

2020 Biodiversity Goals & Targets for Canada are Deficient

Aboriginal Peoples
Perspectives on Canada's
National 2020 Biodiversity
Goals & Targets

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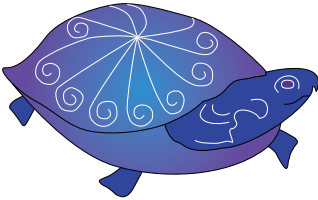


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I. Breaking the Law

The draft 2012 *Proposed 2020 Biodiversity Goals & Targets for Canada* are deficient to address the global issue of the destruction of biodiversity as highlighted by the *Global Biodiversity Outlook 3, 2010*. They are not in line with the *Convention on Biological Diversity (CBD) Strategic Plan 2011-2020* and Aichi overarching framework, vision, mission, goals and targets adopted by the 10th Meeting of the Conference of the Parties in 2010.

Canada's actions of the past six years and Canada's insistence to refer to the Aichi Goals and Targets as *aspirational* draws questions about Canada's intent to promulgate its own seventeen targets in 2012, seventeen years after the Government of Canada endorsed the *Canadian Biodiversity Strategy, 1995* and eleven years later the *Biodiversity Outcomes Framework for Canada, 2006*, as Canada's response to the CBD.

Canada knows that the Honour of the Crown is always at stake. The Crown must be assumed to intend to fulfill its promises. No appearance of sharp dealings will be sanctioned.

Canada knows that Aboriginal People continue to call upon Canada to seek and support their full and effective participation in discussions about laws, strategies, and actions concerning biodiversity and for Canada to respect the *United Nations Declaration on the Rights of Indigenous Peoples, 2007* and CBD Articles 8(j) and 10(c). Canada has neither invited nor consulted Aboriginal Peoples about the draft 2012 *Proposed 2020 Biodiversity Goals & Targets for Canada*, first promulgated on August 15, 2012.

Canada knows that Canadian law requires Canada to consult with the Aboriginal Peoples of Canada on any act, policy, strategy, or course of action which may affect, or when Canada ought to know that it may affect, Aboriginal Peoples' Aboriginal Rights, Treaty Rights, or Other Rights.

The Treaty Liberties of the Aboriginal Peoples of Canada are guaranteed under Section 25 of the *Constitution Act, 1982*.

25. *The guarantee in this Charter of certain rights and freedoms shall not be construed so as to abrogate or derogate from any aboriginal, treaty or other rights or freedoms that pertain to the aboriginal peoples of Canada including*

- (a) *any rights or freedoms that have been recognized by the Royal Proclamation of October 7, 1763; and*
- (b) *any rights or freedoms that now exist by way of land claims agreements or may be so acquired.*

[Constitution Act, 1982, s. 25]

The Aboriginal Rights of the Aboriginal Peoples of Canada are affirmed under Part II Section 35 of the *Constitution Act, 1982*.

35. (1) *The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.*



Photograph: Ocean Sand Dollar

Canada knows that the Honour of the Crown is always at stake. The Crown must be assumed to intend to fulfill its promises. No appearance of sharp dealings will be sanctioned.

(2) In this Act, “aboriginal peoples of Canada” includes the Indian, Inuit and Métis peoples of Canada.

[Constitution Act, 1982, s. 35]

Canada must provide due notice of the intent, with a direct invitation, to Aboriginal Peoples for their full and effective participation in consultation on the development of any act, strategy, or course of action which may affect Aboriginal Peoples.

“Certain principles apply in interpreting a treaty. First, a treaty represents an exchange of solemn promises between the Crown and the various Indian nations. Second, the honour of the Crown is always at stake; the Crown must be assumed to intend to fulfill its promises. No appearance of ‘sharp dealing’ will be sanctioned. Third, any ambiguities or doubtful expressions must be resolved in favour of the Indians and any limitations restricting the rights of Indians under treaties must be narrowly construed. Finally, the onus of establishing strict proof of extinguishment of a treaty or aboriginal right lies upon the Crown.”

[R. v. Badger, 1996, Supreme Court of Canada, 1 S.C.R. 771]

The Maritime Aboriginal Peoples Council and its partner Native Councils do not appreciate the position which Canada places us in the draft 2012 *Proposed 2020 Biodiversity Targets & Goals for Canada*. Aboriginal Peoples are treated as *after thoughts*, even though it is clearly acknowledged by Canada that:

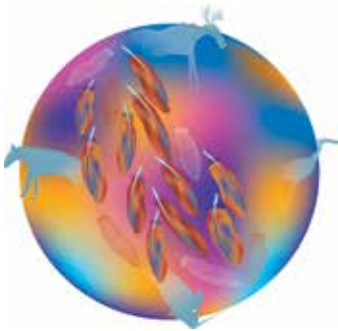
“In addition to presenting new challenges, climate change exacerbates many of the most significant existing threats to biodiversity... including shifts in the range of ecosystems, altered migration and breeding times, changes in natural disturbance regimes, and shifts in the distribution, productivity and abundance of species... Rural and Aboriginal communities will be predominately impacted by these changes.” (emphasis added)

[Proposed 2020 Biodiversity Goals and Targets for Canada]

Why is Canada unilaterally proposing an *aspirational, wait and see* strategy to implement the CBD and restructure the *Canadian Biodiversity Strategy, 1995* with this draft 2012 *Proposed 2020 Biodiversity Goals & Targets for Canada*?

The Maritime Aboriginal Peoples Council and IKANAWTIKET Aboriginal Environmental Respect Organization do not support the *aspirational, wait and see* national biodiversity goals and targets proposed by Canada. There is no mention or no note in the proposals about their meaning, or the efforts developed or to be forthcoming from federal, provincial, or territorial governments to mainstream the CBD within Canada or to ensure the full and effective participation of the Aboriginal Peoples of Canada.

The Federal Government asserts that these draft targets and goals were developed by federal, provincial, and territorial governments – we assert, without the full and effective participation of the Aboriginal Peoples of Canada. Aboriginal Peoples direct input was not sought on the development or the relevance of the new proposed Canadian biodiversity goals and targets.



The Federal Government asserts that these draft targets and goals were developed by federal, provincial, and territorial governments – we assert, without the full and effective participation of the Aboriginal Peoples of Canada.

Aboriginal Peoples direct input was not sought on the development or the relevance of the new proposed Canadian biodiversity goals and targets.

Aboriginal Peoples knew nothing about the drafting of these goals and targets until their promulgation in late August, 2012.

Environment Canada is aware of the work of the Maritime Aboriginal Peoples Council on the Nagoya Protocol, CBD Articles 8(j), 10(c), 15.1, and others, and CBD working groups, as well as CBD initiatives to raise awareness about the CBD and its three pillars of the:

- conservation of biological diversity,
- sustainable use of its components, and
- fair and equitable sharing of the benefits arising out of the utilization of genetic resources.

The Maritime Aboriginal Peoples Council raised, on several occasions, the issue that:

“In Canada, a federated State, the authorities and jurisdictions for natural resources is a matter of shared responsibilities between the federal government, provincial governments, territorial governments, and Aboriginal Peoples, through our Treaty Rights, Aboriginal Rights, and other rights relationships affirmed by the Constitution Act, 1982, and justiciated to be the common law of Canada.”

[Implementation of the Nagoya Protocol within Canada, MAPC, 2011]

We have also raised, on many occasions, for Canada to *respect, preserve, and maintain traditional knowledge, promote its wider application, and encourage the equitable sharing of the benefits arising from the utilization of such knowledge, innovations, and practices.*

Despite the present climate in Canada of segregating, isolating, and estranging Aboriginal Peoples, Environmental Science, Public Environmental Engagement, and Mainstream Environmental Involvement, the Maritime Aboriginal Peoples Council and the national Aboriginal organization, the Congress of Aboriginal Peoples, remain resolved and determined to keep our environment alive as Mother Earth.

“A point has been reached in history when we must shape our actions throughout the world with a more prudent care for their environmental consequences. Through ignorance or indifference we can do massive and irreversible harm to the earthly environment on which our life and well being depend. Conversely, through fuller knowledge and wiser action, we can achieve for ourselves and our posterity a better life in an environment more in keeping with human needs and hopes. There are broad vistas for the enhancement of environmental quality and the creation of a good life. What is needed is an enthusiastic but calm state of mind and intense but orderly work. For the purpose of attaining freedom in the world of nature, man must use knowledge to build, in collaboration with nature, a better environment. To defend and improve the human environment for present and future generations has become an imperative goal for mankind—a goal to be pursued together with, and in harmony with, the established and fundamental goals of peace and of worldwide economic and social development.”

[UN Conference on the Human Environment, 1972]



The Peoples of the
Federation of Canada
are currently caught
up in a war of
Environmental Integrity
versus
Unsustainable Exploitation.

For our part, the Maritime Aboriginal Peoples Council:

Will not remain silent – while Canada segregates natural lakes to become metal mining toxic tailings effluent impoundment ponds.

Will not stand idle – while Canada isolates its decisions from the public for selecting certain species populations to be legally protected, while others are not and their habitats are destroyed.

Will not hide – while Canada estranges Aboriginal harvesters from animal and fowl natural habitats because of massive forest clear-cutting, mining, hydro-electric dams, and other mega-resources projects.

Will not turn away – while Canada destroys wetlands by indiscriminate industrial infilling and drainage.

Will not be complicit – while Canada’s carbon emissions in 2012 are 17.5% higher than that in 1990, contributing to the melting of our Arctic sea ice, glacier ranges, and tundra.

