***Planet of the Dead? COP 15 of the Convention on Biodiversity***

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“Planet of the Dead” - this sounds chilling and even surreal, something much worse than *Planet of the Apes* (where there were plenty of living things). But such was the warning of the business leaders to their governments on the eve of the 15th conference of the parties (or COP) for the Convention on Biodiversity (CBD). Governments must *urgently* address biodiversity loss or face a planet of the dead scenario of widespread biosphere collapse. The CBD since the 1992 Earth Summit. In 2000 and again in 2010 it set goals for reducing biodiversity loss and virtually none of these objectives has been achieved. Indeed, biodiversity loss is accelerating, posing a danger to human survival on account of the simple fact that we depend on nature. Research from the World Economic Forum shows, for example, that more than $44 trillion of the GDP (gross domestic product) - around half of the global GDP - is highly or moderately dependent on nature.[[1]](#footnote-1) This economic calculation of the costs of biodiversity loss fails to capture the existential threat the biodiversity collapse posed to humanity: a planet where human activities precipitate mass extinctions is ultimately a planet uninhabitable by human beings. We are, as Martin Luther King said, in his letter from the Birmingham Jail, wrought in a garment of mutual destiny - only in this case, the “we” includes humans and the natural world.

*A Weak Regime*

Before detailing the major issues of COP 15 of Convention on Biodiversity, it is worth examining the historical background of this agreement. In 1987, concern about species loss led the governing council of the United Nations Environmental Program to convene a group of experts that would develop a convention. A convention can be defined as an agreement that sits at the heart of an international regime - which, of course, poses the question: what is an international regime? The term refers to institutionalized patterns of international cooperation which assume the form of “...a set of the mutual expectations, rules and regulations, plans, organizational energies and financial commitments which have been accepted by a group of states,” according to the classical definition offered by International Relations scholar John Ruggie.[[2]](#footnote-2) There are numerous international regimes on diverse topics. What these reflect is the interdependence that exists between the states, which states can, through cooperation, manage to their mutual benefit.

Regimes can become crystallized into explicit legal agreements, known as conventions. In the late 20th century, growing awareness of global environmental degradation led to the development of the Agenda 21, a kind of soft-law umbrella regime for a broad range of environmental concerns, among them climate change, biodiversity loss, desertification, deforestation, and freshwater scarcity.

North-South conflicts have blocked the emergence of consensus on many of the Agenda 21 issues. Biodiversity was no exception to this pattern. The industrialized North and the developing South divided over the issue of how to conceptualize the world’s biodiversity. Was it, as the North contended, the common heritage of humanity or did the resources associated with biodiversity belong to the states in whose territories they were located? The eventual biodiversity convention that was presented for signature by states at the Agenda 21 conference of 1992 was the watered down agreement, characterized by a lack of the commitment to “quantitative targets for the percentage of land that should be set aside for biodiversity conservation.”[[3]](#footnote-3) These weak commitments reflected the idea that conservation comes of lost opportunities for development. This was an interesting extension of the development idea to the developing world. The famous political theorist, John Locke, articulated the development idea with his view that nature - untransformed by human labor - represented waste. The destiny of the wastelands of the world - in Locke’s time, the non-Western regions of the world then being colonized by Europeans - was development. The perspective of the global South was that if the North got to develop through the systematic transformation of nature into wealth, then the South surely enjoyed a corresponding right to “development”.

And wasn’t all of this what international financial institutions dominated by the North demanded in the first place? The International Monetary Fund subjected dozens of heavily indebted developing countries to structural adjustment policies in the decades since 1980. These policies insisted that developing countries expand exports in order to earn hard currency reserves with which to pay off their creditors - all of which revolved around the conversion of nature into wealth for the purpose not only of development but the payment of past debts. Developing country debt crises continue to exist today. These have been exacerbated by the Covid-19 pandemic’s disruption of economic activity around the world.

The conclusion to draw from all of this is that historically the Convention of the Biodiversity has been a weak international regime, characterized by developing country resistance to placing limits on development. The existing convention on biodiversity has also lacked effective assessment of national implementation strategies that were already quite limited in scope. There is no monitoring of these strategies and no critical review of them. So is it any wonder that the millennial targets of the Convention on Biodiversity were not met. The 2010 Global Biodiversity Outlook found that continued species extinction, with endangered species moving closer to extinction, decline of the extent and integrity of the natural habitats, extensive fragmentation of forests, rivers and other ecosystems, and increased strength of the five major drivers of biodiversity loss - habitat change, overexploitation, pollution, invasive species and climate change.

