



**Native Women's
Association of Canada**



**L'Association des
femmes autochtones
du Canada**

CRITICAL REVIEW

**Options for possible Elements of Work on the
Links between Nature and Culture in the Post-
2020 Global Biodiversity Framework**

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Who We Are

The Native Women’s Association of Canada (NWAC) is a National Indigenous Organization representing the political voice of Indigenous women, girls, and gender-diverse people in Canada, inclusive of First Nations on- and off-reserve, status and non-status, disenfranchised, Métis, and Inuit. An aggregate of Indigenous women’s organizations from across the country, NWAC was founded on the collective goal to enhance, promote, and foster the social, economic, cultural, and political well-being of Indigenous women within their respective communities and Canadian society.

Since 1974, NWAC has established strong and lasting governance structures, decision-making processes, financial policies and procedures, and networks to help achieve its overall mission and goals. Today, NWAC engages in national and international advocacy aimed at legislative and policy reforms that promote equality for Indigenous women and girls, as well as Two-Spirit, gender-diverse, and LGBTQ+ people. Through advocacy, policy, and legislative analysis, NWAC works to preserve Indigenous culture and advance the well-being of all Indigenous women, girls, and gender diverse people, along with their families and communities.

Objective

NWAC’s objective is to provide the Indigenous women’s, girls, gender-diverse, and Two-Spirit people’s perspective on biodiversity and to participate in the development and implementation of policies and programs related to conservation, wildlife, and biodiversity. NWAC also advises on and facilitates community engagement in activities and policies dealing with conservation, biodiversity, and wildlife, and provides submissions pertaining to documents that are part of the post-2020 global biodiversity framework.

Comments/Critique

Note by the Executive Secretary and Introduction

1. This portion of the document referring to the platform for collaboration between the Secretariat and the United Nations Educational, Scientific and Cultural Organization (UNESCO) in the pursuit of common objectives with respect to nature and culture does not make any specific reference to Indigenous women, girls, gender-diverse, and Two-Spirit people. As vulnerable populations at the intersection of the work at hand, their experience is both unique and valuable. One cannot conduct an engagement of “Indigenous peoples and local communities” without including their perspective on these issues.

2. While the links/collaboration between the Secretariat and the United Nations Educational, Scientific and Cultural Organization (UNESCO) in pursuit of common objectives with respect to nature and culture are a good first step, failure to include Indigenous women, girls, gender-diverse, and Two-Spirit people highlights the disconnect that exists between the original caretakers and protectors of the land and the larger international bodies. While it is necessary to ensure cooperation with other conventions, international organizations, and initiatives,, it is also necessary for Indigenous women, girls, gender-diverse, and Two-Spirit people to be at the table at initiatives that affect their lives, their lands, their traditional practices, and their cultures. Indigenous women, girls, gender-diverse and Two-Spirit people must represent and speak for themselves.
3. The Convention on Biological Diversity and Article 8(j) and related provisions, which reference ‘Indigenous peoples and local communities’ ignores the importance of Indigenous women, girls, gender-diverse, and Two-Spirit people’s contributions to local, traditional, and cultural knowledge. As knowledge keepers, they have contributed to the protection and encouragement of the customary sustainable use of a region’s resources, as well as the exchange of information and traditional knowledge with Indigenous populations. A pan-Indigenous approach is not thorough enough. It is also inadequate to assume that Indigenous men can represent Indigenous women, girls, gender-diverse, and Two-Spirit people’s perspective and traditional/cultural knowledge.
4. It is not sufficient for Article 8(j) to require each Contracting Party to rely on national legislation to 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. Not every Contracting Party is inclusive in nature when it comes to Indigenous peoples’ traditional knowledge, innovations, and practices. Acknowledging and including Indigenous women, girls, gender-diverse, and Two-Spirit people’s specific knowledge in this context should be a mechanism directly implemented by the Convention, regardless of each Contracting Parties’ national legislation pertaining to Indigenous peoples’ knowledge. The same principle should apply to the encouragement of equitable sharing of benefits arising from the utilization of Indigenous knowledge, innovations, and practices.

A. The Convention on Biological Diversity and Article 8(j) and related provisions: Indigenous peoples and local communities

IA 9. The Mo’otz kuxtal guidelines are designed to ensure that mechanisms, legislation or other appropriate initiatives seek “prior and informed consent,” “free, prior, and informed consent,”

or the “approval and involvement’ of Indigenous peoples and local communities. Fair and equitable sharing of benefits arising from the use of Indigenous knowledge, innovations, and practices is of great importance to Indigenous peoples, including Indigenous women, girls, gender-diverse, and Two-Spirit people. However, it would be preferable if such guidelines were binding instead of voluntary in nature.