Will not suppress our indignation – while Canada continues to deny the reality that Canada’s natural ecosystems and biodiversity is quickly deteriorating because of the insatiable desire to become an energy and resources superpower.

Will not allow Canada’s *aspirational* attitude towards the CBD and the global environment vanquish or silence the *inspirational integrity* of Canadians for the quality and integrity of their natural environment – a natural environment which is the heritage of Canadians and defines Canadians.

The Peoples of the Federation of Canada are currently caught up in a war of *Environmental Integrity versus Unsustainable Exploitation*. The Federal Government continues to move for more de-regulation, fast-tracking exploitive resources mega-mining, tar sands, forest clearing, hydropower dams, water diversions, wetland infillings, uranium mining and transport, and other mega-projects without public input or detailed transparent study about their consequences.

The move to de-regulate is also coupled with Canada’s invitation to international resource development corporations, with their private capital, to exploit Canada’s natural resources.

“We love Canada, and the reason we love it is because Canada welcomes foreign investment.”

[CEO Li Fanrong, CNOOC Ltd. commenting on the largest ever Chinese corporate take-over of a Canadian energy company, July 2012]

“Once I go back to Germany I will see to it that these negotiations come to a speedy conclusion.”

[German Chancellor Angela Merkel on the controversial Canada-EU Comprehensive Economic and Trade Agreement, August, 2012]

Prominent civil society organizations and trade unions, such as the Council of Canadians and the Canadian Union of Public Employees, have pointed out many concessions by Canada and loopholes in several recent economic deals which compromise decades of efforts by Canadians to protect the environment while providing a sustainable economic future for Canadians. Canadian news and social media is replete with examples of the Government of Canada pushing for these deals and dismissing Canadian's concerns, while Canadians have produce volumes of proof and concerns that the Federal Government is further deregulating and privatizing the Canadian economy while increasing corporate power and undermining Canadian's democratic options for the future.

Canada is welcoming foreign interests to mega-develop Canada's natural resources for foreign profit, some of which is situated on Aboriginal Traditional Ancestral Homelands and Territories, when those same foreign interests would be restricted from unsustainable mega-resources developments in their home states.

The Federal Government has adopted the term *aspirational* to describe international conventions and declarations that it does not intend to honour. In our opinion, the Government of Canada, by using the weasel term *aspirational* is in effect lessening Canada's commitment to the CBD and undermining the global environmental efforts and support for the CBD and the Aichi Goals and Targets for 2011-2020.

As an adjective, *aspirational* remains a weasel word for Canada, opening the door for chicanery or subterfuge by Canada. Canada demeans the *inspirational* Aichi Goals and Targets, while maintaining an international image of embracing those inspirational goals and targets. Canada also uses the same adjective to describe the *United Nations Declaration on the Rights of Indigenous Peoples*. When public opinion exposed Canada as one of the four settler states to vote against the adoption of the Declaration, and when Aboriginal Peoples continued to demand an explanation, Canada accepted the Declaration two years later with qualifications, as an *aspirational* document without any Canadian strategy or policy to implement the Declaration.

Canada's *aspirational* approach and lack of *inspirational efforts or appetite* is evidenced by Canada's postures and actions these past six years. Canada desires to become an energy and mineral superpower through easy access and unsustainable exploitation of natural resources to the detriment of future Canadians.

"We are an emerging energy superpower. We want to sell our energy to people who want to buy our energy. It's that simple."

[Prime Minister Stephen Harper on a trade mission to China, February 2012]

Canada has terminated its efforts on three strategic elements of the *Canadian Biodiversity Strategy, 1995* for the implementation of the CBD within Canada with the full and effective participation of Aboriginal Peoples.



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Canada is not pursuing goals to develop an approach to implementing the Convention on Biological Diversity with a view to reflecting distinct indigenous values, social networks, traditional economies and cultures.



Canada is not pursuing goals to:

“develop an approach to implementing the Convention on Biological Diversity with a view to reflecting distinct indigenous values, social networks, traditional economies and cultures”, nor

[1995 Canadian Biodiversity Strategy – Strategic Goal 7.1]

“develop an indigenous community analysis of the Convention on Biological Diversity with reference to ‘knowledge, innovations and practices of indigenous communities’ taking into account issues of intellectual property rights and the use of genetic resources”, nor

[1995 Canadian Biodiversity Strategy – Strategic Goal 7.2]

“examine ways in which indigenous groups can share their knowledge and experience, and develop joint programs with indigenous groups inside and outside Canada.”

[1995 Canadian Biodiversity Strategy – Strategic Goal 7.3]

With the draft 2012 *Proposed 2020 Biodiversity Goals & Targets for Canada*, Canada now proposes a new biodiversity strategy; a set of goals and targets, with no thought for the involvement of the Aboriginal Peoples of Canada.

Canada knows the calls by the Aboriginal Peoples of Canada these past several years at community, regional, national, and international forums for a coordinated Government of Canada approach to work on the goals of the CBD. We have called for good faith cooperation, with the full and effective participation of the Aboriginal Peoples of Canada, including our Maritimes Region Traditional Ancestral Homelands Aboriginal Peoples, as represented through the Maritime Aboriginal Peoples Council and IKANAWTIKET Aboriginal Environmental Respect Organization, without response.

The late arrival of the 2012 draft *Proposed 2020 Biodiversity Goals & Targets for Canada* in a few e-mail boxes, without an invitation for our full and effective participation or without financial resources necessary to develop goals and targets with the Government of Canada is disturbing. E-mailing goals and targets a few weeks before States begin to:

present their revised national biodiversity strategies and action plans, in line with the CBD Strategic Plan 2011-2020 to the 11th meeting of the Conference of the Parties;

[Conference of the Parties to the CBD, Decision X/2]

is not acceptable to the Aboriginal Peoples of Canada, nor should it be to government officials of a Contracting Party, such as Canada. Canada’s assumption that these proposed goals and targets will eventually reach all of the Aboriginal Peoples in Canada is more evidence of the further erosion of any hope for dialogue between Canada and Aboriginal Peoples about the CBD, Aichi Goals and Targets, and Strategic Plan 2011-2020.

A hastily called webinar is not consultation. We do not believe that a cursory webinar presentation accords the Honour of the Crown and its fiduciary relationship and duty to Aboriginal Peoples of the Federation of the Peoples of Canada.

The 2012 draft *Proposed 2020 Biodiversity Goals & Targets for Canada* was presented by Environment Canada without any foreknowledge or participation of Aboriginal Peoples in its drafting. We have no evidence to support Canada's statement:

“Over the past several months, federal, provincial and territorial governments have been working together to draft biodiversity goals and targets for Canada.”

[Environment Canada Communication, Aug. 15, 2012]

In the following sections, we will point out many clear and substantial deficiencies in Canada's seventeen proposed biodiversity goals and targets, which question the level and intensity of dedicated work by federal, provincial, and territorial governments to produce the draft 2012 *Proposed 2020 Biodiversity Goals & Targets for Canada*.



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II. Canada's Mistake

It is a mistake for Canada to propose to go along with these seventeen *aspirational wait and see* goals and targets, when Canada itself acknowledges that:

“...increasing pressures on terrestrial and aquatic ecosystems spurred by rapid economic development and intensified by a changing climate, will make it very difficult to maintain Canada's ‘natural advantage’. Conserving biodiversity, including protection of the plant and animal resource base and ecosystem services, will require new and innovative policy approach and the active engagement of all sectors of society.”

[Proposed 2020 Biodiversity Goals & Targets for Canada – Introduction, Aug. 15, 2012]

We question, where is Canada's political commitment to a *new and innovative policy approach*? Where is Canada's evidence of *active engagement of all sectors of society*? These were issues raised seventeen years ago and answered by Canada's adoption of the *Canadian Biodiversity Strategy, 1995* and made clear six years ago by Canada's adoption of the *Biodiversity Outcomes Framework for Canada, 2006*.

Canada's recent posture and attitude to be a world energy and mineral superpower in 2012 at the cost of the environment and Canadian's right to enjoy a quality environment is not inviting. As evidenced by recent actions, statements, rallies, and commentaries, Canada's policies are pushing Canadians away. Canada is quickly dissolving the forums and institutional mechanisms for Canadians to voice their concerns directly to government officials or engage in new strategies. The draft 2012 *Proposed 2020 Biodiversity Goals & Targets for Canada* ring hollow words for any real action to mainstream biodiversity throughout all sectors, involve all Canadians and Aboriginal Peoples, and undertake a true accounting, with action plans, to deal with the underlying causes of biodiversity destruction within Canada.

The Maritime Aboriginal Peoples Council will continue to advocate for the full implementation of the CBD and the vision, mission, and intents of the *Canadian Biodiversity Strategy, 1995*. The Maritime Aboriginal Peoples Council will continue to advance the Aichi overarching framework, vision, mission, goals and targets for 2011-2020 with the full and effective participation of the Aboriginal Peoples continuing on their Traditional Ancestral Homelands and Territories throughout Canada.

We abhor Canada's *Pan-European Oil Sands Advocacy Strategy* of March 2011. We abhor Canada's instructions to Canadian missions to Europe to consider as adversaries:

At the local level:

- non-government organizations,
- the media, and
- competing industries, such as the biodiesel industry,

At the national level:

- environmental non-government organizations and
- Aboriginal Groups.

[Canada's *Pan-European Oil Sands Advocacy Strategy*, March 2011]

We abhor Canadian Security Intelligence Service public documents which cite:

“The Canadian law enforcement and security intelligence community have noted a growing radicalized environmentalist faction within Canadian society that is opposed to Canada’s energy sector policies.”