With respect to the 2010 Aichi goals Convention on Biodiversity set for 2020, the results were much the same for similar reasons. As the journal Nature discussed in 2020 editorial progress in addressing biodiversity loss was limited by the fact that many of the Convention’s ambitions were either not measurable or realistic. Measurable progress needs to be quantified, which requires that governments have the administrative capacity to produce information about biodiversity. The journal *Nature* reported in the 2020 editorial that some of this capacity had been developed through the UN System of Environmental Economic Accounting (SEEA). The SEEA became a global standard that various national statistical offices began to use to report to the UN on the health of their ecosystems. The extent of governmental progress here is quite limited however, as *Nature* [indicates](https://www.nature.com/articles/d41586-020-00450-5).

Last July, the UN published a global indicator review ([go.nature.com/2ssazbc](http://go.nature.com/2ssazbc)) in which researchers confirmed that countries could use SEEA to report 34 of the 147 Aichi target indicators and 21 of the 230 SDG target indicators. This is an important start, but also indicates how much needs to be done before more goals and targets can be reported using the SEEA framework — an opportunity which researchers must not pass up.

But the problems affecting the Convention on Biodiversity are not, of course, simply technical in scope. An underlying difficulty remains the clash between the environmental concerns and economic growth. *Nature* is quick to say that no one can deny the developing world’s aspirations for economic growth, but what they need is green growth - growth that proceeds down sustainable pathways. Part of the task of illuminating where those pathways lead is the establishment of a clearer framework on the costs of biodiversity loss, which might be measured in terms of the value of the environmental services that different ecosystems provide to people.

This seems like a technocratic resolution of a deep social contradiction concerning the nature of development. What gets left out of these accounts of green development is the need to curtail the political and economic power of corporations and states that engage in environmentally destructive development in order to secure wealth for themselves while externalizing the costs of their activities onto less power actors - for example, indigenous peoples and rural communities are that are unable to resist corporate mega-projects in mining, hydro-carbon development, large scale agricultural monocultures (soy, palm oil), and even the expansion of large scale global tourist enclaves. All of this, of course, is the concrete manifestation of the project of Western globalization: the development of the world by corporate capital and global finance. Perhaps in addition to different modes of environmental cost accounting, the world also needs a different model of development.

*Risk Disclosures - Moderating Development from Above*

Another formulation of this point, however, might be that forcing corporations and governments to internalize the costs of development - in this instance, in terms of biodiversity loss - might constitute a means of eliminating harmful trajectories of development. This would entail incorporating the risks and costs of biodiversity loss into proposed investment strategies. Such an approach is being developed with respect to climate change through disclosure of the financial impact of climate related issues. The United Nations Commission on Trade and Development notes that more widespread reporting of the climate and environmental related risks is needed from companies. As the [Task Force on Climate Related Disclosures](https://www.fsb-tcfd.org/about/) notes,

...investors, lenders, and insurers don’t have a clear view of which companies will endure or even flourish as the environment changes, regulations evolve, new technologies emerge, and customer behavior shifts — and which companies are likely to struggle.

Without reliable climate-related financial information, financial markets cannot price climate-related risks and opportunities correctly and may potentially face a rocky transition to a low-carbon economy, with sudden value shifts and destabilizing costs if industries must rapidly adjust to the new landscape.

A similar risk calculus for biodiversity loss should also be developed. In the runup to the COP 15 of the CBD, numerous investment firms have been underscoring the financial imperatives of biodiversity preservation. The financial consultancy [FTSE Russel](https://www.ftserussell.com/blogs/biodiversity-hidden-investment-risk)l observes, for example, that

Biological diversity, through healthy ecosystems, provides critical services that support the world’s social and economic systems, such as crop, livestock and fish production, pollination, coastal protection and carbon sequestration, to name but a few. As ecosystems are degraded this can have severe impacts on multiple sectors of the economy further translating into financial risks.

The organization [Principles for Sustainable Investment (PRI)](https://www.unpri.org/download?ac=11357) has illustrated how investors and governments might approach the objective of harm reduction to biodiversity.

