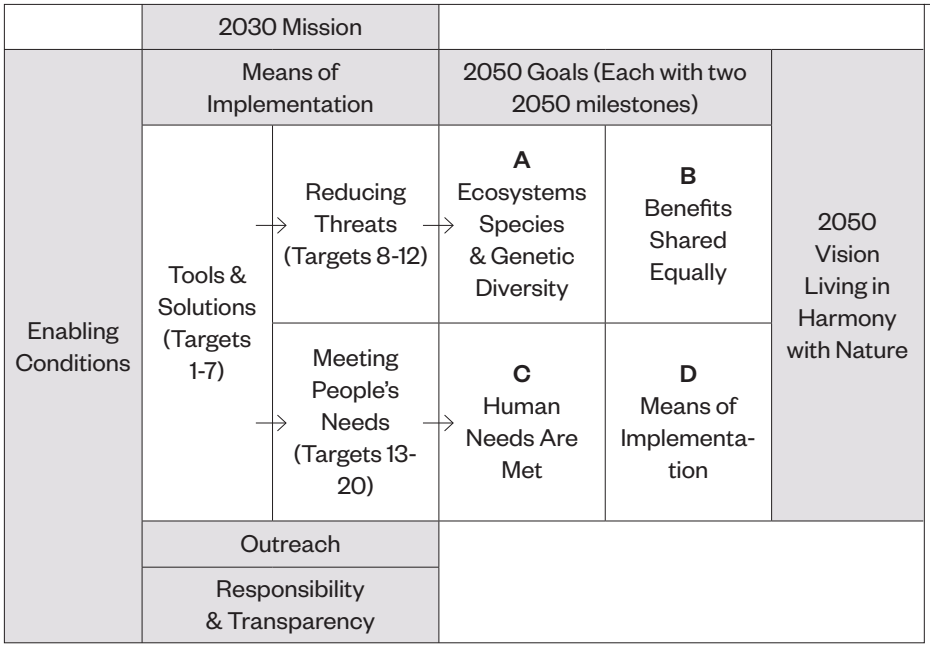

Figure 1: Elements in the draft post 2020 Global Biodiversity Framework

Adapted from CBD/POST2020/PREP/2/1

In the Framework, financial issues are addressed as part of the resource mobilisation strategy, which is one of four implementation support mechanisms (along with capacity development, knowledge generation and sharing, and technical and scientific cooperation). The resource mobilisation strategy has five components:[d]

1. An enhanced financial mechanism that delivers resources for developing countries
2. Reducing or redirecting resources causing harm to biodiversity
3. Generating additional financial and non-financial resources from all sources, including from international and domestic sources and the public and private sectors
4. Enhancing the effectiveness and efficiency of resource use
5. National finance plans to support implementation.

While all these components are important and are the subject of ongoing negotiations and discussions, this briefing focuses on two components and their implications for customary rights-holders component ii (on reducing or redirecting harmful resources) and component iv (on enhancing effectiveness and efficiency of resource use). These two components are directly concerned with the appropriate targeting of financial resources at the global level. Three Action Targets in the draft Global Biodiversity Framework are key for these components:

- Target 14 on production practices and supply chains
- Target 17 on incentive reform
- Target 18 on increased effective financial resources.

The full text of these Targets is presented in Box 1.

a. This section is based on the August 2020 update of the zero draft Global Biodiversity Framework (CBD/POST2020/PREP/2/1).

Box 1

Biodiversity and finance: key Targets in the updated zero draft Post-2020 Global Biodiversity Framework

Target 14. By 2030, achieve reduction of at least [50%] in negative impacts on biodiversity by ensuring production practices and supply chains are sustainable.

Target 17. By 2030, redirect, repurpose, reform or eliminate incentives harmful for biodiversity, including [X] reduction in the most harmful subsidies, ensuring that incentives, including public and private economic and regulatory incentives, are either positive or neutral for biodiversity.

Target 18. By 2030, increase by [X%] financial resources from all international and domestic sources, through new, additional and effective financial resources commensurate with the ambition of the goals and targets of the framework and implement the strategy for capacity-building and technology transfer and scientific cooperation to meet the needs for implementing the post-2020 global biodiversity framework.

Note: Square brackets indicate text in the draft Framework that has yet to be completed.

What is global biodiversity finance?