[The Canadian Press, July 30, 2012]

On the other hand, we have to applaud Aboriginal Peoples and supporters who understand and share Aboriginal Peoples’ eco-centric worldview about the environment and Mother Earth.

“According to the Aboriginal eco-centric worldview, man is not at the centre of being as an individual separate from his environment, but man is seen as an integral part of the environment.”

[Dr. S. I. Pobihushchy, Department of Political Science, University of New Brunswick – A perspective of the Indian Nations in Canada, 1984]

It is only natural that Aboriginal Peoples would champion the:

- conservation of biodiversity,
- sustainable use of its components, and
- fair and equitable sharing of the benefits arising out of the utilization of genetic resources.

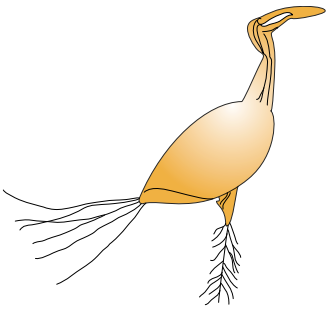
“All of the knowledge of our people is based on a permanent relationship with the places in which we live. The Indian territories are not only physically but also culturally located. The people who live in a valley see rivers and mountains in a very different way from a geologist or a biologist. A mountain for us has a name, has children, has loves.”

[Ailton Krenaki, reproduced in *Indigenous and Tribal Peoples and the ILO*, ILO, 1994]

President Evo Morales Ayma, the first democratically elected Indigenous president of the Plurinational State of Bolivia, has referred humanity’s perceived ownership of the Earth to be wrong. *“The Earth does not belong to us, we belong to the Earth.”*

“Nonetheless, I want you to also know that in Bolivia, particularly in the indigenous movement of the entire region of the Americas with which I am familiar, the Mother Earth is something sacred for life. For that reason, we carry out sacred rites and homages to our rivers, mountains, lakes, and animals, with as much music as expression out of respect for Mother Earth.”

[President Evo Morales Ayma of the Plurinational State of Bolivia,
Address to UN General Assembly, Apr. 22, 2009]



The Government of
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"I would like to take advantage of this opportunity to call upon the various sectors, groups or nations to abandon luxury and excessive consumption. Do not only think about money, rather think about life. Do not only think about accumulating capital for a group or a region, but let us think about humanity. In that way, we can begin to resolve an underlying problem, which is humanity itself."

[President Evo Morales Ayma of the Plurinational State of Bolivia,
Address to UN General Assembly, September 24, 2007]

The Government of Canada's *aspirational* language approach to use natural resources for wealth creation and only protecting some aspects of the environment for a few specimens is contrary to the global human movement for social progress, sustainable economic development, and environmental integrity.

"Seventy per cent [70%] of the world's poor live in rural areas. They depend directly on biological resources for as much as 90% of their needs such as food, fuel, medicine, shelter and transportation. Over three billion people depend on marine and coastal biodiversity, while more than 1.6 billion rely on forests and non-timber forest products for their livelihoods. The degradation of habitat and the loss of biodiversity are threatening the livelihoods of more than one billion people living in dry and sub-humid lands, particularly in Africa, the continent most affected by drought and desertification.

At the World Summit on Sustainable Development, the world leaders had pledged to reduce the rate of loss of biodiversity by 2010 as a contribution to poverty eradication. However, biodiversity continues to be lost at [an] unprecedented rate, thus threatening the capacity of the planet to provide the required goods and services. The current rate of extinction is estimated to be 1,000 times higher than the natural rate. Halting and reversing the current loss of biodiversity is therefore vital."

[Ali Abdussalam Treki, President of the 64th Session of the United Nations
General Assembly, 2010]

1. The draft 2012 *Proposed 2020 Biodiversity Goals & Targets for Canada* is deficient and specious. We believe these goals and targets are a stage for Canada to do nothing and for Canada to distance itself from the CBD Aichi overarching framework, vision, mission, goals, targets, and strategic plan for 2011-2020. Canada now considers the CBD to be only an *aspirational* convention, rather than an inspirational international convention between States of the United Nations family to respond to:

the international community's growing concern over the unprecedented loss of biological diversity with inspired negotiations for legally binding instruments aimed at reversing this alarming trend and the growing recognition throughout the world of the need for a fair and equitable sharing of the benefits arising from the use of genetic resources.

[summarized from The Convention About Life on Earth,
CBD Introduction Pamphlet, 1994]

“...we must counter the perception that people are disconnected from our natural environment. We must increase understanding of the implications of losing biodiversity. In 2010, I call on every country and each citizen of our planet to engage in a global alliance to protect life on Earth. We must generate a greater sense of urgency and establish clear and concrete targets. Biodiversity is life. Biodiversity is our life.”

[UN Secretary General Ban Ki-moon, 2010]

2. The draft 2012 *Proposed 2020 Biodiversity Goals & Targets for Canada* and Canada’s characterization of the Aichi Goals and Targets as *aspirational* is a prelude to Canada’s abandonment and eventual withdraw from the CBD; following a similar pattern for four years, during which the Federal Government first denounced the effectiveness of the Kyoto Protocol, then stated that it was too costly to the Canadian economy, then suggested that Canada can create its own plan, then encouraged others to abandon the Protocol, and finally on December 12, 2011, announced that Canada would officially withdraw from the Protocol.

The draft 2012 *Proposed 2020 Biodiversity Goals & Targets for Canada* are not in keeping with the CBD intent of a signatory Contracting Party committed to address the underlying causes of the growing global environmental chaos with tangible, meaningful, and measurable biodiversity targets for the:

- conservation of biological diversity,
- sustainable use of its components, and
- fair and equitable sharing of the benefits arising out of the utilization of genetic resources.

The 2012 draft *Proposed 2020 Biodiversity Goals & Targets for Canada* do not indicate any carry-over of the key responses by Canada to implement the CBD within Canada as contained in the *Canadian Biodiversity Strategy, 1995* and *Biodiversity Outcomes Framework for Canada, 2006*, both of which were endorsed by federal, provincial, and territorial governments.

We are very concerned that the *aspirational wait and see* draft 2012 *Proposed 2020 Biodiversity Goals & Targets for Canada* undermines the *Canadian Biodiversity Strategy, 1995*. Do they include the vision, guiding principles, and intents, including that of involving the full and effective participation of Aboriginal Peoples, in their design and implementation?

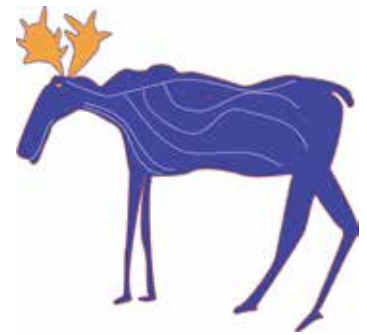
What will happen to the 1995 Canadian commitment to:

- “A society that lives and develops as a part of nature, values the diversity of life, takes no more than can be replenished and leaves to future generations a nurturing and dynamic world, rich in its biodiversity.”

[1995 Canadian Biodiversity Strategy – Vision]

- “Biodiversity has ecological, economic, social, cultural and intrinsic values.
- All life forms, including humans, are ultimately connected to all other life forms.

The draft 2012 Proposed
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Indigenous response to the Convention must be community-based and community-placed. This will require formulating local systems for preserving, using and regenerating traditional indigenous knowledge.

- *All Canadians depend on biodiversity and have a responsibility to contribute to biodiversity conservation and to use biological resources in a sustainable manner.*
- *All Canadians should be encouraged to understand and appreciate the value of biodiversity and to participate in decisions involving the use of our air, water, land and other resources.*
- *An ecological approach to resource management is central to conserving biodiversity and using our biological resources in a sustainable manner.*
- *Development decisions must reflect ecological, economic, social and cultural values.*
- *Healthy, evolving ecosystems and the maintenance of natural processes are prerequisites for the in situ conservation of biodiversity and the sustainable use of biological resources.*
- *Ex situ measures may be required to support the conservation of some species and populations and are essential to ensuring the sustainable use of many agricultural, forest and aquatic resources.*
- *The knowledge, innovations and practices of indigenous and local communities should be respected, and their use and maintenance carried out with the support and involvement of these communities.*
- *The conservation of biodiversity and the sustainable use of biological resources should be carried out using the best knowledge available and approaches refined as new knowledge is gained.*
- *The conservation of biodiversity and the sustainable use of biological resources requires local, regional, provincial, territorial, national and global cooperation and a sharing of knowledge, costs and benefits.”*

[1995 Canadian Biodiversity Strategy – Guiding Principles]

- *“For thousands of years prior to the arrival of Europeans, indigenous people depended on the land and its natural resources to meet their physical, social, cultural and spiritual needs. Many indigenous communities continue to have an intimate cultural relationship with the land and its resources. Individuals in these communities possess a range of expertise that could significantly contribute to the conservation of biodiversity and the sustainable use of biological resources.*
- *The existing aboriginal and treaty rights of the indigenous people of Canada are recognized and affirmed in the Constitution and by decisions of the Supreme Court. Agreements between governments and aboriginal authorities have led to the creation of cooperative management regimes for wildlife. Indigenous people have certain management authorities relating to the use of settlement and reserve lands and management of the resources on those lands. Through negotiated cooperative agreements, indigenous communities are assuming increased responsibility for the management of biological resources.*
- *Indigenous response to the Convention must be community-based and community-*

placed. This will require formulating local systems for preserving, using and regenerating traditional indigenous knowledge.”