IA 10. The adoption of a voluntary glossary of key terms and concepts within the context of Article 8(j) and related provisions would be beneficial. The use of terms such as ‘voluntary’ and the persistent failure to specifically mention or include Indigenous women, girls, gender-diverse, and Two-Spirit people only serve to weaken this document and its intent to protect biological and cultural diversity.

IA 11. While this document highlights the importance of incorporating cultural aspects of Indigenous peoples and local communities in the discussion under the Convention on Biological Diversity, its failure to highlight the importance of Indigenous women, girls, gender-diverse, and Two-Spirit people’s unique and specific perspective is problematic.

B. United Nations Educational, Scientific and Cultural Organization

IB 12. While the key role of biological and cultural diversity, natural (both tangible and intangible) heritage, language, identity, values, spirituality, learning, knowledge systems, and the empowerment of local stewards is highlighted, the role and expertise that Indigenous women, girls, gender-diverse, and Two-Spirit people play in biodiversity protection continues to be excluded at international forums.

This is of particular importance as UNESCO is the only United Nations agency with a specific mandate in the field of culture. This mandate carries with it the responsibility to ensure equity not just across nations, but also to ensure gender equity at the micro level. The inclusion of gender-based analysis at all levels of UNESCO activities is of great importance to NWAC and its membership. In fact, as part of UNESCO’s methodology for demonstrating and highlighting the impact of culture on the Sustainable Development Goals in a way that helps decision-makers, it is essential that a gender-specific approach which uses gender-based analysis be integrated into its methodological framework.

C. Man and the Biosphere Programme of the United Nations Educational, Scientific and Cultural Organization

IC 15. The Man and Biosphere Programme highlights and demonstrates the interdependencies and interactions between people and biodiversity through Indigenous research and sustainable development activities using scientific, local, and Indigenous knowledge. The concept that biosphere reserves are complex socio-ecological systems that reconcile conservation of biodiversity with sustainable use is also of great importance to Indigenous women, girls, gender-diverse, and Two-Spirit people. However, the approach currently in use fails to acknowledge these important gender groups both in the title of the initiative and in its overarching description. While the inclusion of Indigenous knowledge is of utmost importance, gender-specificity is as well when it comes to developing an overall approach to the diversity of suggested transformational pathways and sustainable solutions.

E. Convention for the Safeguarding of the Intangible Cultural Heritage of the United Nations Educational, Scientific and Cultural Organization (2003)

IE 19.-20. The use of language specificity is of great importance within international conventions and agreements. The language used to support international bodies and agreements and their subsequent recommendations and resolutions requires further scrutiny as well as Indigenous women, girls, gender-diverse, and Two-Spirit people specificity. While beneficial at times, the use of vague language can lead to the exclusion/omission of important stakeholder groups, including Indigenous women, girls, gender-diverse, and Two-Spirit people. Following this line of thought, while Chapter VI of the Operational Directives for the Implementation of the 2003 Convention is dedicated to the “safeguarding of intangible cultural heritage and sustainable development at the national level,” this critique remains valid.

F. UNESCO-CBD Joint Programme of Work on the links between biological and cultural diversity

IF 21.-22. While a broader societal approach is of value, the inclusion of biological and cultural diversity into development cooperation strategies and programmes is not sufficient. Unless an approach that is gender- and nation-specific, requiring the implementation of free, prior, and informed consent for any development projects is implemented, the Secretariat of the Convention on Biological Diversity, UNESCO, the 2010 Declaration on Biocultural Diversity, and the Joint Programme of Work between UNESCO and the Secretariat of the Convention on Biological Diversity all run the risk of silencing Indigenous women’s voices due to their pan-Indigenous and non-gender-specific approach.

IF 25.-26. It is also important to emphasize local, traditional, and Indigenous knowledge (specifically Indigenous women’s knowledge), the sustainable management of land and sea use,

social and economic relations, the sense of identity and attachment to place, and social roles in resource use. Gender-based considerations, the inclusion of unique and diverse worldviews and belief systems, related rites and rituals, and the protection of sacred natural sites are of particular importance to Indigenous women, girls, gender-diverse, and Two-Spirit people.

II. Rationale for an Inter-Agency Approach to Strengthening the Links between Biological and Cultural Diversity for Complementary Goals

II 37. –53.