Investors can seek to drive positive biodiversity outcomes and reduce negative outcomes by encouraging their investors to implement the Mitigation Hierarchy, which guides users towards limiting the negative impacts on biodiversity from their activities. It includes the following steps:

* + Avoid: Avoid negative outcomes from the outset (preferred option).
	+ Minimise: Minimise negative outcomes that cannot be avoided.
	+ Restore: Take measures to improve or re-establish degraded or removed ecosystems, where impacts could not be avoided or minimised.
	+ Actions for positive outcomes: Only after avoidance, minimisation and restoration have been robustly applied, can approaches to compensate for negative impacts occur.

The financial risk disclosures and attendant harm reduction strategies could suppress harmful investment strategies while promoting benign ones. The same approach can be applied to governments that continue to subsidize harmful economic activities. Indeed, in early 2020, the [Organization of Economic Cooperation and Development](https://www.ftserussell.com/blogs/biodiversity-hidden-investment-risk) “determined that the private and public funding for biodiversity if five to six times less than subsidies damaging it (e.g., support fossil fuels, government expenditure on agriculture, forestry and fisheries.”

All of this would comprise an effort to manage processes of the development from the above so that they become considerably less rapacious in character. It would require considerably more governmental power to regulate development in this fashion. To understand this point, it is important to think about the nature of neoliberalism as an approach to governing the global economy. The neoliberal approach took shape during a period of economic crisis and transition during the 1970s when economists and policymakers concluded that too much governmental taxation and regulation was impeding the capacity of markets to function. Reviving economic growth meant rolling back to the powers of the state. International development practices that have been shaped with this end in mind. The above-mentioned IMF structural adjustment policies were intended to shrink state power and expand the scope of market forces, so that development would ultimately occur through the investment decisions of the global corporations and transnational finance. These would be the primary forces that would sculpt the global economy.

One interesting reflection of these neoliberal reforms are I[nvestor Dispute Resolution Systems](https://truthout.org/articles/corporations-have-the-power-to-sue-governments-over-resource-extraction-policies/) (IDRSs) that are now built into 2,600 multilateral and bilateral trade agreements. IDRSs establish dispute resolution panels which operate through the World Bank’s International Center for Investment Disputes and the United Nations Commission on International Trade Law. The essential character of these agreements is that they allow corporations to sue governments for costs of new regulations that would restrict corporation profitability. These are seen as regulatory takings for which corporations must be compensated - hence the law suits against states. The biggest users of the IDRS procedures are extractive industries, such as mining and energy development, whose operations generate major contributions to greenhouse gas emissions while destroying, both directly and indirectly, vast natural habitats. As UNCTAD data shows, extractive IDRS disputes have risen steadily over the last three decades - one indicator of their growing - and damaging - ecological footprint in the world.



Source: Manuel Perez Rocha, [“Corporations Have the Right to Sue Governments Over Resource Extraction Policies,”](https://truthout.org/articles/corporations-have-the-power-to-sue-governments-over-resource-extraction-policies/) Truthout, November 2, 2021.

IDRS systems should be dismantled. They are artifacts of neoliberalism which have become deeply counter-productive to the goals of ensuring ecological survival in an era of climate change. The point here for delegates is that conserving biodiversity is not only about encouraging or requiring investors to recognize the risks associated with their investment strategies, but also giving governments the capacity to block environmentally destructive investments.