[1995 Canadian Biodiversity Strategy – Strategic Goal 7]

Assuming that the draft 2012 *Proposed 2020 Biodiversity Goals & Targets for Canada* could realize some measurable results, as called for by the 9th and 10th Meetings of the Conference of the Parties, how will Canada show results for these basic current urgencies, given the Federal Government’s position in 2011 and 2012, two years into the Aichi Targets?

1. For the 2nd largest nation State on the globe with over 6% of the world’s land mass:

How will Canada, through its goals and targets, halt one of the world’s highest rates of extinction, where to date there are over 600 threatened and endangered species in Canada and their conservation status has to be improved and sustained, and to date Canada has approved action plans for only a handful of those species?

2. For the 2nd largest nation State on the globe with the world’s longest coastline of 243,000 kilometers, fronting the Atlantic, Pacific, and Arctic Oceans:

How will Canada, through its goals and targets, sustainably manage ocean coastlines, especially areas of particular importance for biodiversity and ecosystem services, when the Federal Government has cancelled the Eastern Scotian Shelf Integrated Management Plan – a model plan for the effective and equitable management of ecologically representative and well connected systems of protected areas, conservation measures, and integrated seascape management?

3. For the 2nd largest nation State on the globe with 24% of the world’s boreal forest:

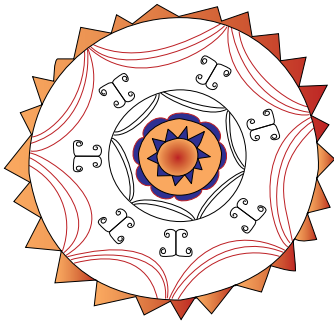
How will Canada, through its goals and targets, ensure that by 2015, the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization is in force and operational, consistent with national legislation?

4. For the 2nd largest nation State on the globe with 15% of the world’s temperate forest:

How will Canada, through its goals and targets, ensure that by 2020, the rate of loss of all natural habitats, including forests, is at least halved and where feasible brought close to zero, and degradation and fragmentation is significantly reduced, when in Canada little is known about the social and economic value of ecosystem services, their importance to human well-being, and the depletion or degradation of ecosystem services and natural capital is rarely tracked in national economic accounts and is unaccounted for in measures of economic progress, like the Gross Domestic Product?

5. For the 2nd largest nation State on the globe with 23% of the world’s wetlands:

How will Canada, through its goals and targets, maintain the productivity of the 1.2 million square kilometers of wetlands spread across federal, provincial, and territorial jurisdictions and Aboriginal Peoples’ Homelands and Territories?



How will Canada, through its goals and targets, implement climate change measures to reduce Canada's 17.5% increase in carbon emissions above 1990 levels and halt or mitigate the thawing of Canada's sea-ice, glaciers, and tundra, when Canada has withdrawn from the Kyoto Protocol?

●●● 14 COP 11 - National Targets

6. For the 2nd largest nation State on the globe with 20% of the worlds freshwater resources, which includes ½ of the worlds lakes over one square kilometre in size and also the largest unpolluted lake in the world and five of the largest rivers in the world:

How will Canada, through its goals and targets, restore several polluted lakes and rivers, when Canada qualifies the right to safe drinking water and basic sanitation as *the right to a sufficient quantity and safe quality of reasonably affordable and accessible water for personal and domestic use?*

7. For the 2nd largest nation State on the globe with the third largest glacier in the world: How will Canada, through its goals and targets, implement climate change measures to reduce Canada's 17.5% increase in carbon emissions above 1990 levels and halt or mitigate the thawing of Canada's sea-ice, glaciers, and tundra, when Canada has withdrawn from the Kyoto Protocol?

Canada's 2012 draft *Proposed 2020 Biodiversity Goals & Targets for Canada* are not in-line with the discussions, intent, meaning, and substance of the need for States to:

“review, update, and revise their national biodiversity strategies and action plans in line with the Strategic Plan and the guidance adopted by the 9th meeting of the Conference of the Parties.”

[Conference of the Parties to the CBD, Decision X/2]

“This overarching international biodiversity framework is the result of a comprehensive and inclusive two-year process. It calls for concrete national targets before Rio+20, the engagement of all stakeholders, and the inclusion of biodiversity considerations across all sectors of the society.”

[UN Secretary General Ban Ki-moon, 2010]

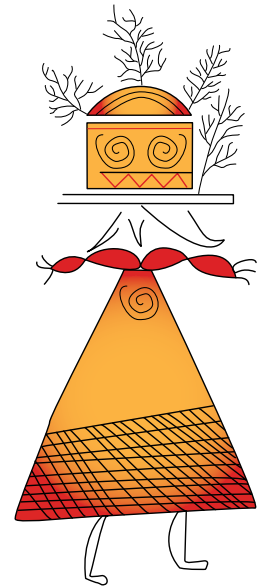
“By 2050, biodiversity is valued, conserved, restored and wisely used, maintaining ecosystem services, sustaining a healthy planet and delivering benefits essential for all people.”

[CBD Strategic Plan, 2011-2020 - Vision]

“Take effective and urgent action to halt the loss of biodiversity in order to ensure that by 2020 ecosystems are resilient and continue to provide essential services, thereby securing the planet's variety of life, and contributing to human well-being, and poverty eradication. To ensure this, pressures on biodiversity are reduced, ecosystems are restored, biological resources are sustainably used and benefits arising out of the utilization of genetic resources are shared in a fair and equitable manner; adequate financial resources are provided, capacity are enhanced, biodiversity issues and values mainstreamed, appropriate policies are effectively implemented, and decision-making is based on sound science and the precautionary approach.”

[CBD Strategic Plan, 2011-2020 - Mission]

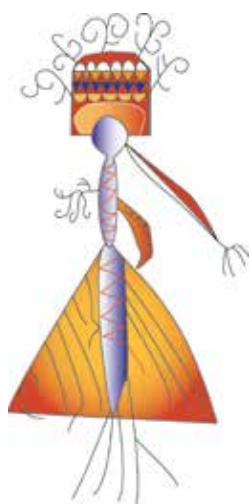
1. How will Canada support its claim to the 11th meeting of the Conference of the Parties this October in Hyderabad, India that the Canadian *aspirational* goals and targets are measurable?
2. How will Canada explain the absence of Aboriginal Peoples full and effective participation in the drafting of the Canadian *aspirational* goals and targets and their relevance?
3. How will Canada prove that the Canadian *aspirational* goals and targets will be effectively and quickly implemented when there is no national accord between federal, provincial, and territorial governments and Aboriginal Peoples to implement them?
4. How will Canada demonstrate that the Canadian *aspirational* goals and targets will address the underlying causes of biodiversity loss in Canada when there is no budget to mainstream the involvement of Canadians or Aboriginal Peoples?
5. How will Canada justify that the Canadian *aspirational* goals and targets are moving toward a more outcomes-based approach, when the targets lack quantitative and qualitative measures?
6. How will Canada use the Canadian *aspirational* goals and targets to show a commitment by governments to take the lead to engage Canadians and Aboriginal Peoples about the CBD and the new national goals and targets?
7. How will Canada explain that the Canadian *aspirational* goals and targets are developing a deeper understanding of the value of biodiversity and the role that natural systems play in keeping our communities safe and healthy, sustaining jobs and traditional lifestyles, and creating options and opportunities for the future?
8. How will Canada prove that the Canadian *aspirational* goals and targets are providing Canadians with the opportunity to receive and access information on the state of Canada's forests, farmlands, oceans, inland waters and arctic ecosystems, when Canada has been drastically cutting back Canadian's and Aboriginal Peoples participation in advisory bodies and independent scientific reviews?
9. How will Canada demonstrate that the Canadian *aspirational* goals and targets are providing mechanism and support for Canadians to become partners in developing and achieving the long-term vision and goals for the natural communities that keep this country healthy and prosperous, when Canadians and Aboriginal Peoples have not been invited to develop the goals and targets?
10. How will Canada prove its commitment to engaging Canadians in achieving shared outcomes, as required under *Canada's Biodiversity Outcomes Framework, 2006*, when the Canadian *aspirational* goals and targets do not include the Strategic Goal A of the Aichi Goals and Targets:



How will Canada demonstrate that these Canadian aspirational goals and targets will address the underlying causes of biodiversity loss in Canada when there is no budget to mainstream the involvement of Canadians or Aboriginal Peoples?

The Aichi Goals and
Targets represent the
common human concern
to begin meaningful work
to realize measurable
results that value,
conserve, restore, and
wisely use biodiversity for
the benefit of all people
Living in Harmony with

Nature.



“Strategic Goal A: Address the underlying causes of biodiversity loss by mainstreaming biodiversity across government and society.

Target 1: By 2020, at the latest, people are aware of the values of biodiversity and the steps they can take to conserve and use it sustainably.

Target 2: By 2020, at the latest, biodiversity values have been integrated into national and local development and poverty reduction strategies and planning processes and are being incorporated into national accounting, as appropriate, and reporting systems.

Target 3: By 2020, at the latest, incentives, including subsidies, harmful to biodiversity are eliminated, phased out or reformed in order to minimize or avoid negative impacts, and positive incentives for the conservation and sustainable use of biodiversity are developed and applied, consistent and in harmony with the Convention and other relevant international obligations, taking into account national socio economic conditions.

