

# **Biodiversity (Kunming-Montreal): A chaotic COP15 which in 24 hours leads to a “historic” agreement**

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## Contents

- [The rich countries, while \(...\)](#)
- [African countries reject \(...\)](#)
- [Like a hegemon above the \(...\)](#)
- [Like one train hides another](#)
- [The issue of 30% protected \(...\)](#)
- [Biodiversity and climate \(...\)](#)
- [The commodification of nature](#)

Who would have bet that the COP15 on biodiversity, which ended in Montreal this Monday (December 19), was going to stumble on the question of funding, would have risked nothing. The problem of the final sprint is understood as follows:

*“The main objective of the Montreal conference is to reach an agreement on preserving 30% of the world’s land and oceans by 2030. But COP15 is also trying to reach an agreement on how this objective should be funded, and there are several disagreements, including on the creation of a new biodiversity fund. Brazil and others call on developed countries to pledge aid to developing countries of at least US\$100 billion a year, or 1% of global GDP, until 2030 [...] “A large part of the loss of biodiversity in the countries of the South is caused by the mode of consumption of the countries of the North”, so “it is a question of justice and social solidarity” [...]*

“The amount of \$100 billion represents a fraction of what must be paid to implement the framework that is being negotiated in Montreal. The UN Convention on Biological Diversity (CBD) estimates that US\$700 billion per year is needed to finance economic activities and protection measures that will reverse the decline in biodiversity. Of this sum, \$500 billion would come from “harmful” government subsidies that would be redirected towards activities and measures that will promote biodiversity.” [1]

The response from the countries of the old imperialism was not long in coming from the mouth of the co-president of the COP, the Minister of the Environment of Canada, supported by his British and European colleagues who had just arrived with the hundred other environment ministers:

*“Developed countries are adamant that they cannot finance everything. ‘It’s doable, but not just with public money,’ Guilbeault said in an interview with The Canadian Press. Developed countries rely on private sector funding and philanthropy to help bridge the gap, although Guilbeault acknowledged that the business case is not as easy to make for conserving nature as it is for developing clean technologies to help slow climate change. [...]*

“Zac Goldsmith, Britain’s Minister for Energy, Climate and the Environment, said on Thursday that

to put the scale of the need into perspective, the annual total of all government aid - not just for nature and the climate - is 160 billion US dollars. "So even if we quadrupled all global aid and put it all in-kind, we still wouldn't get there in terms of closing that gap," Goldsmith added.

Money aside, there is also disagreement over how the funds would actually be disbursed. Developed countries want a new biodiversity fund because they say existing mechanisms are too slow. Wealthier nations do not want to create a new fund. Virginijus Sinkevicius, the EU's environment commissioner, said he knows the biggest need is to make financial flows more efficient, but that doesn't necessarily require a new fund." [2]

## **The rich countries, while giving alms, sow discord between countries of the South**

As the COP on biodiversity receives much less media coverage than the one on climate — no head of state showed up except briefly that of the host country — the pressure for adequate autonomous financing comes essentially only from the NGOs present apart from the southern countries. As the COPs on the climate have not yet come to the end of contributing to the level of US\$100 billion per year from 2020 the fund in favor of dependent countries planned for climate mitigation, not to mention the new fund for losses and damages to be filled decided by the COP27, that for biodiversity seems out of the race from the starting line. It is not the anti-diplomatic blow of the abrupt departure from the meeting room of some sixty delegations from countries of the South, under the leadership of Brazil, that changed the situation. As the UN Deputy Secretary General admits:

The UN Deputy Secretary-General said the current tension around public funding to save nature stems from a "trust deficit", because the wealthiest countries have failed to deliver on their funding promises to developing countries in the past. [3]

In addition, the countries of the old imperialism can sow discord within the countries of the South by distinguishing, not without reason, the emerging countries from the other countries of the South:

*"But wealthy donor countries in Europe and the global north are opposed to the creation of a new fund. They say that China, Brazil and other large economies, which have grown substantially in the last 30 years since the UN's environmental treaties were agreed, should be contributing a lot more. UN donor funding for biodiversity is currently targeted at key regions to protect vital ecosystems and stop ongoing harm. China, Brazil, India, Mexico and Indonesia are the top five historical recipients from the Global Environment Facility (GEF), and are to feature in the top five for the next \$5.3bn (£4.3bn) funding cycle from 2022 to 2026. Many biodiverse nations from Africa, Asia and Latin America argue that they should get more money to pay for conservation."* [4]

