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The Convention resulted from the growing concern about the loss and erosion of biodiversity. There has been increased awareness of the values of biodiversity, the seriousness of the impacts of its ongoing loss and destruction for a sustainable future and the importance of maintaining a healthy ecosystem. Ecosystems and biodiversity provide us with food, clean water, the air we breathe, jobs, livelihoods, general welfare and happiness, and help us prevent and be resilient to natural disasters. Driven by sustained scientific evidence, there is also a growing recognition across society:

- that nature is declining globally at rates unprecedented in human history . the rate of species extinctions is accelerating, and the health of ecosystems is deteriorating more rapidly than ever;
- that the current rapid and dramatic decline in nature and *nature's contributions to people* threatens human health and well-being, development and economies, our very existence and that we are facing a planetary emergency;
- that the biodiversity crisis is interrelated to and interlocked with other planetary emergencies of climate change, land degradation and desertification, ocean degradation, and pollution, and increasing risks to human health and food security, pose enormous risks to our society, our culture, our prosperity and life on our planet;
- that these crises are all different sides of the same problem of unsustainable development exacerbating poverty and inequality, and that need to be addressed in an integrated and coherent way by all relevant legal, policy and financial instruments;
- that impacts of nature loss are hitting the poorest hardest, causing food and water insecurity and conflict, and costing the global economy billions each year.

Despite the CBD having been into force for nearly three decades and some progress achieved in implementing its provisions over the last decade, the overall picture emanating from several recent high-profile assessments and flagship reports . notably the 2019 IPBES Global Assessment Report of Biodiversity and Ecosystems Services<sup>1</sup>, the 2019 Global Sustainable Development Report (prepared to inform the High Level Political Forum on Sustainable Development)<sup>2</sup>, the 5<sup>th</sup> Global Biodiversity Outlook (GBO 5)<sup>3</sup> and the recent releases of the IUCN Red List of Threatened Species<sup>4</sup> - shows a continuing trend of loss and deterioration of biodiversity in all its components . at the genetic, species and ecosystems levels. The conclusions from all these expert and authoritative voices on biodiversity and sustainable development confirm that sustainability cannot be achieved by current trajectories, and that goals for 2030 and beyond may only be attained through *transformative changes* across economic, social, political and technological factors.

## 2.2. An overview of global target-setting under the CBD

During the early years (1994-2002) after the entry into force of the Convention and the kick off of periodical meetings of the Conference of the Parties as the supreme governance body of the Convention, contracting Parties focused mostly on policy dialogues that translated into decisions to develop operational guidance for the implementation of a number of the general provisions of the Convention, including the development of the first Protocol under the Convention, known as the Cartagena Protocol on Biosafety, adopted in January 2000 as a landmark treaty which provides an international regulatory framework for the safe transfer, handling and use of living modified organisms resulting from modern biotechnology that may have adverse effect on the conservation and sustainable use of biodiversity.

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<sup>1</sup> <https://www.ipbes.net/assessing-knowledge>

<sup>2</sup> <https://sustainabledevelopment.un.org/globalsdreport/>

<sup>3</sup> <https://www.cbd.int/gbo/>

<sup>4</sup> IUCN Red List of Threatened Species. <https://www.iucnredlist.org>.

The first decade of the CBD saw also efforts in over 100 countries to initiate the development of national biodiversity strategies and action plans (NBSAPs) to guide government actions in the implementation of the Convention at national level pursuant to Article 6 of the Convention.

The first global target-setting framework under the CBD was undertaken in 2002 at the 6<sup>th</sup> meeting of the COP



provide inputs into the process as well as a series of webinars to introduce agenda items and background documents ahead of formal meetings.

The Co-Chairs of the OEWG have regularly communicated on the progress of the discussions, pointing to areas of convergence and those of divergence, and making some suggestions on how different views could be reconciled. They have also communicated at intervals on meetings and other events in which they have participated as opportunities to keep momentum on the post-2020 GBF process and/or raise awareness on its importance as much as possible.

The meetings of the OEWG so far have resulted in a draft post-2020 GBF which is still work in progress. The slow pace of the meetings and the postponement of COP 15 caused by the COVID-19 global pandemic, have impacted the process. The challenges caused by moving the discussions to virtual meetings have made it more difficult to reach agreement [ ] Á ^ Á• ~ ^• É•@ Á à• ^!ç^!•q active participation has been hindered, and taken together, all these impediments have resulted in an overly complex framework that reflects a multitude of views and elements without a clear line of sight and lacking overall coherence.