Target 4: By 2020, at the latest, Governments, business and stakeholders at all levels have taken steps to achieve or have implemented plans for sustainable production and consumption and have kept the impacts of use of natural resources well within safe ecological limits.”

[Aichi Global Biodiversity Goals and Targets for 2011-2020]

Certainly the 20 Aichi Goals and Targets, developed by 192 States are more than an *aspirational, wait and see* exercise. The Aichi Goals and Targets represent the common human concern to begin meaningful work to realize measurable results that value, conserve, restore, and wisely use biodiversity for the benefit of all people *Living in Harmony with Nature*.

How can Canada assure the United Nations family and the Peoples of the Federation of Canada that the seventeen made in Canada goals and targets will realize measurable results toward a vision of people *Living in Harmony with Nature* in Canada and on Mother Earth?

III. Testing Aspirational Against Inspirational?

We request the Government of Canada to answer us or, if not us then, the member States assembled at the 11th meeting of the Conference of the Parties how Canada's goals and targets will be met with measurable results, when to date Canada's actions are inconsistent with a global vision of *Living in Harmony with Nature*.

Canada's Proposed Goals And Targets

Goal A: *Canada's lands and waters are planned and managed in an integrated way to support biodiversity conservation in local and regional contexts, balancing multiple uses.*

Target 1: *At least 17 percent of terrestrial areas and inland water, and 10 percent of coastal and marine areas, are conserved through ecologically representative and well-connected networks of protected areas and other effective area-based conservation measures integrated into the wider landscapes and seascapes.*

How is this possible when?

- Canada changed regulations in 2008 to designate, through regulation, several natural lakes to become metal mining toxic waste impoundment ponds?
- Canada has reduced funding for Parks Canada staff at terrestrial and marine parks?
- Canada has in 2012 cancelled the Eastern Scotian Shelf Integrated Management Plan after ten years in development?
- Canada informed Canadians that it will shut down the Experimental Lakes Program in 2013?
- Canada has laid-off 1,047 employees at Natural Resources Canada, Environment Canada, and Fisheries and Oceans Canada since April, 2012, which is on top of previous years cuts, such as 700 Environment Canada positions in 2011?

Target 2: *Nationally listed species at risk for which recovery is feasible exhibit, at the time of national reassessment, population and distribution trends that are consistent with achieving the objectives of existing recovery strategies.*

How is this possible when?

- Canada has reduced funding support to mainstream Canadian's involvement in species and habitat recovery, including a reluctance to establish recovery teams or recovery implementation groups comprised of Aboriginal Peoples, environmental non-government organizations, and concerned citizens?



Canada has laid-off 1,047 employees at Natural Resources Canada, Environment Canada, and Fisheries and Oceans Canada since April, 2012, which is on top of previous years cuts, such as 700 Environment Canada positions in 2011.



Canada has gutted the aquatic habitat and watercourse protection provisions of the Fisheries Act and Navigable Waters Protection Act, with Royal Assent of amendments in 2012 to those Acts contained within Bill C-38.

- Canada has in 2011-2012 closed entire labs, facilities, and programs dedicated to environmental science, protection, and restoration, including a world renowned institute studying climate change and a frequently used laboratory studying technologies for marine oil spill clean-up?
- Canada shut down the Mersey Biodiversity Facility in 2012, which now threatens the recovery of some endangered fish species?
- Canada has decimated the compliment of scientists within the Federal Government and has witnessed on July 10, 2012 over 2,900 scientists gathered on Parliament Hill to protest the concerted attack by the Federal Government on science in the *Death of Evidence Rally* with the slogan “No Science! No Evidence! No Truth! No Democracy!”?

Target 3: Canada’s wetlands are conserved or enhanced to sustain their ecosystem services.

How is this possible when?

- Canada has gutted the aquatic habitat and watercourse protection provisions of the *Fisheries Act* and *Navigable Waters Protection Act*, with Royal Assent of amendments in 2012 to those Acts contained within Bill C-38?
- Canada explains in 2012 that it is not a fundamental human right to access safe drinking water, rather only access to a *sufficient quantity and safe quality of reasonably affordable and accessible water* is the extent of this human right?

Target 4: Biodiversity conservation strategies are developed and implemented in urban Canadian municipalities.

How is this possible when?

- In Canada, major urban municipality infrastructures are collapsing and, as creations of provincial jurisdictions, the Federal Government cannot impose or force urban municipalities to undertake biodiversity strategies?
- In Canada, over 40 municipalities, including Ottawa, Toronto, Montreal, Windsor, Hamilton, and Victoria, and also including the Federation of Canadian Municipalities, are seeking exemptions from the proposed *Canada-European Union Comprehensive Economic and Trade Agreement (CETA)* because it would overstep a multitude of municipal laws, including those for local environment and local sustainable development?
- Canada has terminated the *Municipal Water and Wastewater Survey* in 2012?

Goal B: Direct and indirect pressures as well as cumulative effects on biodiversity are reduced, and sustainable use is promoted.

Target 5: Continued progress is made on the sustainable management of Canada's forests.

How is this possible when?

- Canada has exempted or fast-tracked mega-projects on virgin or frontier lands from full and inclusive environmental review?
- Canada has repealed in 2012 key provisions of the *Canadian Environmental Protection Act* and many of the provisions of the *Canadian Environmental Assessment Act*?
- Canada has liquidated in 2012 the *National Roundtable on the Environment and the Economy*?
- Canada has scaled back the necessity for companies to undertake environmental effects monitoring programs as a condition for government approval of a project?

Target 6: Agricultural working landscapes provide a stable or improved level of biodiversity habitat capacity.

How is this possible when?

- The *Species at Risk Act* accommodates agricultural interests who destroy habitats of endangered or threatened species on vast agricultural landscapes or who seek compensation for critical habitats left on vast agricultural land-holdings?

Target 7: Aquaculture management supports the conservation and sustainable use of biodiversity.

How is this possible when?

- Canada has continually and drastically reduced scientists and habitat enforcement officers in the Department of Fisheries and Oceans over the past six years?
- Canada has placed additional responsibilities for aquatic animal disease on the Canadian Food Inspection Agency without a compliment of appropriate laboratories and resources for testing across Canada?

Target 8: All fish and invertebrate stocks and aquatic plants are managed and harvested sustainably, applying ecosystem based approaches.

How is this possible when?

- Canada has gutted the *Fisheries Act* and Canada has failed to introduce modern principles and practices into the outdated *Fisheries Act*?

Canada cancelled the Invasive Alien Species Partnership Program in 2011, resulting in the abandonment of most of the invasive alien species coordination by non-government organizations, universities, Aboriginal Peoples, and botanical gardens.



- Canada advances the development of Integrated Fish Management Plans without the benefit of scientists on staff or providing resources for dedicated annual science?
- Canada has not developed any sanctions against Illegal, Unreported, and Unregulated Fisheries?

Target 9: Nutrient levels are stabilized or reduced in lakes of the major drainage areas of Canada.

How is this possible when?

- Canada has pulled out of the Kyoto Protocol, knowing that carbon emissions from Canada and the USA industrial heartland spew acid rain over Lake Ontario and Lake Erie and has acidified many lakes and rivers in Quebec, New Brunswick, Nova Scotia, and Prince Edward Island?

Target 10: Pathways of invasive alien species introductions are identified, and risk-based intervention plans are in place for priority pathways and species.

How is this possible when?

- Canada cancelled the *Invasive Alien Species Partnership Program* in 2011, resulting in the abandonment of most of the invasive alien species coordination by non-government organizations, universities, Aboriginal Peoples, and botanical gardens?
- In Canada, little or no coordination exists between federal, provincial, and territorial governments to survey and isolate the billions of tons of container cargo entering Canada?
- In Canada, the simple matter of granting a federal Canada Border Services Agency Officer the authority to deny the entry of a provincially restricted invasive alien species has not been dealt with?

Target 11: The ability of Canadian ecological systems to adapt to climate change is better understood, and priority adaptation measures are underway.

How is this possible when?

- Canada actively promotes the Alberta/Saskatchewan oil/tar sands, with their gigantic settling ponds, which are said to be visible from space with the naked eye and in close proximity to key rivers used by Aboriginal Peoples?
- Canada has publicly labelled environmental advocacy groups, Aboriginal Peoples organizations, and the media as *eco-terrorists* and *adversaries*?

- Canada has prepared a strategic plan to silence those vocal about climate change, the oil/tar sands, bitumen pipelines, and other matters about mega-mining, mega-oil, mega-forestry, and uranium projects?
- Canada is currently waging a high-level strategy to entice European countries to increase their acceptance of Canadian oil/tar sands, despite European's and Canadian's strong stance against the oil/tar sands as dirty fuels?
- Scientists' criticisms of Canada have been harsh, as evidenced by an editorial in the prestigious journal Nature, "*It is hard to believe that finance is the true reason for these closures... Critics say that the government is targeting research into the natural environment because it does not like the results being produced... If the Harper government has valid strategic reasons to undermine vital sectors of Canadian science, then it should say so. If not, it should realize, and fast, that there is a difference between environmentalism and environmental science – and that the latter is an essential component of a national science programme, regardless of politics.*" (editorial in NATURE, V. 487, July 18, 2012)

Target 12: Innovative mechanisms for fostering the conservation and sustainable use of biodiversity are developed and applied.

How is this possible when?