To look good after the sensational exit of the sixty delegations, "[Thursday], 14 countries, including France and Germany, have precisely made financial commitments totaling a few billion dollars. 'But there are 31 countries contributing development aid. Where are the others? They are all at COP15, but we are still waiting for public commitments, which makes some countries doubt their intentions in terms of international solidarity,' according to Eddy Perez, director of international climate diplomacy at the Canada Climate Action Network." [5]

## **African countries reject final agreement granting aid below subsistence level**

Under a halo of victory to save the biodiversity of the planet, the countries of the old imperialism, in

collusion with the emerging countries, an alliance symbolized by the China-Canada co-presidency temporarily reconciled for the circumstances, have succeeded in imposing a consensus on the countries from the non-emerging South, in particular to African countries, three of which have explicitly and strongly rejected the consensus:

*“The Democratic Republic of the Congo’s negotiator appeared to block the final deal presented by China, telling the plenary that he could not support the agreement in its current form... [...] However, moments later, China’s environment minister and the Cop15 president, Huang Runqiu, signalled that the agreement was finished and agreed, and the plenary burst into applause. Negotiators from Cameroon, Uganda and the DRC expressed incredulity that the agreement had been put through. The DRC said it had formally objected to the agreement, but a UN lawyer said it had not. The negotiator from Cameroon called it ‘a fraud’, while Uganda said there had been a ‘coup d’état’ against the Cop15.” [6]*

The frustration of the non-emerging countries of the South can be understood when it is realized that the final agreement supposed to be the equivalent of the Paris Agreement for the climate according to the rich countries will put in the kitty only a ridiculous 20 billion \$US by 2025, which will rise to US\$30 billion from 2025 to 2030. It can be figured that it will be even less when it is known that the current Global Environment Fund, whose functioning is considered very deficient by the least developed countries because it mainly benefits emerging countries, and which will be responsible for new allocations through a formally different mechanism, already spends around ten billion a year for biodiversity. To speak of doubling and tripling as the Minister of the Environment of Canada does is mystification.

For comparison, the Canadian federal government’s ten-year, two billion tree planting program is estimated at around US\$2.5 billion. It shows that the financial commitments from North to South of the Kunming-Montreal Agreement are a drop in the ocean, especially since they also involve “countries in transition” as contributors. “Definitely in the category of boring-but-important, the world spends at least \$1.8tn (£1.3tn) every year on government subsidies driving the annihilation of wildlife and a rise in global heating, according to a study earlier this year.” [7]

### **Like a hegemon above the tumultuous waves, the US washes its hands of the whole affair**

However, it is the United States which, through their absent presence, brings the double game of the imperialist countries to a head:

*“The United States, even if it is not part of the negotiation, for lack of having ratified the Convention on Biological Diversity, plays a crucial role in the financial equation likely to unblock the agreement. “We have replenished the Global Environment Facility this year, the US contribution has been greater than ever,” US Environmental Ambassador Monica Medina said on Monday.” [8]*

*“There are two extraordinary facts about the convention on biological diversity, whose members are meeting in Montreal now to discuss the global ecological crisis. The first is that, of the world’s 198 states, 196 are party to it. The second is the identity of those that aren’t. Take a guess. North Korea? Russia? Wrong. Both ratified the convention years ago. One is the Holy See (the Vatican). The other is the United States of America.*

“This is one of several major international treaties the US has refused to ratify. Among the others are crucial instruments such as the Rome statute on international crimes, the treaties banning cluster bombs and landmines, the convention on discrimination against women, the Basel convention

on hazardous waste, the convention on the law of the sea, the nuclear test ban treaty, the employment policy convention and the convention on the rights of persons with disabilities.

“In some cases, it is one of only a small number to refuse: the others are generally either impoverished states with little administrative capacity or vicious dictatorships. It is the only independent nation on Earth not to ratify the convention on the rights of the child. Perhaps this is because it is the only nation to sentence children to life imprisonment without parole, among many other brutal policies. While others play by the rules, the most powerful nation refuses. If this country were a person, we’d call it a psychopath. As it is not a person, we should call it what it is: a rogue state.” [9]

### **Like one train hides another, the debate on funds hides that on measures**

The epic debate on the funds concealed many contentious but no less crucial points on the 23 major commitments at stake, including the following:

On harmful subsidies:

*“According to the United Nations Environment Program, governments spend \$500 billion to \$1 trillion each year on ‘environmentally harmful subsidies’ in the fisheries, agriculture, and fossil fuel sectors. An objective debated at COP15 concerns the reduction or elimination of these subsidies, possibly by 2030.”* [10]

The final agreement (target 18) commits to “substantially and progressively reducing them by at least 500 billion United States dollars per year by 2030” which seems like a major step forward, especially when this commitment is compared to that of monetary support from rich countries to poor ones. According to the UN, these harmful expenditures could be as high as US\$1,000 billion, two-thirds for energy support, one-third for agro-industry and a residual for commercial fisheries [11]. It can be guessed that this commitment hides a transition towards all-electric green capitalism, to be clearly distinguished from a care economy with reduced consumption of both energy and materials, and towards the high tech “new agriculture” [12] to be distinguished from organic farming.