The following items on conservation issues outlined in this document are of particular interest to Indigenous women, girls, gender-diverse, and Two-Spirit people:

1. The relationship between human/Indigenous culture, heritage and history, and nature expressed as ecology or biodiversity is essential to highlight their interconnectedness.
2. Nature conservation should not be pursued separately from Indigenous culture. However, it is essential to honour the specific perspectives held by Indigenous women, girls, gender-diverse, and Two-Spirit people when it comes to culture. As Indigenous men's and women's roles differ, their perspectives cannot be generically included under one heading.
3. A biocultural approach should be incorporated or mainstreamed across the post-2020 global biodiversity framework if the Convention is to meet its three goals (vision, humanity, living in harmony with nature) and its 2050 vision.
4. The initiative proposed by the Parties to the Convention to work towards the establishment of an international alliance for nature and culture is of great interest. However, it is essential that a gender-based lens be included in this process.
5. While a coalition of the willing and the inclusion of all cultures is essential, so too is having a specific focus on Indigenous peoples, and more specifically Indigenous women, girls, gender-diverse, and Two-Spirit people, at the table. When it comes to climate and other natural disasters, Indigenous women, girls, gender-diverse, and Two-Spirit people in Canada represent a vulnerable population. Food security is especially problematic for Indigenous women, girls, gender-diverse, and Two-Spirit people living in remote communities.
6. The concept that cultural and biological diversity provide the resilience that ecosystems and human communities need in the face of change is of great importance to Indigenous women, girls, gender-diverse, and Two-Spirit people. For example, nature-based solutions rooted in diverse human cultures are increasingly being promoted as successful local actions to address climate change. However, Indigenous culture (specifically highlighting Indigenous women, girls, gender-diverse, and Two-Spirit people as a vulnerable population) must be at the forefront of climate change, conservation, and biodiversity protection approaches. As a framework for sustainable development, The Convention on Biological Diversity, as a framework for sustainable development must take these perspectives into

serious consideration. Adopting a pan-Indigenous cultural approach will only serve to drown out or omit the voices of Indigenous women, girls, gender-diverse, and Two-Spirit people. A gender-based lens for development and conservation initiatives is essential.

III. Options for Possible Elements of Work Aimed at Reintegration of Nature and Culture in the Post-2020 Global Biodiversity Framework

III 54. – 59.

1. A common strategy across biodiversity-related multilateral environmental agreements and culture-related Conventions, other agreements, and instruments must be developed to stop the ongoing decline in biological and cultural diversity across the globe. Advancing complementary goals across conventions is also of great importance.
2. The overarching goal for the Post-2020 joint programme of work must include a specific reference to Indigenous women, girls, gender-diverse, and Two-Spirit people as well as a gender-based approach.

ANNEX: Elements and Tasks Related to the Joint Programme of Work on the Links between Biological and Cultural Diversity

The Secretariat of the Convention, together with the United Nations Educational, Scientific and Cultural Organization, the International Union for Conservation of Nature, and other relevant bodies will develop a common strategy across Conventions and agreements related to biological diversity (multilateral environment agreements) and culture, to stop the ongoing, dramatic decline in biological and cultural diversity across the globe. These educational, scientific, and cultural organizations must include representation by national Indigenous women, girls, gender-diverse, and Two-Spirit people's organizations and employ a gender-based analysis + (GBA+) approach to this process.

This annex further states that the Secretariat of the Convention on Biological Diversity, UNESCO, and IUCN, along with other relevant partners and parties, with the effective participation of Indigenous peoples, local communities, and relevant organizations, will create events, spaces, and platforms to promote the transmission of knowledge and exchange of experiences, values, methods, and results between scientific and traditional knowledge systems, and to develop and promote open frameworks for knowledge dialogues at the international, national, and regional levels. It is insufficient to simply mention Indigenous peoples. While this generalized approach provides inclusivity to Indigenous peoples from a global perspective, it does not guarantee that Indigenous women, girls, gender-diverse, and

Two-Spirit people will be able to represent themselves at various initiatives and tables. This pan-Indigenous and non-gender-specific approach was noted throughout this document.

Conclusion

It is important to stress that a pan-Indigenous approach does not address the current exclusion of Indigenous women's, gender-diverse, and Two-Spirit people's expertise from global forums such as the Convention on Biological Diversity and Article 8(j) Post-2020 Global Biodiversity Framework. In order for Indigenous women to be appropriately represented, Indigenous women must be referenced at all levels and in official documents and reports. Indigenous women, gender-diverse, and Two-Spirit people must be at the various international tables so they can represent and speak for themselves.