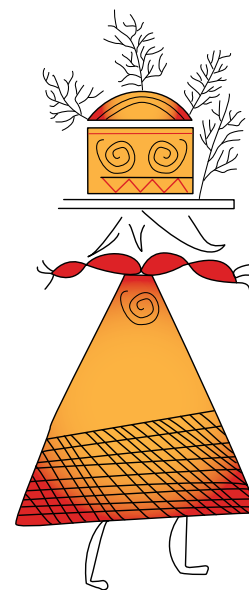
- Canada has proclaimed in 2012 a new policy not to fund any pure science research? Scientists who apply for government funding must tie their research to industrial needs.

Goal C: Canadians have easy access to adequate and relevant information about biodiversity and ecosystem services to support conservation planning and decision-making.

Target 13: The science base for biodiversity is enhanced and knowledge of biodiversity, including traditional and community knowledge, is better integrated and more accessible.

How is this possible when?

- Canada continues to ignore provisions of the *United Nations Declaration on the Rights of Indigenous Peoples*, characterizes the Declaration as only *aspirational*, and obstructs key provisions of the CBD, Protocols, and Strategies?
- Canada obstructs the repeated calls for the full and effective participation of Aboriginal Peoples in the negotiations and implementation of the Nagoya Protocol?



Canada obstructs the repeated calls for the full and effective participation of Aboriginal Peoples in the negotiations and implementation of the Nagoya Protocol.

- Canada's lead diplomat on the Access & Benefit Sharing file walked out of the first and only national consultation session between Aboriginal organizations and the Federal Government on Access & Benefit Sharing in July 2010?
- Canada, despite its constitutional supreme national law and court jurisprudence, continues to employ sharp dealings with Aboriginal Peoples, and remains unwilling to recognize the necessity of preserving the natural resources *necessary to support the distinctive traditional and cultural lifestyles of Aboriginal Peoples?*

Target 14: Canada has a comprehensive inventory of protected spaces that includes private conservation areas.

How is this possible when?

- Canada has dismissed many advisory committees comprised of public and private landowners and user groups, and no public body remains to take the lead on this target?
- Canada prefers to protect large, strategically located areas without adequate financial and human resources to maintain them, let alone develop and maintain a comprehensive inventory of the thousands upon thousands of small land-owner protection and conservation areas stretched across Canada?

Target 15: Progress is made on developing measures of natural capital related to biodiversity and ecosystem services with a view to integrating them into Canada's System of National Accounts.

How is this possible when?

- Canada has remained reluctant to institute a process to calculate natural capital, social values, and local economic values in decisions made to date or approvals granted for resources exploitation projects, or on the value of protecting biodiversity and species at risk?
- Canada does not currently have in place within Federal Government departments or Statistics Canada the necessary disciplines of specialized professionals to develop Canada-wide *Natural Capital Valuers* for biodiversity or ecosystem services?

Goal D: Canadians are informed about the value of nature and more actively engaged in its stewardship.

Target 16: Biodiversity is integrated into elementary and secondary school curricula.

How is this possible when?

- Canada gutted and terminated funding support for the Canadian Environmental Network a year after the Canadian Environmental Network signed a Memorandum of Understanding with the Convention on Biological Diversity Secretariat to promote and advance the Convention, educate Canadians, and mobilize Canadians to fully implement the Convention, including the creation of the “Friends of the CBD”?
- In Canada, except on reserves, the area of education is a provincial jurisdiction? We do not have any evidence of teachers, parents, education specialists, school boards, principals, and others who understand the education system and learning methodologies involved in the drafting of these targets. How will Canada advance the implementation of this Target?

Target 17: More Canadians participate in biodiversity conservation activities.

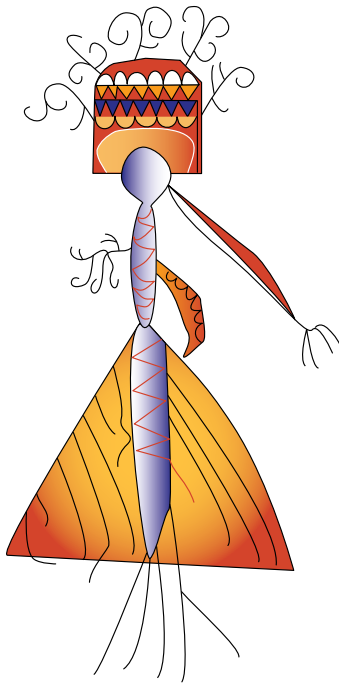
How is this possible when?

- The Canadian Security Information Service has cited the potential for *extreme environmentalism* in Canada? Canadian government officials have taken the message as warnings about *environmentalists or other radicals bent on derailing major oil, forestry, and mining projects*. Environmentally conscious citizens know there is a profound difference between vocalizing opposition and criminal action.

The Canadian Security Information Service has cited the potential for extreme environmentalism in Canada. Canadian government officials have taken the message as warnings about environmentalists or other radicals bent on derailing major oil, forestry, and mining projects.



Canada played an important role at the Rio de Janeiro Earth Summit in 1992, both in leading up to the conference and during the conference.



IV. Canada's Aspirational Posture Erasing Inspirational Aichi Goals & Targets

The commentary produced by the Government of Canada to explain the 2012 draft *Proposed 2020 Biodiversity Goals & Targets for Canada* skips over the once higher quality and once higher standards and vision of Canada to be a champion for the:

- conservation of biological diversity,
- sustainable use of its components, and
- fair and equitable sharing of the benefits arising out of the utilization of genetic resources.

For those readers unfamiliar about the inspirational and glorious crusade by Canada in the past for environmental protection and conservation, as compared to Canada's current *aspirational* posture of seventeen *wait and see* targets, without any measurable target results, the following reveals the erasure of three decades of stellar environmental leadership by Canada.

Canadian's desire to fight for the conservation of biodiversity, the sustainable use of its components, and the fair and equitable sharing of benefits arising from the utilization of genetic resources both at home and internationally has always been a part of the Canadian identity. Inspired by our natural wealth and natural heritage, Canadians championed the changing of attitudes towards prioritization and planning to take into account *environmental integrity, responsible social progress, and sustainable economic development*.

Canada was very much a part of the drafting, negotiations, and promotion for the acceptance of the CBD, which was nurtured over three decades and adopted at the Rio de Janeiro Earth Summit in 1992 and later ratified by 192 States within a remarkably short period of time.

The former president of the Canadian International Development Agency Maurice Strong organized the 1972 United Nations Conference on the Human Environment. Many credit him as the person who, with single-minded persistence and great diplomacy, overcame obstacles and fears to produce the *Declaration on the Human Environment, 1972*.

The former Canadian Minister of State for Urban Affairs John MacNeill organized and was Secretary General for the Brundtland Commission. He was also the lead author under Gro Harlem Brundtland and Mansour Khalid for the Commission's seminal report *Our Common Future*, which paved the way for the Rio de Janeiro Earth Summit in 1992.

Canada was the only State to have two seats on the 22 member team of the Brundtland Commission (MacNeill and Strong). In addition, many of the Commission's advisors and advocates were Canadians; and Canada generously provided technical assistance to the Commission for its work.

Canada played an important role at the Rio de Janeiro Earth Summit in 1992, both in leading up to the conference and during the conference. Canada organized support and helped forge international consensus on a set of 27 principles for the environment and sustainable development (the Rio Principles) as well as an action plan for achieving those (Agenda 21).

Canada championed the CBD at the Rio de Janeiro Earth Summit by being the first industrialized State to sign the CBD.

Canada showed its commitment to the CBD by offering to host the CBD Secretariat, with an \$11 million commitment over 10 years.

Canada co-sponsored the first meeting of countries after the Rio de Janeiro Earth Summit to begin discussions about what nations had to do to begin implementing the CBD.

The Canadian delegation to the first meeting between States and Indigenous Peoples' representatives on the implementation of CBD Article 8(j) in Madrid, Spain in 1997 included the largest delegation of Aboriginal Peoples at the historic first meeting: 14 registered as part of the official Canadian delegation and another 16 Aboriginal delegates attending on their own from Canada.

The nurturing of the CBD occurred against a backdrop of statements like:

“The conservation of biological diversity and the sustainable use of its components is not a new item on the diplomatic agenda. It was highlighted in June 1972 at the United Nations Conference on the Human Environment, held in Stockholm. In 1973, the very first session of the Governing Council for the new UN Environment Programme (UNEP) identified the ‘conservation of nature, wildlife and genetic resources as a priority area’”.

[The Convention About Life on Earth, CBD Introduction Pamphlet, 1994]

Alleviating poverty, freeing humanity from the want of the basic necessities of life, eliminating discrimination, and securing basic human rights and dignity of the person are the only true safeguards against disregard, contempt, barbarous acts, oppression, tyranny, despair, and ultimately wars and genocide.

“The ILO, basing itself on the fundamental principles of human dignity, freedom of association and social justice, has designed a number of instruments specifically addressing the situation of indigenous and tribal peoples, and their rights and role in overall economic and social development. This need was recognized very early with the creation, in 1926, of a Committee of Experts in charge of drawing up international standards for the protection of indigenous and tribal workers, as they were found to be numerous among bonded labourers... it rapidly became apparent that no lasting solution was achievable unless the needs of the self-employed, marginal farmers, forest-dwelling and nomadic indigenous and tribal peoples were also addressed.

This led in 1957 to the adoption of Convention No. 107 on Indigenous and Tribal Populations which for 32 years was the only international Convention on the subject and was ratified by 27 countries. In 1989, under the pressure of indigenous and tribal organizations and a number of governments, which challenged the integrationist approach of Convention No. 107, the International Labour Conference adopted Convention No. 169 on Indigenous and Tribal Peoples.”