Figure 2 provides a simplified typology of biodiversity finance divided into public domestic and international finance, and private finance. Blended finance, which involves public-private partnerships, can involve any or all these three categories, and is increasingly popular as a means of attracting private investment to support public policy objectives. However, because of the complexity and large scale of many blended finance projects and the large number of funders who may be involved, it brings extra challenges in terms of accountability and transparency.

In terms of thematic coverage, biodiversity finance is defined by the OECD as finance from any sector that contributes to or is intended to contribute to the conservation, sustainable use and restoration of biodiversity.[b] Therefore, it includes not only finance that is specifically targeted for biodiversity conservation but also finance within other sectors where there are benefits for biodiversity. Thus, biodiversity finance includes some finance for agriculture, fisheries, forestry and water supplies. Given that climate change[4] is the third largest direct driver of biodiversity loss, biodiversity finance also overlaps substantially with finance that is intended to address climate change. To address these kinds of complexities, reporting of biodiversity finance by the OECD Development Assistance Committee (DAC) uses a system of weightings (the 'Rio markers') according to whether biodiversity is a principal objective, a significant objective, or is not targeted.[5c]

b. In this briefing we use the OECD definition of biodiversity finance. It includes any funding where improving the state of biodiversity is the main objective, a secondary objective or simply a side benefit. For more information, see: Organisation for Economic Cooperation and Development (2020) A Comprehensive Overview of Global Biodiversity Finance. Paris: OECD. Available at: https://www.oecd.org/environment/resources/biodiversityfinance.htm

c. OECD Development Assistance Committee reporting of international public finance uses weightings according to whether addressing biodiversity loss, climate change, and/or desertification is a principal objective (driving or motivating the activity), a significant objective (explicitly stated but not a driver or motivation for the activity) or not targeted. For more information, see: DCD/DAC(2016)3/ADD2/FINAL. Available at: https://www.oecd.org/dac/environment-development/Annex%2018.%20Rio%20markers.pdf

Public domestic finance	National budget allocations		Blended finance
	Revenues from 'green' taxes, environmental fees, fines, permits and other charges		
Public international finance	Official Development Assistance (ODA)	Bilateral	
	Other official flows (OOF)	Multilateral	
Private finance	Grants and dontations (from philanthropic foundations, corporations, individuals)		
	Debt/equity: repayable loans, stocks and bonds		
	Risk management, including environmental insurance		
	Biodiversity offsets and payments for ecosystem services		
	Corporate expenditure on sustainability certification		

Figure 1: Biodiversity finance – a simplified typology

Note: In public finance, 'Official Development Assistance' (ODA) refers to official concessional resource flows to developing countries where the main objective is economic development and welfare. 'Other Official Flows' (OOF) are those where either the main objective is not development or where less than 25 per cent is grant-based (OECD 2020: 22).

Principal sources: BIOFIN 2018; Deutz et al. 2020; OECD 2020; Meyers 2020[6]

Total global biodiversity finance is estimated at between US$78 billion and US$147 billion per year, or 0.1 to 0.25 per cent of global GDP (see Table 1), the great majority of which falls within domestic budgets, including in the Global South. However, most biodiversity finance is both generated and spent in the Global North, and this is one reason why the distribution of biodiversity finance does not currently reflect global biodiversity priorities. Only an estimated 5–12 per cent of public biodiversity finance is spent on international projects[7] and, according to a recent analysis, international finance channelled through the World Bank and the Global Environment Facility for conservation and development purposes is distributed according to governance criteria and broad socioeconomic factors rather than according to need[8].

Kaqchikel farmer tending to his crops. Credit: Latitude Stock.

Table 1: Recent estimates of total global biodiversity finance

	Amounts per year (in US$ billions)		
Source	OECD 2020	Deutz et al. 2020	Seidl et al. 2020
Domestic public finance	67.8	75–78	147
International public finance	4–10	4–10	
Other	6.6–13.6	45–55	-
Total	78–91	124–143	147

Note: The variation between estimates is related to the sources and coverage of the underlying datasets, the definition of categories, treatment of potential double-counting, and differences in the way biodiversity finance is defined and weighted. Principal sources of data for public expenditure include national financial reports to the CBD; the Biodiversity Finance Initiative (BIOFIN) biodiversity expenditure reviews; and the OECD Creditor Reporting System (CRS) for international flows, and Classification of Functions of Government (COFOG) datasets. Deutz et al.'s calculations of public domestic finance are based on the OECD figures plus additional data publicly available for another seven countries. The calculation by Seidl et al. (2020) is based on extrapolation from BIOFIN data for 26 countries and other data for another four countries. The three main categories of finance used by the OECD are public domestic, public international and private. Deutz uses official development assistance, domestic budgets and tax policy, and six other categories. Seidl et al. calculates only national budgetary allocations, including contributions to ODA (Official Development Assistance).