*Moderating Development From Below*

A combination of enlightened investors and empowered governments could moderate development from above. But it is equally to address the excesses of the development from below. Geographer and social activist Joan Martinez Alier has written about the [“environmentalism of the poor”](https://d1wqtxts1xzle7.cloudfront.net/57514247/j.geoforum.2013.04.01920181006-11179-1unl6h6-with-cover-page-v2.pdf?Expires=1636387057&Signature=Hbfq4PX~YdRYnt8TbrcdoEZMMtm5r5eowXqHlaXerlo-kqoHQeoTPVSp6jRcHYPTzyJazcgrZfpKHK0OaRZZw6UTOm-TAKoZepaDoXmKJMKCDdX5VVwkmSyFeMhWSnettgNijFzkbRhWL1LXDOUJLVm3BQGAPSd3mCQX49eE7uGm7oo1Y~L96Bxw1UbvIOz9kiV7s20S5l~j7e0qN1l6RvyiNtgz~H4wvnIbRIx8LgYXTolYM8PoMohXT5h-AsGuUuegSR~8QPGPuuEmFPW3I01KgvmhsgHhtfh5k57FCziO6jH7HElhO5ASej4r5W2vKU-1aop1PUTL0ulrL8Qi0Q__&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA). Low income rural households, many of them indigenous, rely on their immediate environments to sustain their livelihoods. When these environments are threatened, they become politicized, contesting corporate and state led efforts to initiate, expand or continue environmentally destructive development projects. Martinez understands these conflicts in terms of a confluence between population growth and the social metabolism of the development. The latter term refers to the predominance of non-renewable natural resources in contemporary processes of economic development and thus the continuous need to expand and deepen the resource frontier in order to sustain economic growth. At the same time, expanding populations are also laying claim to limited supplies of arable land and fresh water. The ensuing conflicts are principally about environmental social justice in which the communities of the poor have a far greater claim to justice than the multinational corporations engaged in various forms of extractive development. It is also the case that the cause of environmental justice is aligned with that of environmental sustainability. It is not only altruism, in other words, that should encourage us to support the environmentalism of the poor, but also our own self interests in securing the survival of human civilization.

*A Final Chance?*

The COP 15 - the 15th conference of the parties for the Convention on Biological Diversity - was supposed to meet in 2020, but the meeting was delayed until 2021-2022 on account of the Covid-19 pandemic. That this was a cause for the Convention’s postponement is fitting. Failures to protect biodiversity result in deeper human incursions into the natural world, which opens up new pathways along which various pathogens can achieve a broader circulation by means of infecting new hosts. The exact causes of Covid-19 remain unclear, owing in part to China’s unwillingness to share information about the origins of the viral outbreak.[[4]](#footnote-4) China, ironically, was the president for the first part of COP 15, which met in Kunming, China while also being staged virtually. This first component of COP 15 was supposed to articulate a shared framework for achieving global biodiversity goals by 2030. The Convention was framed in dire fashion. General Secretary of the [UN Antonio Gutteres](https://www.nrdc.org/experts/zak-smith/five-takeaways-part-1-biodiversity-conference) remarked in a video that message to the opening of the conference that

...[w]e are losing our suicidal war against nature. Our two-century-long experiment with burning fossil fuels, destroying forests, wilderness and oceans, and degrading the land, has caused a biosphere catastrophe…. Damage to the complex web of life that sustains us has already impacted the lives and livelihoods of millions, contributing to hunger, sickness and unemployment. Indigenous people and other vulnerable groups are among the worst affected. Ecosystem collapse could cost almost three trillion US dollars annually by 2030. Its greatest impact will be on some of the poorest and most highly indebted countries…. COP15 is our chance to call a ceasefire. Together with COP26 on climate, it should lay the foundations for a permanent peace agreement. By 2030, we must reverse our trajectory and start to build the world we want.

The [Earth Negotiation Bulletin](https://enb.iisd.org/UN-Biodiversity-Conference-CBD-COP15/summary) points out that the 2021 CBD conference will be continued with follow up meetings in January and February of 2022 where states will negotiate specific commitments to the post-2020 Global Biodiversity Framework, which will set objectives for 2030. So the question is, will the 2020s be another decade in which the world fails to the stem catastrophic biodiversity loss. One negotiating issue that delegates should bear in mind is that the CBD operates on the basis of the consensus. And thus, procedurally, this committee should function on the basis of consensus. The difficulty, of course, is that states have economic interests on which they are reluctant to compromise and therefore the CBD regime can only generate a lowest common denominator level of consensus. In the past, this has been a far cry from what is necessary to address biodiversity loss. Agreements are not the only thing that matters. In the past, the CBD has also failed on account of weak implementation of existing agreements. The Paulson Institute’s report “[Financing Nature: Closing the Global Biodiversity Gap,”](https://www.paulsoninstitute.org/key-initiatives/financing-nature-report/) estimates that $711 billion is needed annually to halt biodiversity loss. The Paulson Institutes makes two additional points about this level of expenditure. First, the costs are focused on transforming the agriculture, infrastructure and other high impact actors toward more sustainable business practices. Second, the costs of preserving biodiversity is not high in comparison to other expenditures. $711 billion is less, for example than what the world spends on cigarettes or soft drinks and “it is practically a rounding error compared to the trillions that world governments currently inject into their economies through stimulus programs or the tens of trillions in private assets around the world.”