“Despite major development programmes that have taken place in the last three decades, indigenous and tribal peoples have not benefited significantly from the processes of modernization and progress. On the whole, their living standards have not improved. Their economic life, when it is concentrated in traditional and subsistence activities, has been marginalized. They are weakly represented in national political processes. In many cases, their traditional social organizations and ways of life are breaking down, undermining self-sufficiency and leading to loss of self-confidence and self-esteem.

The problem is not, of course, limited to the developing world. In the United States, Canada, Australia, Scandinavian countries, Japan, and the Russian Federation, indigenous peoples also struggle on the margin of the national society. If the worst of their experience seems to be the past, indigenous and tribal peoples in the developed world must still contend with the lasting effects, including high rates of alcoholism, high unemployment, social disruption and loss of traditions.”

[ILO Director Michel Hanseene, 1994]

In 1972, the UN Conference on the Human Environment proclaimed that:

“Man has constantly to sum up experience and go on discovering, inventing, creating and advancing. In our time, man’s capability to transform his surroundings, if used wisely, can bring to all peoples the benefits of development and the opportunity to enhance the quality of life. Wrongly or heedlessly applied, the same power can do incalculable harm to human beings and the human environment. We see around us growing evidence of man-made harm in many regions of the earth: dangerous levels of pollution in water, air, earth and living beings; major and undesirable disturbances to the ecological balance of the biosphere; destruction and depletion of irreplaceable resources; and gross deficiencies, harmful to the physical, mental and social health of man, in the man-made environment, particularly in the living and working environment.”

[UN Conference on the Human Environment, 1972]

The Director General of the Food and Agricultural Organization (FAO), Addeke Hendrick Boerma surmised at the Conference that:

“All the ‘isms’ of the modern age – even those which in theory disown the private profit principle – assume that man’s cardinal intent is acquisition. The profit motive, individual or collective, seems to overshadow all else. This overriding concern with Self and Today is the basic cause of the ecological crisis.”

[A. H. Boerma, 1972]

For the forth Secretary General of the United Nations, Kurt Walheim the path was clear in 1972:

“As we now consider the choices before us, we must realize we are not faced with many separate problems, but with different aspects of a single overall problem: the survival and prosperity of all men and women and their harmonious development, physical as well as spiritual, in peace with each other and with nature. And if that is our goal, then surely there is only one road that will lead us there.”

[Kurt Walheim, 1972]

Certainly, the following calls made by successive Canadian Ministers were heard by Canadians and should be recalled in developing Canada's biodiversity goals and targets for 2011-2020:

"We believe that [CBD Article 6], which calls for the development of national strategies and the integration of biodiversity into sectoral and cross-sectoral decision-making, is foundational... Given that the Convention calls upon countries not just to do new things but to do things in a different way, we recognize that one of our biggest challenges will be to change institutional thinking and behaviour."

[Minister of Environment, Christine Stewart, 1998]

"Our deliberations are not academic. We are talking about preserving the biodiversity of our country's wildlife, birds, plants and fishes as well as their critical habitats. We must remember that the fundamental principle of ecology is that all things are interdependent. We cannot separate wildlife species from their habitats. Just as we cannot separate the people that live in the country from their relationship with the skies, land and waters where these species live."

[Minister of Environment, David Anderson, 2000]

"We must work together to conserve and protect our natural legacy – not just for these species at risk, but to the benefit of biodiversity as a whole in Canada."

[Minister of Fisheries and Oceans, Robert Thibault, 2001]

"As host country to the Convention on Biological Diversity, and the first industrialized country to have signed the treaty at the 1992 Earth Summit in Rio de Janeiro, Canada recognizes it has a particular responsibility to support the Convention's vital work."

[Minister of Foreign Affairs, Bill Graham, 2004]

Canadians do not wish to leave future generations with a dysfunctional, non-productive environment. Indeed, past actions of several Canadian diplomats to the United Nations and Canadian Parliamentarians seized with the environmental file paint a different story of environmental foresight, leadership, and direct action by Canada, often despite insurmountable corporate pressures to leave things alone on these vast frontier lands of Canada.

How can the great Federation of the Peoples of Canada realize the CBD framework, vision, mission, and Strategic Plan 2011-2020, using the Aichi Goals and Targets as demonstrable measures of success towards the coherent and effective implementation of the three pillars of the CBD, where humanity begins to *Live in Harmony with Nature*?

With the draft 2012 *Proposed 2020 Biodiversity Goals & Targets for Canada*, Canada now proposes a new biodiversity strategy; a set of goals and targets, with no thought for the involvement of the Aboriginal Peoples of Canada.

The Maritimes Traditional Ancestral Homelands Aboriginal Peoples have attempted to work with Canada to implement the *Canadian Biodiversity Strategy, 1995*. We have attempted



Canadians do not wish to leave future generations with a dysfunctional, non-productive environment.

to work with Canada on the implementation of Canada's key legislative responses, such as the *Species at Risk Act, 2002*. We have attempted to work with Canada on reviews of major environmental assessments. We have attempted to work with Canada to advance a new policy and hopefully a national law, with provincial accords, to deal with the growing crises of invasive alien species. We have attempted to work with Canada on mainstreaming the implementation of the CBD and its three pillars.

All these attempts and more have been wiped away by Canada's approach for wealth creation at the cost of the environment. Currently, Canada is not interested in working with the Aboriginal Peoples of Canada on environmental issues. Canada is doing its own thing – attempting to become an energy superpower, inviting all forms of international resource development corporations and limiting the mainstreaming of the CBD, for the reduced involvement of the Peoples of the Federation of Canada.

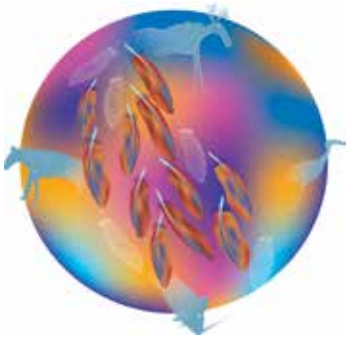
“The protection and improvement of the human environment is a major issue which affects the well-being of peoples and economic development throughout the world; it is the urgent desire of the peoples of the whole world and the duty of all Governments.”

[UN Conference on the Human Environment, 1972]

For our part, the Maritime Aboriginal Peoples Council and IKANAWTIKET Aboriginal Environmental Respect Organization has:

- Nurtured a cadre of Aboriginal youth (ARISES 2010);
- Celebrated the selection of our Aboriginal Youth as a *feature partner* by the International Union for the Conservation of Nature (IUCN) for their Countdown 2010 initiative to raise awareness about the 2010 International Year of Biodiversity;
- Adopted the Aichi Targets, particularly Targets 6, 16, and 18, through the Maritime Aboriginal Aquatic Resources Secretariate;
- In collaboration with its partner Native Councils and the national Congress of Aboriginal Peoples, published a perspective of relevant information about Access and Benefit Sharing in English, French, and Spanish on the subject of Aboriginal Peoples' full and effective participation in raising awareness, building capacities, creating institutional mechanisms, and developing clearinghouses (Implementation of the Nagoya Protocol within Canada, 2011);
- Produced a perspectives commentary for improvements to Canada's implementation of the Species at Risk Act. (Policy Critique of the Draft Species at Risk Act Overarching Policy Framework, 2011);
- Put forward nominees for the National Aboriginal Council on Species at Risk (NACOSAR);

- Put forward nominees for the Aboriginal Traditional Knowledge Subcommittee of the Committee on the Status of Endangered Wildlife in Canada (COSEWIC);
- Participated at United Nations working groups on the CBD Articles 8(j), 10(c), and others, such as noted under Item 8 of the *Report of the Seventh Meeting of the Ad Hoc Open-Ended Inter-Sessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity*, UNEP/CBD/COP/11/7 to be presented to the 11th Meeting of the Conference of the Parties in Hyderabad India in October 2012;
- Organized other Aboriginal organizations, including organizations of reserve-based Indians to attend a unified table called the Atlantic Aboriginal Protection of Species Committee;
- Partnered with environmental organizations, such as the Canadian Environmental Network, Nova Scotia Environmental Network, and Ecology Action Centre, academic institutions, civil society organizations, schools, Federal Government offices of Fisheries and Oceans Canada, Environment Canada, Canadian Wildlife Service, and Parks Canada Agency, provincial government offices of natural resources, fisheries, and aquaculture, and with Aboriginal communities to share concerns and mainstream the CBD and other environmental urgencies in the region;
- Earned several awards and accolades for our work on the environment – e.g., the Nova Scotia Environmental Network *Marshall Award for Aboriginal Environmental Leadership*;
- Produced species at risk educational books – e.g., *Kespiatuksitew Wsitqamuey: muk nqatmu wetaptu'tip – Species at Risk: leave no footprint*, 2010;
- Promoted the 2010 International Year of Biodiversity and 2011-2020 United Nations Decade on Biodiversity – e.g., through our *Mawqatmuti'kw* journal delivered to over 1,700 individuals, federal and provincial government offices, businesses, and environmental non-government organizations;
- Held several seminars on the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources – e.g.:
 - *Traditional Knowledge Access and Benefit Sharing Workshop*, 2009,
 - *Marine Protected Areas Workshop*, 2010,
 - *Genetic Resources Access, Use and Equitable Benefits Sharing Aboriginal Policy Position Session*, 2011, and
 - *Species at Risk Act Liberties Colloquium*, 2012;



- Coordinated several regional consultations between the Federal Government and the Native Councils on proposed *Species at Risk Act* protection and recovery measures for:

Shortnose Sturgeon	Winter Skate
Eastern Mountain Avens	Boreal Felt Lichen
Leatherback Seaturtle	Roseate Tern
Atlantic Salmon	American Eel
Atlantic Walrus	Blue Shark
Shortfin Mako	White Shark
North Atlantic Right Whale	Sowerby's Beaked Whale
Blue Whale	Atlantic Whitefish
Northern Bottlenose Whale	Yellow Lampmussel
Eastern Ribbonsnake	Blanding's Turtle
Canada Warbler	Olive-sided Flycatcher
Wood Turtle	Short-eared Owl
Beach Pinweed	Striped Bass
Cusk	Spiny Dogfish
Basking Shark	Maritime Ringlet
Frosted Glass-Whiskers	Loggerhead Seaturtle
Fin Whale	Lake Utopia Rainbow Smelts

A key lesson from the failure to meet the 2010 biodiversity target is that the urgency of a change of direction must be conveyed to decision-makers beyond the constituency so far involved in the biodiversity convention.