Sources: based on Dasgupta et al, 2021; Deutz et al, 2020; OECD, 2020; Seidl et al, 2020.[9]

Finance for biodiversity: the case for supporting customary rights-holders

The draft Global Biodiversity Framework lists the participation of indigenous peoples and local communities and the recognition of their rights as the first of 13 enabling conditions for its implementation, and there is strong evidence to support this position. About 2.5 billion people—one-third of the global population—make their living from their communal lands and forests and, of these, between 1.6 billion and 1.9 billion live in areas with high biodiversity value and some 363 million live inside state protected areas.[10] Customary rights-holders are the owners and managers of at least 50 per cent of the world's land area and an estimated 70 per cent of their lands are in environmentally intact landscapes, making them important reservoirs both for biodiversity and for carbon stocks.[11] Some 80 per cent of state protected areas overlap with their lands.[12]

Furthermore, there is mounting evidence that protected and conserved areas managed by or in collaboration with customary rights-holders are among the most effective areas in terms of delivering effective biodiversity outcomes.[d] For example, several studies have concluded that lands and territories held and managed by customary rights-holders are at least as effective as state protected areas in slowing deforestation rates (Box 2).

d. For example, a global assessment of 165 protected areas concluded that positive conservation outcomes were more likely to occur when protected areas adopted co-management regimes, empowered local people, reduced economic inequalities, and maintained cultural and livelihood benefits. Source: Oldekop, J.A., Holmes, G., Harris, W.E. and Evans, K.L. (2015) 'A global assessment of the social and conservation outcomes of protected areas', *Conservation Biology* 30(1), pp. 133–141. https://doi.org/10.1111/cobi.12568

Many customary rights-holders have highly effective environmental governance systems, based on their traditional knowledge and institutions, and actively regulate their natural resource use to prevent over-exploitation. They act as environmental stewards and watchdogs, defending their lands and resources against over-exploitation by third parties. In addition, local production and consumption systems are far more favourable to biodiversity than industrial-scale production and provide far greater local social and economic benefits.[13] Smallholder systems already contribute 12–35 per cent of global economic output, or US$8.7–US$25.9 trillion per year and, contrary to popular opinion, many small-scale farming systems are highly productive.[14] Similarly, small-scale fisheries contribute nearly 50 per cent of the global fish catch and have far lower levels of bycatch than industrial fisheries and far less impact on ecosystems.[15]

Box 2

Reduced deforestation rates on the lands of customary rights-holders

Deforestation rates, which are often used as a proxy for biodiversity loss, have been found by several studies to be lower on the lands of customary rights-holders than elsewhere:

- An analysis of case studies reporting annual deforestation rates in 73 sites in the tropics found that deforestation was significantly lower in community-managed forests than in protected areas, and that greater local autonomy was associated with better forest management and greater livelihood benefits.16
- A separate study of forest cover change across nine countries in Latin America and Africa between 2010 and 2018 found that maintenance of forest cover in community conserved areas was consistently higher than the national averages, and in seven of these countries was higher than or as high as in state protected areas.[17]
- In the Amazon region, deforestation between 2000 and 2015 was five times lower in state protected areas and indigenous territories than elsewhere. Between 2003 and 2016, indigenous territories, which cover a third of the Amazon, also had rates of forest degradation and disturbance that were six times lower than protected areas and 36 times lower than in other areas.[18]
- In Amazonian Peru, indigenous and community land titling between 2002 and 2005 reduced forest clearance by over 75 per cent and forest disturbance by 66 per cent in the following two years.[19]