### **3. Key considerations for a Global Biodiversity Framework fit for purpose**

Given the limited time left for the finalization of the draft to convey to COP 15, what should be the essential considerations to bear in mind when the OEWG gets into the last leg of the negotiations? This paper attempts to offer some reflections on the elements, components, and other considerations to orient the further

#### **3.1.**

**i. Theory of change**

The theory of change around which the post-2020 GBF is built should convey a clear, logical, coherent and easy



### iii. 2030 Mission

The current formulation of the 2030 mission is as follows:

*To take urgent action across society to conserve and sustainably use biodiversity and ensure the fair and equitable sharing of benefits from the use of genetics resources, to put biodiversity on a path to recovery by 2030 for the benefit of planet and people.*

The mission formulation can be sharpened to emphasize that it must be action-oriented but also inspirational clearly linked to achieving the long term 2050 Vision ±

in order to reflect and enhance the synergies, interconnections, complementarities and coherence across mutually supportive frameworks. This point is further elaborated in the section below on enabling conditions.

## vi. Other elements of the framework

### The relationship with the 2030 Agenda for Sustainable Development

Key points in this section should draw attention on the importance of synergies with the implementation of the 2030 Agenda for Sustainable Development and the SDGs. As a universal, indivisible and integrated framework spanning the three dimensions of sustainable development, the SDGs provide an enabling environment for addressing most of the drivers of biodiversity loss given the multiple causal relationships and feedback loops that link all the SDGs at target level<sup>15</sup>. The Aichi Biodiversity Targets are reflected directly in many of the targets of the SDGs, especially under SDGs 14 (Life Below Water) and 15 (Life on Land). Biodiversity also underpins a much wider set of SDGs. For example, it is a key factor for the achievement of food security and improved nutrition (SDG 2) and the provision of clean water (SDG 6). These multiple connections allow a better understanding of the tradeoffs to be addressed and the co-benefits to be harnessed. Because the Aichi Biodiversity Targets reflected in the SDGs were lifted - almost verbatim - from the Strategic Plan for Biodiversity 2011-2020 including keeping the 2020 endpoint, it is assumed that the post-2020 GBF will serve as a basis to update or align the concerned SDG targets with the new framework.

### Implementation support mechanisms

This section should give emphasis on the resources to support the implementation, drawing from the mechanisms envisaged in the provisions of the Convention, i.e., access to technology, access to financial resources, capacity building, international cooperation. It is a good place to also highlight the importance of strengthening the science-policy interface in advancing the knowledge base to inform action.

Other important elements to reflect relate to Communication, Education and Public Awareness or CEPA.

### Enabling conditions and principles for implementation

A section containing the principles for the implementation of the entire framework is needed to streamline the wording of the goals and targets, but more importantly, to ensure their applicability throughout. The success of implementation of the framework will depend on meeting these conditions:

- Engagement of and at all levels of society.
- Collaboration and coordination to enhance coherence and synergies with the Rio Conventions, other biodiversity-related conventions, and relevant initiatives (e.g., the UN Decade on Ecosystem Restoration, the UN Decade on Oceans Science). In particular, the critical role of biodiversity for the Paris Climate Agreement is now well understood in the UNFCCC circles, with the recognition that around one third of the net reductions in greenhouse gas emissions required to meet the Paris Agreement will be provided by nature-based approaches and nature-based solutions.
- Respect, protection, and fulfilment of human rights, including the right to a safe, clean, and healthy environment and international human rights law.
- The full and effective participation of indigenous peoples and local communities (IPLCs) including their free, prior, and informed consent,





to biodiversity considerations in the funding allocations related to health, in the policies and financial packages being designed for the post-COVID recovery and building back better. <sup>18</sup>

### iii. Seizing the moment and capitalizing on the impetus

There has been increasing recognition of the consequences of environmental degradation, and their potential to destroy human societies and reverse the progress made over the last several decades in fighting poverty and reducing inequalities. World leaders in the political sphere as well as leaders of financial institutions and CEOs of large companies have expressed renewed commitments for strengthening nature protection as a prerequisite for sustainable development. New initiatives were launched, commitments announced, including financial commitments. Among others:

- *Leaders' Pledge for Nature* from the UN Summit on Biodiversity of September 2020;
- new pledges and commitments made at the Glasgow UNFCCC COP 26 -including but not limited to:
  - Multilateral Development Banks Joint Nature Statement;
- 2030 Nature Compact from the 47<sup>th</sup> G7 meeting held in June 2021;
- Kunming Declaration from the high-level segment of the first part of CBD-COP 15 held 11-14 October 2021, the Kunming Biodiversity Fund announced by the President of China at of the opening of the first part of CBD-COP 15; Joint GEF/UNDP/UNEP Statement in Kunming committing to early support to countries for the implementation of the post-2020 GBF once adopted; and
- the Marseille Manifesto from the IUCN 2020 World Conservation Congress held in Marseille in September 2021.
- New commitments aimed at catalyzing biodiversity finance and conservation were unveiled at a high-level event convened on the sidelines of the UN General Assembly in 2022 to showcase action and support for a nature-positive world. These included:
  - A 10-point plan for financing biodiversity endorsed by 16 initial countries;
  - The announcement of the next phase of the High Ambition Coalition for Nature and People;
- The ENACT initiative, which will coordinate global efforts to address climate change, land and ecosystem degradation, and biodiversity loss through Nature-based Solutions (NbS),

*appropriate access to genetic resources and by appropriate transfer of technologies, taking into account all rights over those resources and to technologies, and by appropriate funding* . The word "and" appears three times in this sentence, and, as a whole, the sentence is loaded with qualifiers intended to reflect the balance of expectations between countries rich in biodiversity (the so-called global South) and the countries rich in technologies and financial resources (the so-called global North) who were seeing . and some still do - the Convention as a North-South deal. Contentions around these bargaining points - access to genetic resources and the sharing of benefits arising out of their use, transfer of technologies, appropriate funding - resurface at practically every meeting of the Parties.

Below are some reflections on two of these litigious points, more specifically the question of financial resources and the relatively new issue of digital sequence information (DSI), given their potential impact on complicating the final ,

The adequacy of financial resources should thus be the subject of regular reviews, linked to monitoring and reporting as part of fulfilling the responsibility and transparency requirements, to align resources to needs.

**ii. Digital Sequence Information (DSI) in relation to the fair and equitable sharing of benefits<sup>19</sup>**

Technological advances in recent years have made it simple and affordable to sequence genomes. Information contained in DNA and RNA - and store this data digitally. Genetic material that contains this information can have a commercial value, therefore many countries exercise sovereign rights over genetic resources that originate from within their territories. Many countries also require that the benefits of research or commercialization are shared with the providing country or indigenous peoples and local communities before they grant access to genetic resources. However, the Nagoya Protocol on ABS is unclear on how to administer genetic sequence digital data, known as Digital Sequence Information (DSI). The lack of international agreement on this issue means that benefits resulting from DSI are sometimes not shared equitably, and this issue has in recent years turned into a contentious one in CBD discussions on how to handle DSI within the scope of the CBD in general and under the Nagoya Protocol in particular.

If no consensus can be reached on DSI, it would be better to provide for a process to continue the discussion on this issue by way of an enabling clause in the draft decision for COP 15. It is not necessary to turn DSI into a separate issue for the discussions on the post-2020 GBF to conclude productively especially as it does not appear, from the mandate given to the OEWG in COP decision 14/34, that DSI must be an integral part of the post-2020 GBF from the onset. Considering this, should the resolution of the DSI question continue to be elusive during the final meeting of the OEWG, a political good will, a spirit of compromise and a desire to move forward will be sorely needed.

**4. Conclusions and key messages: basic requirements for a GBF fit for purpose**

- ***Have focused, simple and measurable global Action Targets***, so that their implementation and impacts can be monitored and assessed.
- ***Ensure that Action Targets are indeed actionable at country-level, responsive to national realities, and thus are***
- ***Reflect the objectives of the Convention on Biological Diversity as well as the three components of biodiversity*** (species, ecosystems and genes) in coherent, distinct and ambitious outcome Goals.







**INTERNATIONAL UNION  
FOR CONSERVATION OF NATURE**

WORLD HEADQUARTERS  
Rue Mauverney 28  
1196 Gland, Switzerland  
[mail@iucn.org](mailto:mail@iucn.org)  
Tel +41 22 999 0000  
Fax +41 22 999 0002  
[www.iucn.org](http://www.iucn.org)

