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## Assembly of First Nations

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## Assemblée des Premières Nations

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**ANNUAL GENERAL ASSEMBLY**  
**July 23, 24 & 25, 2019, FREDERICTON, NB**

**Resolution no. 03/2019**

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**TITLE:** The Convention on Biological Diversity (CBD)

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**SUBJECT:** Environment

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**MOVED BY:** Chief Byron Louis, Okanagan Indian Band, BC

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**SECONDED BY:** Chief Roberta Joseph, Tr'ondëk Hwëch'in First Nation, YK

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**DECISION:** Carried by Consensus

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### WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) states:
- i. Article 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters, and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.
  - ii. Article 31 (1): Indigenous peoples have the right to maintain, control, protect, and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports, and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.
  - iii. Article 31 (2): In conjunction with Indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.

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- B.** The United Nations Convention on Biological Diversity (CBD) states:
- i. Article 8 (j): Subject to its national legislation, respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge, innovations and practices.
  - ii. Article 10 (c): Protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements.
- C.** Canada's conservation efforts are driven by its commitments internationally under the CBD, including the establishment of the federal *Species at Risk Act* (SARA), and more recently, its efforts on the Pathway to Canada Target 1.
- D.** Pathway to Canada Target 1 aims for the conservation of 17 percent of terrestrial and inland waters through the establishment of networks of protected areas, including Indigenous Protected and Conserved Areas (IPCAs), as part of its international commitments.
- E.** An ad hoc, open-ended Working Group on 8(j) has functioned to advance the interest of Indigenous Peoples in the CBD context for two decades.
- F.** The future of the Working Group on 8(j), including its program of work, is currently the subject of significant discussion at the CBD. The specific details are set to be finalized following a series of meetings taking place in coordination with the next Conference of the Parties, in 2020 and beyond.
- G.** In May 2019, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), an intergovernmental body which assesses the state of biodiversity and of the ecosystem services it provides to society, released an alarming global synthesis of the state of nature, ecosystems, and nature's contributions to people.
- H.** In particular, the Report stated that nature is declining globally at rates unprecedented in human history — and the rate of species extinctions is accelerating, with grave impacts on people around the world. Around 1 million animal and plant species are now threatened with extinction, many within decades, more than ever before in human history. Furthermore, climate change was cited as a direct driver that is accelerating biodiversity loss with resulting consequences for Indigenous Peoples.

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- I. The future work of the CBD and its associated processes, mechanisms and protocols have ongoing existential implications for Indigenous Peoples, and the world over.
- J. The Assembly of First Nations (AFN) has been an ongoing and regular participant in meetings of the CBD and continues to be actively involved in advocating for the recognition of First Nations rights with respect to biodiversity conservation, both domestically and internationally.

**THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:**

- 1. Direct the Assembly of First Nations (AFN) to advocate for First Nations involvement, both domestically and internationally, in all actions, including by federal, provincial, and territorial governments, to prevent biodiversity loss.
- 2. Support the establishment of a strong Indigenous-led permanent body to function as part of the United Nations Convention on Biological Diversity (CBD) to:
  - a. Draw on the insights and experiences gathered from Indigenous Peoples leadership in the Working Group on 8(j) over the past two decades.
  - b. Effectively advocate for the rights, interests, and contributions of all Indigenous Peoples in the CBD context.
  - c. Include mechanisms to promote the meaningful, sustained, and visible inclusion of Indigenous Peoples and voices in all aspects of the CBD.
  - d. Ensure that Indigenous Knowledge, in all of its forms, continues to be promoted as a valuable contribution in biodiversity conservation, both internationally and domestically.
  - e. Protect First Nations inherent rights, Treaties, Title and jurisdiction, and recognize First Nations inherent and everlasting responsibilities to their traditional territories.
- 3. Call on the Government of Canada to ensure that First Nations are involved in all aspects of biodiversity conservation, both in Canada and internationally, in a manner that promotes and respects First Nations inherent, Treaty and constitutionally-protected right, along with adequate funding, consistent with the United Nations Declaration on the Rights of Indigenous Peoples.

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