Nevertheless, available information suggests that the proportion of conservation finance that reaches customary rights-holders is minimal. For example, between 2011 and 2015 only an estimated 1.2 per cent of all international donations by major US foundations was allocated to projects involving indigenous peoples.[20] Similarly, between 2003 and 2016 only an estimated 10 per cent of global climate funds supported local-level action by any actor,[21] and funding for land tenure and forest management by customary rights-holders between 2011 and 2020 has been calculated to be equivalent to less than one per cent of all overseas development assistance to address climate change[22]. The lack of adequate funding is a major barrier to the effectiveness of actions by many customary rights-holders, and a substantial shift in biodiversity funding priorities towards greater support for such actions could transform the effectiveness and efficiency of finance for biodiversity. At the same time, customary rights-holders continue to be displaced and made destitute by projects that are funded with the explicit objective of conservation, including projects involving support for exclusionary state protected areas.[23] Not only does this perpetuate widespread rights abuses, it can also displace effective local systems of environmental governance, to the detriment of biodiversity. Urgent action is needed to address this longstanding situation, including through effective implementation of due diligence and social and environmental safeguarding systems for all biodiversity finance. But transformative change will require more than this: it will require moving beyond safeguarding approaches that are based on the principle of doing no harm to approaches and standards that actively seek positive impacts.

Financial drivers of biodiversity destruction

Financial flows that drive biodiversity loss are pervasive in all sectors of global financial systems. Global public subsidies for unsustainable agriculture, forestry and fisheries have been estimated at about US$500 billion a year and public subsidies for fossil fuels at about another US$500 billion (see Box 3). If externalities and lost tax revenue are considered, the total value of subsidies driving biodiversity loss rises to an estimated US$4-6 trillion.[24]

The figures for corporate funding are on a similar scale. In 2019, according to a recent analysis, 50 of the world's largest banks invested more than US$2.6 trillion in activities and drivers that have been identified by the Intergovernmental Platform on Biodiversity and Ecosystem Services as contributing to biodiversity loss.[25] Few, if any, had adequate safeguarding systems in place to monitor and address the impacts of their loans.[26] The scale of these figures is indicative of the extent of reform that is needed, not only in public subsidies but also in wider global financial systems. Ironically, public and private subsidies and other funds intended to support conservation (including through biodiversity offsets) can also unintentionally drive biodiversity destruction where they are ill thought through, where they undermine customary rights, or where they lack effective monitoring and safeguarding systems.[27]

Box 3

Public finance that drives biodiversity loss: some facts and figures

- A global analysis of government subsidies and other global financial flows from all sources in 2019 estimated the total finance that is harmful to biodiversity at about US$1 trillion: US$451 billion for agriculture, US$55 billion for forestry, US$36 billion for fisheries and US$395–$478 billion in fossil fuel subsidies.[28,e]

- 51 per cent of US$228 billion in government support for farmers in 2017 was reported to be for types of agricultural activity that are the most environmentally harmful, such as intensive industrial-scale monocultures. This percentage had changed little over the previous 10 years.[29]

- Only US$10 billion of more than US$35 billion in fisheries subsidies in 2018 was concluded to be linked to sustainable fisheries, whereas US$22 billion was linked to overfishing. This proportion has increased since 2009.[30]

- An estimated US$478 billion was provided to support fossil fuels in 2019. The global figure for 2020 was far higher because of additional government support in response to the COVID-19 crisis.[31]

- Brazil subsidises deforestation-linked industries by an estimated US$14 billion per year while also spending US$158 million a year preventing deforestation.[32]

Finance that harms both nature and people

Subsidies and other financial flows that are harmful to biodiversity are often also deeply harmful to indigenous peoples and other customary rights-holders, displacing them from their homes, destroying their livelihoods, degrading the environment, and severing their cultural connections to their lands.[33] Perversely, in many cases the subsidies come from the same public sources that provide finance for biodiversity.[34] Many customary rights-holders are opposing these forces (see Box 4) but their efforts are severely hampered by lack of recognition of their land and resource rights and inadequate support from governments, conservation organisations and international funders. This is clearly an area where there is much unrealised potential for alliances through the redirection of resources that are currently driving large-scale environmental destruction. Accordingly, there is increasing recognition by world leaders of the need to address harmful subsidies and to transform production and consumption systems to ensure sustainability. In 2020, for example, 84 countries signed the Leaders' Pledge for Nature which states:

> *'We commit to transition to sustainable patterns of production and consumption and sustainable food systems that meet people's needs while remaining within planetary boundaries … accelerating the transition to sustainable growth, decoupled from resource use, including through moving towards a resource-efficient, circular economy … supporting sustainable supply chains, significantly reducing the impact on ecosystems caused by global demand for commodities and encouraging practices that regenerate ecosystems.'*
>
> Leaders Pledge for Nature, 2020 [35]

e. Estimates of harmful subsidies were based on the OECD's identification of the 'most harmful' categories' of subsidies. For further details see: Organisation for Economic Cooperation and Development (2020) *A Comprehensive Overview of Global Biodiversity Finance*. Paris: OECD. Available at: https://www.oecd.org/environment/resources/biodiversityfinance.htm

Turning the tide against unsustainable production systems will require not only the removal of subsidies that favour biodiversity-harmful industries and practices, but also the introduction of positive subsidies and widespread investment in alternatives, including local, sustainable production systems.

Box 4

Examples of actions by customary rights-holders to oppose projects and programmes that are harmful to biodiversity[36]

- Indigenous peoples and local communities have been at the forefront of civil society efforts to mitigate the effects of new tax incentives in Colombia for producing biofuel from oil palm and sugar cane, and of policies in Peru that encourage biofuel plantations, industrial agriculture and mega-infrastructure projects in contradiction of Peru's zero-deforestation pledges.

- In March 2020, a US federal court struck down permits for the controversial US$3.8 billion Dakota Access Pipeline and ordered a comprehensive environmental review as a result of action by the Standing Rock Sioux to defend their ancestral homeland from risks of oil spills.

- The European Union Renewable Energy Directive (2009/28/EC) has driven palm oil imports to the EU by encouraging greater use of biofuels. IPLCs in different regions of the world have raised awareness of the significant impacts that this directive has had on their ways of life, their lands and territories, as well as on biodiversity. This issue was addressed in part in the revised Renewable Energy Directive (RED II – 2018/2001/EU) [37], which limited the potential to include biofuels in renewable energy targets where those biofuels were designated by the EU as involving a high risk of indirect land use change. The Renewable Energy Directive is currently under further review as part of the European Green Deal.

- In Guyana, after concerted lobbying from indigenous communities, the Amerindian Land Titling project, funded by REDD+, has sought to deal with outstanding territorial claims and land title applications before climate investments go ahead.

- Another REDD+ programme, Colombia's Vision Amazonia 2020, contains a component for extending the title boundaries of indigenous land, although Amazonian indigenous peoples' organisations have criticised it for failing to apply safeguards.

- In response to the increasing promotion of agro-chemicals and the threat of expansion of agribusiness and industrial plantations, in 2016 the Alliance of the Indigenous Peoples of the Highlands self-declared the Krayan highlands in Borneo as an area for organic and traditional agriculture.[38]

- Indigenous Bagyeli women in Cameroon are advocating for the preservation of their forests, which are under threat from expanding oil palm plantations.[39]

Building on common ground: Six areas for action

The rest of this briefing outlines six key areas for action to build on common ground with customary rights-holders in relation to financial elements of the post-2020 Global Biodiversity Framework. These are: (1)

- Increasing long-term financial support for the actions of customary rights-holders.
- Strengthening environmental and social safeguarding systems.
- Eliminating or reforming harmful subsidies.
- Increasing financial support for participation of rights-holders in policy processes at all levels.
- Addressing barriers to reform, including vested interests in global policy and funding allocation processes.
- Improving financial reporting.

1. Increasing long-term financial support for the actions of customary rights-holders

Governments and international donors should increase comprehensive, long-term, direct financial support for the actions of customary rights-holders, especially through its integration into domestic budgets.

In some countries and for some donors, this may be achievable entirely through the re-allocation of harmful subsidies and financial flows rather than requiring new funds. Funding procedures and requirements also need to be more accessible to customary rights-holders from different cultures. this could be achieved by having indigenous and community representatives—men and women—participate in their design.

Some of the priority areas for increased financial support are:

- Legal titling of customary lands
- Dedicated support for other communal land designations, including as ICCAs and OECMs
- Support for local sustainable production systems.

Dedicated, systematic support for these kinds of activities, especially if it is integrated into domestic budgets and targets, would transform the global scenario in terms of biodiversity conservation and sustainable use.