On pesticides and fertilizers:

*“Pesticides, agriculture and pollution: The text negotiated in Montreal refers to a two-thirds reduction in the use of pesticides. However, this ambitious target is meeting with a lot of resistance: many countries, including China, India, Turkey and Mexico, oppose it. China and Japan also oppose a numerical proposal on fertilizers. In the draft agreement, it is also a question of promoting the transition to “sustainable” agriculture. According to the specialized media Carbon Brief, Canada would have opposed a mention of “plant-based” diets in the text.”* [13]

The Final Accord (target 7), says “reducing the overall risk from pesticides and highly hazardous chemicals by at least half including through integrated pest management, based on science, taking into account food security and livelihoods”. Note that it is no longer a question of two-thirds and that the reduction by “half” applies to “overall risk” and not to quantity. Nuance! As a result, “[o]bservers expressed disappointment at the weaker-than-hoped-for language on consumption and pesticide use, both significant drivers of biodiversity loss.” [14] As for fossil fertilizers, there is no mention of it unless you do text interpretation.

On the use of genetic resources:

*“Genetic data is a major but little-known issue in the negotiations at COP15. Countries must agree on a way to share benefits from products derived from wild-collected DNA. The food, pharmaceutical and cosmetic industries are indeed very interested in the genome of organisms. Different royalty systems are being considered, but the countries do not agree for the moment.” [15]*

*“Given the exponential progress of genetic science in recent years, an update of the rules of the game is in order. [...] Already, the Nagoya Protocol, which entered into force in 2014, regulates the sharing and access to genetic resources. However, it does so on a material basis: countries must agree when a sample intended to be sequenced in the laboratory crosses a border. However, technologies have evolved: it is now possible to extract a genetic sequence using a portable device in the field, then upload it to the Internet. The Nagoya Protocol — ratified by 137 parties, but not Canada — does not adapt well to changing times.” [16]*

The word “genetics” comes up fifteen times in the text of the 14-page Agreement (Goal ‘C’ and target 13) because there are so many pecuniary gains under the rug. The Guardian’s expert journalists conclude that “[i]n Montreal, an agreement was struck to develop a funding mechanism on DSI [digital sequence information] in the coming years, which has been hailed as a historic victory for African states who called for its creation before the summit.” [17]. My own reading has seen in this only an expression of guilt vis-à-vis indigenous traditional knowledge for which is invoked “their free, prior and informed consent, including through their full and effective participation in decision-making,” in the long preamble but not in the targets, although the crucial target 3 calls for respect for their rights and “traditional territories”. There are similar vague references to women (target 23) about access to territory and decisions.

On the exploitation of the seabed:

*“Scientists and environmental groups have used the platform of the UN Biodiversity Conference (COP15) to urge states to close the door to international seabed mining. If some seem to want to rally to this position, Canada confirms to Le Devoir that it remains open to extraction, but on condition that it is done within the framework of ‘rigorous regulations’.*

*“The Deep Ocean Stewardship Initiative (DOSI), which brings together experts in marine ecosystems, argued at COP15 that it would be premature to go ahead with authorizations for the exploitation of mineral resources. [...] The Deep Sea Conservation Coalition, which advocates for better protection of the high seas, goes further in its warnings against exploitation at depths of hundreds or even thousands of meters. According to the group, this industry would cause significant losses for marine biodiversity and the extinction of species that are still unknown today.” [18]*

The Agreement does not address this point, to the great satisfaction of mining and financial transnationals.

On diets:

*“The Canadian government opposes a passage of the global biodiversity framework under which states should reduce the carbon footprint of diets and waste. This is the case of a passage where it is mentioned that the carbon footprint of diets and per capita consumption should be halved. Canada is among the countries that oppose the adoption of such language. [...]*

“The fact that delegates are dwelling on the question of diets at COP15 is not unrelated to the fact that intensive agriculture, on which populations depend for food, is one of the greatest causes of the decline in biodiversity. Food systems are responsible for 60% of the loss of terrestrial biodiversity, 24% of greenhouse gas emissions and 33% of land degradation on the globe.