*Some Guiding Questions*:

1. Delegates should reflect on the tradeoffs between economic growth and biodiversity conservation. The terms of these tradeoffs have surely shifted in wake of accelerated biodiversity loss around the world.
2. Delegates should pay attention to the rule of consensus within the Convention on Biological Diversity. Consensus means that the Framework on Biological Diversity can be modified only through the agreement of all state parties.
3. Delegates should take note of some of the historical weaknesses of the CBD, which led to the failure of the convention to meet its targets in 2010 and 2020. What are some of these weaknesses and how can they be rectified.
4. Delegates should consider some of the ways in which development practices can be modified from both above and below in order to increase the compatibility of development with the preservation of biodiversity.
5. Delegates should reflect on the kinds of expenditures that might be necessary to preserve biodiversity over the next decade and the extent to which these might be raised by means of cancelling or redirecting existing state subsidies to development practices that harm biodiversity.

Suggested Readings:

* IISD, Earth Negotiations Bulletin, S[ummary of the UN Biodiversity Conference (Part One) 11-15 October, 2021](https://enb.iisd.org/UN-Biodiversity-Conference-CBD-COP15/summary). Delegates should review both conference summary and conference analysis.
* Paulson Institute, [Financing Nature: Closing the Global Biodiversity Gap](https://www.paulsoninstitute.org/key-initiatives/financing-nature-report/), September 17, 2020.
* Zak Smith, [“Five Takeaways from Part 1 of the Biodiversity Conference,”](https://www.nrdc.org/experts/zak-smith/five-takeaways-part-1-biodiversity-conference) National Resources Defence Council, October 22, 2021.
* Joan Martinez-Alier, [“The Environmentalism of the Poor,”](https://d1wqtxts1xzle7.cloudfront.net/57514247/j.geoforum.2013.04.01920181006-11179-1unl6h6-with-cover-page-v2.pdf?Expires=1636387057&Signature=Hbfq4PX~YdRYnt8TbrcdoEZMMtm5r5eowXqHlaXerlo-kqoHQeoTPVSp6jRcHYPTzyJazcgrZfpKHK0OaRZZw6UTOm-TAKoZepaDoXmKJMKCDdX5VVwkmSyFeMhWSnettgNijFzkbRhWL1LXDOUJLVm3BQGAPSd3mCQX49eE7uGm7oo1Y~L96Bxw1UbvIOz9kiV7s20S5l~j7e0qN1l6RvyiNtgz~H4wvnIbRIx8LgYXTolYM8PoMohXT5h-AsGuUuegSR~8QPGPuuEmFPW3I01KgvmhsgHhtfh5k57FCziO6jH7HElhO5ASej4r5W2vKU-1aop1PUTL0ulrL8Qi0Q__&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA) Geoforum. 2013.
* Patrick Greenfield, [“Halt Destruction of Nature of Risk “Dead Planet”, Leading Businesses Warn,”](https://www.theguardian.com/environment/2021/oct/11/halt-destruction-of-nature-or-risk-dead-planet-leading-businesses-warn-aoe) The Guardian, October 11, 2021.
* Convention on Biological Diversity, [“First Draft of the Post-2020 Global Biodiversity Framework,”](https://www.cbd.int/doc/c/abb5/591f/2e46096d3f0330b08ce87a45/wg2020-03-03-en.pdf) September 3, 2021.
1. This data is reported in the World Economic Forum’s publication, [The Global Risks Report 2020](https://www.weforum.org/reports/the-global-risks-report-2020). [↑](#footnote-ref-1)
2. See discussion in Pamela Chasek, David Downie and Janet Welsh Brown, *Global Environmental Politics*, Sixth Edition, Westview Press, 2014, p. 177-88. [↑](#footnote-ref-2)
3. See *Global Environmental Politics*, p. 179. [↑](#footnote-ref-3)
4. But consider evidence from another deadly global virus - the HIV-AIDs pandemic. Belgian colonization of Congo led to greater demand for meat on the part of the colonizers, satisfied through the hunting of Simians (apes) and thus HIV virus became transmitted from apes to humans. [↑](#footnote-ref-4)