Legal titling of customary lands

Formal titling of customary lands gives indigenous peoples and other local communities a robust legal platform from which to defend their lands and resources against the external drivers of biodiversity loss. Without legal titling they are especially vulnerable to displacement and destitution, and their lands and the habitats and biodiversity they contain are vulnerable to obliteration as they are replaced by industrial plantations and other biodiversity-poor forms of land use. Also, in some countries legal titles to land are a formal requirement for communities to receive government support for community conservation and sustainable use of resources (see Box 5 for an example from Peru).

The cost of mapping, delimiting and titling forest lands subject to customary rights across 14 countries has been estimated to be about US$9 billion,[40] or less than two per cent of the current lower estimate of harmful financial flows. Thus, comprehensive land titling is an achievable aim within current budgets.

Box 5

Land titling as a condition for access to government funding: an example from Peru[41]

Titled native communities in Peru can receive payments of 10 Peruvian soles (US$2.90) per hectare per year in return for forest conservation as part of the National Forest Conservation and Climate Change Mitigation Program (CCMP). Payments are conditional on the presentation, approval and implementation of an 'investment plan' and on the signature of an agreement between the community and the CCMP. The initial funding was provided by Germany's Overseas Development Assistance, but subsequent funding has been provided entirely from the domestic budget.

This Conditional Direct Transfer programme is the only mechanism in Peru that provides direct domestic government funding for forest conservation and sustainable management by indigenous communities.

Between 2011 and 2019, agreements were signed with 169 native communities covering a total of 1.92 million hectares of forest, with payments ranging from US$3,800 to US$0.6 million per community.

However, communities who do not have legal title to their lands are not eligible for this support. It should also be noted that some indigenous peoples in Peru reject the form of titling that is available under existing law, which is for individual 'native communities', because it is ill-suited to wider territorial claims.

Dedicated support for other communal land designations, including as ICCAs and OECMs

Area-based conservation by customary rights-holders and other local communities is included in the draft Framework under Target 2, in the form of **Indigenous and Community Conserved Areas** (**ICCAs**) **and Other Effective Conservation Measures** (**OECMs**). ICCAs and OECMs have already been incorporated into the global records system for protected and conserved areas, including through the ICCA Registry.[42] An example is described in Box 6.

Given the extent of indigenous and community lands that are conserved and sustainably used outside state protected areas systems, recognition of their lands as ICCAs or OECMs — under the leadership of the peoples concerned and with their free, prior and informed consent — offers a huge opportunity for partnerships with customary rights-holders based on shared interests. To make the most of this opportunity, direct international funding for conservation and sustainable use in ICCAs and OECMs should be increased, along with technical support to widen registration under these categories, where customary rights-holders so choose.

Box 6: Bakoliarimisa Tsiorisoa Mihanta, TAFO MIHAAVO, Madagascar

Two endangered species of sea turtle live in the waters around Sakatia Island, Madagascar. Credit: Jax137.

Case study: Sakatia Island (ICCA), Madagascar

Among the 14 emblematic ICCAs in Madagascar, Sakatia Island's Fokonolona (local community) territory of life covers 1,230 hectares and includes the Ambohibe forest reserve (12.4 hectares), the Andranomatavy mangroves (10.5 hectares), sandy beaches (7.2 hectares) and a traditional fishing zone of 110 hectares where two protected species of sea turtles live (*Chelonia mydas* and *Eretmochelys imbricata* are respectively endangered and critically endangered species, according to the IUCN Red List).

The island's marine and coastal ecosystem is sustainably managed, conserved and governed by means of traditional rules called *Dina*, which have been developed over time and are overseen by customary institutions.

Read the full case study: localbiodiversityoutlooks.net

Support for local sustainable production systems

Unsustainable industrial-scale production systems and supply chains are a major driver of biodiversity loss and also of the displacement of customary rights-holders, yet they are heavily subsidised with public funding.

A concerted shift is needed towards financial support for local sustainable production systems in multifunctional landscapes, together with support for sustainable supply chains.[43] Examples include:

- The traditional coffee farms of Sierra Norte de Puebla, Mexico, act as biodiversity reservoirs as well as sources of materials for local crafts and food.[44]
- The social enterprise run by young Pgaz K'Nyau members of Hin Lad Nai village, Thailand, supports a collective community fund through the sale of honey, tea and other products.[45]

Support for these and similar measures would transform the future in terms of biodiversity, climate change and sustainability.