“Like Canada, Argentina and Paraguay – countries where the meat industry is a mainstay of the economy – also oppose a target on the carbon footprint of diets. Canada, which produces about 2% of the beef consumed on the planet, is also among the largest exporters of red meat and livestock in the world. Quebec alone is the world’s third largest pork exporter.” [19]

The Accord (target 16) calls to “reduce the global footprint of consumption in an equitable manner, including through halving global food waste, significantly reducing overconsumption and substantially reducing waste generation...” This rare quantified target – such a quantified reduction for plastic would have been appreciated – deserves to be mentioned even if the call for agriculture compatible with biodiversity (target 10) is a generality without practical effect. Nowhere is there any question of meat diet, yet a key cause in the destruction of habitats.

About health :

*“In the shadow of the financing debates at COP15, health experts lament that the correlation between biodiversity protection and human health benefits is too little addressed in the negotiations. Proximity to nature, she recalls, reduces the risk of disease, hypertension and psychological distress, in addition to reducing the feeling of isolation”.* [20]

Target 12 of the Agreement, despite its non-binding generality, at least has the merit of mentioning the urban biodiversity that polluted urban wastelands could benefit from.

### **The issue of 30% protected areas was the main bargaining chip for obtaining funds**

All the same, the issue of 30% remains central but it is far from having been settled:

*“The world’s leading climate authority, the Intergovernmental Panel on Climate Change (IPCC), in February said that safeguarding biodiversity requires 30-50% of Earth’s land and sea to be set aside for nature. Some environmentalists think that countries should be aiming for the top-range figure of 50%. Karl Burkart, deputy director of the NGO One Earth, likened this figure to the Paris agreement’s highest ambition of limiting global warming to 1.5C. “30% to me really does feel like the 2C and 50% is the 1.5C,” he told a press conference held at the summit on Friday.*

“A key test of the 30x30 target will be whether or not the lands selected for protection are rich in nature to begin with. Countries disagree whether conservation should focus on “key biodiversity areas”, “ecologically or biologically significant areas”, “threatened ecosystems” or none of the above. Parties in Montreal also disagree whether the 30% target should apply to the world as a whole, or if each country should be responsible for protecting 30% of its lands.

“One of the biggest issues surrounding the 30x30 target is what it means for the rights of Indigenous peoples, who are the stewards of about 80% of the world’s biodiversity – but just 20% of its land. Historically, conservation has forced Indigenous peoples from their lands and caused countless human-rights violations. The current text of the framework recognises the rights of Indigenous peoples and the critical role that they play in conservation, but questions remain over how that part of the target will be implemented.

“Things get thornier still when we consider how the ocean fits into the picture of conservation. About 60% of the Earth’s seas fall outside national jurisdictions. And the UN’s nature body has no power over the high seas, as signatories to the treaty can only carry out actions within their own national boundaries. [21]

If the 30% target (target 3) was finally confirmed “especially areas of particular importance for biodiversity and ecosystem functions and services” to which was added a presumably different target of 30 % (target 2) for the restoration of “degraded terrestrial, inland water, and coastal and marine ecosystems”, it does not apply to each country but to the whole earth including the vast area of the deep ocean which leaves room for political scrolling for recalcitrant countries.

### **Biodiversity and climate crises combine with each other because nature absorbs 50% of CO<sub>2</sub>**

Given the intimate relationship between the climate crisis and that of biodiversity, hence the double priority of the Earth Summit in 1992, it is alarming that the second is so marginalized when more than 50% of the CO<sub>2</sub> of human origin is annually absorbed by nature:

*“Delegates’ main objective in Montreal is to agree on a new set of rules to protect ecosystems, with goals that must be met by 2030. [...] That is a mammoth task. Optimists hope that the summit will produce something akin to the Paris agreement, the 2015 accord which saw almost every country promise to increase efforts to cut greenhouse-gas emissions and mitigate against climate change. Pessimists note that nothing close to that has been achieved in three decades of international biodiversity negotiations. [...]*

“Humans emit about 37bn tonnes of carbon dioxide each year, as well as other greenhouse gases. By absorbing carbon, plants sequester 11bn tonnes annually, while releasing oxygen. Another 10bn tonnes of carbon dissolves into the oceans. [...] In 1992, a huge “Earth Summit” held in Rio de Janeiro produced a trio of UN conventions to address a triptych of environmental calamities: climate change, biodiversity and desertification. [...] Biodiversity has been neglected.” [22]

The tenors of the countries of the old imperialism present the Kunming-Montreal Agreement as “historic” - a word whose abuse becomes limitless - because it is viewed as equivalent to the Paris Agreement on the climate. On the one hand, shouldn't we be a little embarrassed before making such a comparison, so much this last agreement is insufficient but still not met. Secondly, this last agreement, despite the use of a few quantified but circumventable targets, certainly invites basic accountability but contains no mechanism for doing so and even less an obligation, any more than for the Paris Agreement.

