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Setting a course for Beijing: the hopes and fears after the COP 14 on biodiversity

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The 14th Conference of the Parties (COP) to the Convention on Biological Diversity (CBD), which finished on 29th November in Sharm El Sheikh (Egypt), was the last one before 2020. COP 15, to be held in Beijing, China, will be a significant milestone in the history of international biodiversity governance. It should provide an opportunity to take note of the successes and challenges of the international biodiversity processes, and especially to establish the foundations of a new architecture that will facilitate a better contribution to the deep socioeconomic transformations necessary to slow down biodiversity erosion. A real race against the clock is starting right now, because there's only two years after Sharm El Sheikh until the

Beijing conference, at which an agreement involving 196 states will have to be found. While COP 14 carried out the necessary groundwork for progress, it is now time to speed up the process, and mobilization beyond the negotiations will be crucial. This is particularly important because COP 14 also revealed, if there were any doubts, that tensions remain very present in biodiversity governance.

Strategic ambition: renewing the post-2020 governance framework

As anticipated, the COP 14 agenda was packed. It included both thematic issues (the alignment of climate and biodiversity policies, and the launch of an action plan for pollinators, for example) and topics that were more strategic for the convention's future, in particular the opening of negotiations for the upcoming "post-2020 global framework for biodiversity". This framework will replace the current strategic plan that was adopted in 2010 and ends in 2020, a plan that we already know has had very mixed outcomes: in the last two decades, despite efforts throughout the world, biodiversity has continued to strongly decline in all of the world's regions and for all ecosystem types (terrestrial, aquatic and marine).

In this context, "doing better than before" therefore involves finding out how a post-2020 framework could constitute, while not pretending that it is capable of solving everything, an improved contribution to the socio-economic transformations necessary for biodiversity preservation. The CBD has long recognized the importance of these issues, but associated decisions are made elsewhere in sectoral arenas (trade, high seas, climate, development policies, etc.). Biodiversity actors must therefore be able to challenge these arenas and find allies, points of convergence, and levers of change within them. This ambition can be found, quite explicitly, in the documents drafted by the CBD Secretariat that describe the CBD's objective to stimulate a "transformative change" in favour of biodiversity.

COP 14 has issued (at least) two warnings regarding this ambition; but has also enabled some advances that offer some glimmers of hope.

At the centre of tensions, the geopolitics of biodiversity

Among the warnings sent out, COP 14 firstly revealed the difficulties that the CBD could face when addressing highly geopolitical issues. The discussion on Ecologically or Biologically Significant Marine Areas (EBSAs), initiated in 2008 at the CBD, which aimed to list the most important ocean areas from a biodiversity perspective, has been severely impeded, for example: whether or not to recognize the United Nations Convention on the Law of the Sea (UNCLOS) as the main legal framework, whether or not to distinguish EBSAs in territorial waters from those in the high seas, and the EBSA designation modalities (unilateral versus multilateral). Consequently, the entirety of Annex II of the dedicated document, which was intended to define the EBSA designation and modification modalities, remains between square brackets, and thus requires validation. This example highlights how the difficulties intensify as multilateral discussions at the CBD approach issues of sovereignty, of access to resources and even geostrategy.

The second warning arose amid tense discussions on digital sequence information (DSI), which, put simply, concerns databases containing DNA sequences. At the heart of the debate is the fear that the rise of these databases and of "big data", along with their "open access" nature, poses a threat to the revenues expected by developing countries deriving from access and benefit-sharing (ABS) related to the exploitation of genetic resources, which was the focus of the Nagoya Protocol adopted in 2010. The requirement for progress on this DSI issue has been used as a tactical threat in the negotiations: several countries have agreed on the level of ambition of the post-

2020 framework on the condition that the use of genetic information also generates revenue for developing countries. Their argument is that countries cannot ask to be more ambitious after 2020 if the income derived from biodiversity is not fairly shared. The tensions between developed and developing countries seem to underlie these debates. Fundamental oppositions regarding each other's accountability (in terms of both degradation and reparation) remain dormant, waiting to emerge whenever an opportunity arises. The issue of DSI will be the subject of a working group, the report of which will inform the development process of the post-2020 framework. We do not need to wait for its conclusions to predict that the issue of international (sustainable) development funding will have a prominent position in the discussions on the post-2020 period, under the DSI/ABS avatar or another, and that it will condition, as was the case for the Paris Agreement, the level of ambition that can be expected.

Progress to be confirmed

Among the breakthroughs, the "[Sharm El Sheikh to Beijing Action Agenda for Nature and People](#)" aims to federate and galvanize the myriad of existing initiatives on biodiversity, to launch new coalitions, to create political momentum and to put more pressure onto the need to reach an ambitious agreement in Beijing in 2020. A space of this type, related to the CBD's multilateral process, was lacking. It is now the responsibility of all actors (states, communities, companies, etc.) to mobilize and populate this space with their initiatives and commitments. In the climate talks, the Action Agenda has made it possible, in parallel with formal negotiations, to foster multi-stakeholder coalitions around topics that cannot be addressed head-on in multilateral negotiations, [such as the phasing out of coal for example](#). Around the CBD, initiatives related to certain sectoral issues, such as pesticide elimination and fisheries, could emerge without having to face all the difficulties of multilateralism (see the EBSA for example) while benefiting from increased political attention. The success of this agenda will depend on the quality of the announcements that will be made there; but at least it exists and has been launched two years prior to Beijing.

The other interesting tool – but also the risky gamble – that emerged from COP 14 is the call for voluntary commitments that States are invited to submit before COP 15, reflecting the additional efforts that they are willing to make. With explicit reference to the dynamics that preceded the Paris Agreement (regarding climate contributions, the NDCs), there is a dual objective: to encourage emulation between states and a race for leadership, to stimulate discussion and political attention, and to multiply impacts through the progressive submission of commitments by 2020; to provide an overview of what states are willing to negotiate, what ambition is shown, and the subjects where progress could be made in the next decade. If this call for commitments is successful, it could also promote the already ubiquitous idea of the further formalization and establishment of a national contributions system for the post-2020 regime. However, while we can hope for the kick starting of a momentum, the gamble is nevertheless risky: to arrive in Beijing with only a few dozen commitments on the table, some of which may not necessarily be of very good quality. This would be a failure, one that may divert attention away from other important issues. Moreover, as we underlined [prior to COP14](#), clarification should begin as soon as possible regarding the way in which these national commitments would be linked with global objectives, how they could effectively tackle the drivers of biodiversity erosion, and [how to measure their progress and review commitments](#). Furthermore, how to make these commitments legally binding to the CBD, and thus to give them a legal existence in the framework of this international convention, [should also be taken into consideration as soon as possible](#). An intense process is starting right now; COP 14 has also created a working group chaired by Basile van Havre from Canada and Francis Ogwal from Uganda. Given the large number of topics that remain unresolved, this group will have no shortage of work.

The success of tools recognized by COP 14 will depend on mobilization over the next two years, especially at the highest level. As Egypt's Minister of the Environment, Yasmine Fouad, concluded, "We need to raise biodiversity by one level. If you are at the agency level, raise biodiversity to the ministerial level. If you are at the ministerial level, raise it to the level of the head of state." This is also what is expected by the Chinese authorities, who want a

significant result at COP 15 but are waiting to see the general level of ambition before setting their own.

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