2. Strengthening environmental and social safeguarding systems

Mandatory social and environmental safeguarding should be added as a fourteenth enabling condition in the draft post-2020 framework and measures should be put in place without delay to ensure that safeguarding systems are implemented effectively for all biodiversity finance. These systems must meet globally consistent standards rather than be linked to national legislation.

In addition, Parties to the CBD, multilateral financial institutions and all other international donors should withdraw support from all state protected areas and other forms of biodiversity finance that are associated with ongoing human rights abuses, and effective due diligence systems should be introduced to ensure that new finance for protected and conserved areas cannot be allocated to projects that lack adequate measures related to the rights of indigenous peoples and other customary rights-holders.

In relation to biodiversity finance, in 2014 the Parties to the CBD adopted a set of voluntary guidelines on environmental and social safeguards addressing the potential impacts of biodiversity finance on customary rights-holders and on biodiversity itself (Box 7). However, at subsequent CBD conferences of the Parties (COPs) only limited progress was made in developing a framework for implementing the principles and there is no mention of safeguarding in the draft post-2020 framework.

Box 7

The CBD's voluntary guidelines on safeguards in biodiversity financing mechanisms[46]

In 2014, at COP 12, voluntary guidelines on safeguards in biodiversity financing mechanisms were adopted. They address potential impacts both on different elements of biodiversity and on the rights and livelihoods of IPLCs [indigenous peoples and local communities].

In 2018, at COP 14, a checklist of safeguards was adopted based on the following overall question:

'Does the financing mechanism have a safeguard system designed to effectively avoid or mitigate its unintended impacts on the rights and livelihoods of IPLCs in accordance with national legislation, and to maximize its opportunities to support them?'

A policy paper on implementation pathways for the guidelines was published by the CBD Secretariat in 2018 and contributed to discussions on a specific post-2020 safeguards framework for IPLCs, as part of the programme of work on Article 8(j). In its recommendations it reiterates the critical nature of tenure rights in safeguarding both biodiversity and human rights and advises the development of appropriate safeguards concerning this substantive right and also of associated procedural safeguards.

Measures are also needed to ensure effective safeguarding for broader financial flows, including in international public finance and, crucially, within national regulations.

The World Bank and all other multilateral finance institutions have had safeguarding frameworks in place since the 1990s or early 2000s, but these frameworks rely on institutional staff to oversee their effective implementation in individual projects and to trigger the safeguarding policies when they are needed. Independent and internal evaluations suggest that the necessary oversight often does not occur.[47]

In the private sector, standards such as the Equator Principles are useful, although, again, there are weaknesses in reporting and in enforcement.[f] Other universally recognised safeguarding standards for the private sector are included in the UN Principles on Business and Human Rights and the Accountability Framework Initiative, but they are largely voluntary and, therefore, of limited effectiveness in the absence of adequate national regulation.

Social and environmental regulations in many countries are grossly insufficient and during 2020 this situation has worsened as safeguards were rolled back in response to the COVID-19 crisis.[48] To address environmental and social safeguarding issues, it is essential that Parties to the CBD strengthen rather than weaken national safeguarding regulations and, crucially, take steps to ensure their effective implementation.

3. Eliminating or reforming harmful subsidies

Action is needed immediately to encourage the removal of harmful subsidies as they are identified. This must not be delayed further by the development of complex methods to identify and calculate all harmful subsidies.

In addition, while leadership on calling for the elimination or reduction of harmful subsidies is welcome,[g] action needs to centre not on the use of overseas development aid but on domestic budgetary policies, trade policies and industries that are identified and supported as engines of economic growth. For trade policies, this requires that new trade agreements explicitly reference biodiversity commitments and are designed to complement them.

Economic models must be genuinely decoupled from consumptive resource use and trade policies and economic priorities must be aligned with social and environmental visions of 'living in harmony with nature'.