### **The commodification of nature by finance capital risks doing well**

Two days before the deadline, COP15 was progressing at a snail's pace, it seemed so dysfunctional:

*“Even by the glacial standards of UN biodiversity negotiations, Cop15 has been slow. [...] We have made progress on parts of the agreement that are not so controversial, but we have left all of the difficult bits to the final few days of a process that has taken three years. [...]*

“Behind closed doors, countries seem equally dysfunctional. The African group seems uncoordinated, the Latin Americans appear divided, the Europeans are not being constructive, the Canadians have not been helpful in talks and the Chinese are quiet.

“But this was meant to be nature's Paris moment and it looks like that ambition is being pushed into the 2030s and 2040s. China is not providing the leadership we need for a breakthrough at the moment. It has always been quiet in UN biodiversity negotiations but this is not the normal role of a

Cop president.” [23]

But to bring this chaotic unfolding to a successful conclusion, we can always count on financial capital on the lookout, which can count on “friends” within the NGOs:

*“For Tony Juniper, former vice-president of Friends of the Earth, [...] decision makers will only be ready to act if they understand that protecting biodiversity has an economic value. According to current estimates, Juniper insisted, our planet’s ecosystems provide benefits worth an estimated \$125 trillion to \$140 trillion per year, equivalent to more than 1.5 times global GDP.” [24]*

How to explain in fact, despite a laborious and slow process deplored both from the inside, even by the Canadian Minister of the Environment, and from the outside by young people in particular [25], COP15 ended on time and moreover on the basis of a barely modified working document presented by the presidency 24 hours before the adoption of the final document? It is however clear that the requirements wanted by the countries of the North, which are binding above all for the countries of the South overflowing with biodiversity, have been accepted, with a few African exceptions, by these latter countries which have not found their account in monetary terms.

The double game of the emerging countries, in the antechamber of imperialism or as part of it, certainly has a lot to do with it. It can also be added that the small island countries that are very contentious during the climate negotiations have been discreet, perhaps because they are not technically able to meet the standard of 30% protected areas for land. We can hypothesize the weight of the “billionaires” denounced by the deployment of banners a few days before the end of the COP [26]. They are the ones who can benefit from the genetic richness of tropical biodiversity and they are also the ones who are able to profit from the conversion of nature into capital to be protected against hard cash.

It is important to read the language of the Agreement regarding financial support, in particular the surprising US\$200 billion that came out of nowhere and which has never been a problem:

*“Substantially and progressively increase the level of financial resources from all sources, in an effective, timely and easily accessible manner, including domestic, international, public and private resources, in accordance with Article 20 of the Convention, to implement national biodiversity strategies and action plans, by 2030 mobilizing at least 200 billion United States dollars per year, including by:*

*(a) Increasing total biodiversity related international financial resources from developed countries, including official development assistance, and from countries that voluntarily assume obligations of developed country Parties, to developing countries, in particular the least developed countries and small island developing States, as well as countries with economies in transition, to at least US\$ 20 billion per year by 2025, and to at least US\$ 30 billion per year by 2030;”*

A careful reading of this gibberish indicates the private origin, among other sources, not only of this annual amount of US\$200 billion, which has never been a problem, but also — “including official development assistance” but not only — for the politically contentious sums of US\$20 and then US\$30 billion in transfers from rich to poorer countries.

The Kunming-Montreal Agreement certainly gives pride of place to indigenous peoples, although they have had no voice in the matter. The word “indigenous” is mentioned twenty times in this 14-page document. Their knowledge of nature and its “services” combined with their material and political deprivation make them, in the eyes of bankers, easy and useful prey for the enhancement and protection of “natural capital”. Especially since it is not the stingy neoliberal states that will support them, as the previous quote demonstrates. It is to forget their resilience and their



combativeness which could win if the “white” peoples overcome their racism in order to support them in the street and at the ballot box. Are they waiting to be up against the wall to do it?

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