



International Indian Treaty Council
Consejo Internacional de Tratados Indios

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IITC Welcomes the Inclusion of Indigenous Rights Safeguards but expresses profound concerns regarding other provisions in the CBD Global Biodiversity Framework, adopted on December 19th, 2022, in Montreal



Members of IITC's delegation and the UN Permanent Forum on Indigenous Issues at COP 15

Guatemala City, January 5, 2023: The International Indian Treaty Council (IITC) welcomes the inclusion of hard fought language to protect and uphold the rights of Indigenous Peoples in the “Kunming-Montreal Global Biodiversity Framework” document [CBD/COP/15/L.25], The Framework was adopted by consensus of the State Parties on the final day of the 15th Conference of the Parties to the Convention on Biological Diversity (CBD COP-15) after more than two weeks of difficult negotiations.

IITC drafted and began to circulate proposed safeguards language in August 2022. The Latin American/Caribbean Indigenous Peoples regional Pre-COP endorsed this proposed text on October 23, 2022. The IITC and allies in this process were gratified and relieved when the following language was included in CBD/COP/15/L.25, Section C Paragraph 8: *“In this regard, nothing in this framework may be construed as diminishing or extinguishing the rights that indigenous peoples currently have or may acquire in the future.”*

The absolute necessity to include protection of the distinct, unique rights of Indigenous Peoples in the final text of the Framework was confirmed with a review of the entire adopted text. Provisions of great concern to IITC that had persisted throughout the negotiations were included in the final adopted text despite our objections. These included the adoption of the “30x30” Program for the establishment of “Protected Areas” without ensuring respect for Indigenous Peoples’ distinct, recognized collective rights to lands and territories, self-determination, and Free Prior Informed Consent.

The adopted Framework also included the conflation of Indigenous Peoples with “local communities” in several provisions. IITC and our affiliates, the UN Permanent Forum on Indigenous Issues, the UN Special Rapporteur on the Rights of Indigenous Peoples and the International Indigenous Peoples Forum on Climate Change have all identified this conflation as an attempt to diminish and abrogate the rights of Indigenous Peoples in United Nation processes as well as in our homelands.

IITC will continue to call upon States to uphold their commitment to uphold the rights of Indigenous Peoples in the Frameworks’ Political Declaration, which provides the legal context for the implementation of all other provisions. Based on this language, States and Environmental organizations must now recognize and respect the rights of Indigenous Peoples in the implementation of “30x30” initiatives. This includes the right to Indigenous Peoples to decline partnerships or “co-management” agreements impacting their traditional territories. 30 X 30 “conservation” initiatives are currently having far reaching negative impacts on the rights and ways of life of Indigenous Peoples through the creation of imposed land and marine “Protected Areas” around the world.

Along with the adoption of Indigenous rights safeguards in the Framework, other Targets included positive language for “access to justice and information related to biodiversity by Indigenous Peoples”, “reducing the overall risk from pesticides and highly hazardous chemicals by at least half”, and a provision for the reduction of plastics pollution.

Despite these hard-fought advances, IITC remains very concerned that economic interests of States, corporations, and some large non-government organizations (NGO’s) appeared to have had a major impact on the decision-making at COP-15. In addition, many representative Indigenous Peoples’ organizations were excluded from the negotiations. IITC views this as another example of the ongoing “corporate capture” taking place in various UN processes and confirms the urgent need to ensure direct participation by Indigenous Peoples’ designated representatives at the CBD and throughout the UN system.

IITC’s delegation at COP-15 included Board President Ron Lameman, Beaver Lake Cree Nation, Canada, who represents over 240 Indigenous Nation governments of Treaties 1-11 in Canada. Other IITC delegates included Juan Leon Alvarado, Mayan K’iche (Guatemala); Rochelle Diver, Anishinaabe; Roberto Múkaró Borrero, Guainía Taíno; Monica Coc Magnusson, Mayan Q’eqchi (Belize); and Saul Vicente Vazquez, Zapoteca (Mexico): Ron expressed his support on behalf of the IITC Board of Directors and Treaties 1-11 for the work of IITC’s delegation at COP-15 with these words: *“I want to express my deep appreciation for the commitment and hard work of our delegation to ensure that Indigenous Peoples’ rights were safeguarded in the text of the CBD post 2020 framework. The minimum standard for our rights is the UN Declaration on the Rights of Indigenous Peoples and the Treaties we concluded as Nations with the settler governments. IITC cannot go below the inherent rights they affirm as we go forward in this process”.*

To access the adopted “Kunming-Montreal Global Biodiversity Framework” document:

<https://www.cbd.int/article/cop15-final-text-kunming-montreal-gbf-221222>

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