4. Increasing financial support for rights-holders to participate in global, regional and national policy processes

In many countries, financial support is needed to make it possible for representatives of customary rights-holders, including both men and women, to participate effectively in subnational, national and global planning and reporting processes. More particularly, mechanisms should be developed to enable representatives of customary rights-holders to participate on national and subnational committees related to domestic financing; the development and updating of strategic action plans; national reporting to international conventions; and land-use planning processes. Their participation would greatly increase the potential to build on the common ground between customary rights-holders and national and subnational authorities in working to meet their international commitments.

5. Addressing barriers to reform

Vested interests in international policy processes and decisions about funding allocations have been identified as a major barrier to reform, and steps need to be put in place to address this if the new global biodiversity framework is to have meaningful impact.[49]

f. A UNEP Review in 2016 found "enforcement mechanisms are needed to guarantee the compliance of the signatories with the principles." See: United Nations Environment Programme (2016) The Equator Principles: do they make Banks more sustainable? UNEP. Available at: https://www.unep.org/resources/report/equator-principles-do-they-make-banks-more-sustainable

g. See, for example, the Leaders' Pledge for Nature: https://www.leaderspledgefornature.org/

The need to reform subsidies and broader financial flows that are harmful to biodiversity has long been recognised, and firm commitments have been made before by Parties to the CBD to address this need, including under Target 3 of the CBD's Strategic Plan for Biodiversity 2011-2020. Yet no significant progress has been made. Action is also needed to increase the effectiveness of monitoring and reporting procedures, including with direct input from IPLCs and other local actors, and to put procedures in place for complaints, grievances and whistleblowing.

6. Improving financial reporting

Greater transparency is needed in financial reporting in several regards.

First, the CBD financial reporting framework needs to be further refined to ensure that all finance that benefits biodiversity is captured across all sectors. Currently, assessing biodiversity-related finance for customary rights-holders is problematic because finance channelled through sectors that are not natural-resource-based may be overlooked. For example, some of the largest remaining areas of intact forest in the Amazon Basin are within Peruvian Territorial Reserves for Indigenous Peoples in Isolation and Initial Contact. These areas are in the most biodiverse part of the Amazon Basin and their protection as indigenous territorial reserves has significant benefits for biodiversity; however, because they are funded from the domestic budget through the Ministry of Culture rather than through a budget line for the environment or natural resource use, they are not included in biodiversity finance reporting.[50]

Second, to strengthen accountability within the financial reporting system, information should be made publicly available on the reported outcomes and impacts of all international funding for individual projects and programmes, and a mechanism should be created for national and local actors to provide supplementary information.

Third, reporting should include (a) disaggregated figures for funding provided to indigenous peoples and local communities and (b) information on customary rights-holders' ongoing in-kind contributions to conservation through local actions, including their defence and stewardship of their lands. The latter is in line with recent calls to incorporate natural capital accounting into financial accounting mechanisms and procedures.[51] The CBD financial reporting framework has included elements on the contributions by indigenous peoples and local communities since 2014[52] but reporting of these elements by Parties to the CBD has been negligible: by September 2018 only seven countries reported having undertaken some assessment of the role of collective actions and no country indicated that a comprehensive assessment had been undertaken.[53] Therefore, measures need to be introduced to increase the Parties' fulfilment of this part of the financial report requirements.

Key recent documents published by the CBD Secretariat

- CBD/POST2020/PREP/2/117 (August 2020): The current version of zero draft of the post-2020 Global Biodiversity Framework.

- CBD/SBSTTA/24/3/ADD1 (November 2020): Full list of headline, component and complementary indicators (Annex); considerations of baselines. This is expanded upon in CBD/SBSTTA/24/INF/16 (January 2021), which is a document on indicators for the post-2020 global biodiversity framework prepared by UNEP-WCMC and BIP.

- CBD/SBSTTA/24/INF/12 (February 2021): Linkages between the post-2020 Global Biodiversity Framework and the 2030 Agenda for Sustainable Development.

- SBI/03/INF/24: (February 2021) Assessment of funding necessary and available for financial mechanism (GEF) in the eighth replenishment period (July 2022 to June 2026).

- CBD/SBSTTA/24/3/ADD2/REV1 (April 2021): Latest scientific and technical information on each proposed goal and target in the updated zero draft of the post-2020 Global Biodiversity Framework. This is based on CBD/SBSTTA/24/INF/21. Detailed scientific and technical information related to the proposed Goals and Targets.

A Baka woman weaves baskets in Cameroon. Credit: Adrienne Surprenant.

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