These efforts have produced little or no reactions from senior-levels of government. Environment funding in Canada is quickly evaporating and does not meet the needs of specialists, scientists, Canadians, and Aboriginal Peoples working to conserve biodiversity or attempting to protect over 600 species at risk and their habitats in Canada.

The Economics of Ecosystems & Biodiversity, adopted by 10th Meeting of the Conference of the Parties, clearly demonstrated that our current economic model is flawed. Governments and industry do not recognize the true value of ecosystem services, aside from their direct value to companies to increase private profits or to socialize costs, such as when governments *de facto* reduce corporate costs from a toxic spill by not requiring clean-up or post-clean-up monitoring.

The *Global Biodiversity Outlook 3*, also adopted by the 10th Meeting of the Conference of the Parties, showed that unless biodiversity and the CBD are mainstreamed throughout all sectors the current economic model cannot be fixed and biodiversity will continue to dwindle.

“A key lesson from the failure to meet the 2010 biodiversity target is that the urgency of a change of direction must be conveyed to decision-makers beyond the constituency so far involved in the biodiversity convention. The CBD has very nearly universal participation from the world's governments, yet those involved in its implementation rarely have the influence to promote action at the level required to effect real change.

Systematic proofing of policies for their impact on biodiversity and ecosystem services would ensure not only that biodiversity was better protected, but that climate change itself was more effectively addressed. Conservation of biodiversity, and, where necessary restoration of ecosystems, can be cost-effective interventions for both mitigation of and adaption to climate change, often with substantial co-benefits.

Important incentives for conservation of biodiversity can emerge from systems that ensure fair and equitable sharing of the benefits arising out of the use of genetic resources, the third objective of the Convention on Biological Diversity. In practice, this means ...drawing up rules and agreements that strike a fair balance between facilitating access to companies or researchers seeking to use genetic material, and ensuring that the entitlements of governments and local communities are respected, including the granting of informed consent prior to access taking place, and the fair and equitable sharing of benefits arising from the use of genetic resources and associated traditional knowledge.”

[Global Biodiversity Outlook 3, 2010]

Conclusion

The Global Biodiversity Outlook 3, adopted by the 10th meeting of the Conference of the Parties, suggests 11th strategic elements to inclusion in more effective and meaningful strategies.

1. *Where possible, tackle the indirect drivers of biodiversity loss. This is hard, because it involves issues such as consumption and lifestyle choices, and long-term trends like population increase... removal of perverse subsidies... encouraging more moderate, less wasteful – and more healthy – levels of meat consumption... awareness of the impact of excessive use of water, energy and materials.. limit rising demands for resources from growing and more prosperous populations.*
2. *International and national rules and frameworks for markets and economic activities can and must be adjusted and developed in such a way that they contribute to safeguarding and sustainably using biodiversity, instead of threatening it as they have often done in the past.*
3. *Use every opportunity to break the link between the indirect and direct drivers of biodiversity loss – in other words, prevent underlying pressures such as population increase and increased consumption from inevitably leading to pressures such as loss of habitat, pollution or over-exploitation. This involves much more efficient use of land, water, sea and other resources to meet existing and future demand.*
4. *Efficiency in the use of a natural resource must be balanced with the need to maintain ecosystem functions and resilience.*
5. *Where multiple drivers are combining to weaken ecosystems, aggressive action to reduce those more amenable to rapid intervention can be prioritized, while longer-term efforts continue to moderate more intractable drivers, such as climate change and ocean acidification.*
6. *Avoid unnecessarily tradeoffs resulting from maximizing one ecosystem service at the expense of another. Substantial benefits for biodiversity can often arise from only slight limits on the exploitation of other benefits – such as agricultural production.*
7. *Continue direct action to conserve biodiversity, targeting vulnerable and culturally-valued species and habitats, and critical sites for biodiversity, combined with priority actions to safeguard key ecosystem services, particularly those of importance to the poor such as the provision of food and medicines.*
8. *Take full advantage of opportunities to contribute to climate change mitigation through conservation and restoration of forests, peatlands, wetlands and other ecosystems that capture and store large amounts of carbon; and climate change adaptation through investing in “natural infrastructure”, and planning for geographical shifts in species and communities by maintaining and enhancing ecological connectivity across landscapes and inland water ecosystems.*

9. *Use national programmes or legislation to create a favourable environment to support effective “bottom-up” initiatives led by communities, local authorities, or businesses. This also includes empowering indigenous peoples and local communities to take responsibility for biodiversity management and decision-making; and developing systems to ensure that the benefits arising from access to genetic resources are equitably shared.*
10. *Strengthen efforts to communicate better the links between biodiversity, ecosystem services, poverty alleviation and climate change adaptation and mitigation. Through education and more effective dissemination of scientific knowledge, a much wider section of the public and decision-makers could be made aware of the role and value of biodiversity and the steps needed to conserve it.*
11. *Increasingly, restoration of terrestrial, inland water and marine ecosystems will be needed to re-establish ecosystem functioning and the provision of valuable ecosystem services.*

[Global Biodiversity Outlook 3, 2012]

Standing by, pretending nothing is wrong, or worse, obstructing the full adoption of the Aichi Goals and Targets and the implementation of the CBD leads Canada down a dangerous path – the wrong path. The sign post was set by the *Canadian Biodiversity Strategy* in 1995. After seventeen years, we should be at least nearing the first corner, not spinning the sign for an *aspirational* trail in 2012. As Secretary General Walheim observed, “surely there is only one road”.

We also remain hopeful about the journey that the Minister of Environment, the Honourable David Anderson pointed out for Canada upon assent of Canada’s *Species at Risk Act* in 2001,

“Again, the new Act will complete the picture. It looks good on paper and it will look even better in practice – protecting species on the fields, forests, wetlands, and open waters of Canada.”

[Honourable David Anderson, Minister of Environment, 2001]

Canada must develop national biodiversity goals and targets which:

“enable the participation at all levels to foster the full and effective contributions of women, indigenous peoples and local communities, civil-society organizations, the private sector and stakeholders from all other sectors in the full implementation of the objectives of the Convention and the Strategic Plan.”

[Conference of the Parties to the CBD, Decision X/2]

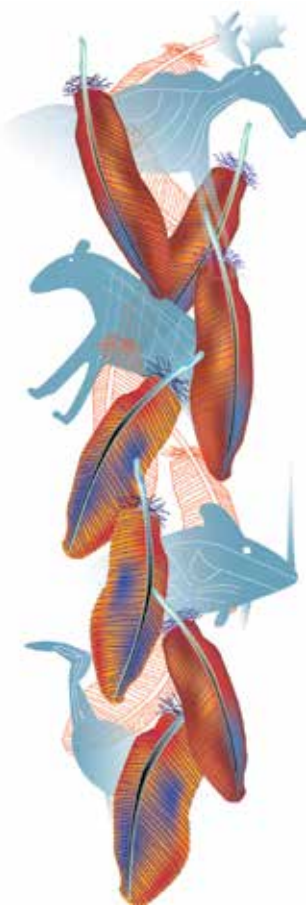
There is no other road to *Living in Harmony with Nature* other than the path laid out in the CBD and the Aichi Goals and Targets for 2011-2020.

Thank-you for your kind and thoughtful considerations. We remain.

The Maritime Aboriginal Peoples Council

and

IKANAWTIKET Environmental Incorporated





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An Indigenous Peoples Representative noted that it was important to ensure language consistency especially when referring to indigenous and local communities and indigenous peoples and local communities.

He observed that the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) had established the use of ‘indigenous peoples’ in order to afford respect to, and conform with, the human rights and dignity of indigenous peoples. He therefore requested that the COP-11 Bureau make a recommendation to the eleventh meeting of the Conference of the Parties that the use of the phrase ‘indigenous peoples’ should be preferred. Similarly, the phrase ‘free, prior and informed consent of indigenous peoples’ should be preferred.

He urged that the Conference of the Parties be requested to provide guidance for the fuller participation of indigenous peoples and local communities in the CBD Working Groups, and especially during Contact Group meetings.

The value of hearing another voice, of learning another world-view and of having other suggested language was undermined by requiring State support for those contributions to be taken into account by Working Groups or Contact Groups. Requiring State support for the contributions of indigenous peoples and local communities harkened to the paternalism that indigenous peoples and communities had experienced in the past.

Item 8 in the Report of the Seventh Meeting of the Ad Hoc Open-Ended Inter-Sessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity, UNEP/CBD/COP/11/7. 24 November 2011.



Photograph: Ocean Sand Dollar