

# A good working basis in the making. How to handle the zero draft of the Post-2020 Global Biodiversity Framework

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On January 13<sup>th</sup>, the "zero draft" of the Post-2020 Global Biodiversity Framework was published by the Secretariat of the Convention on Biological Diversity (CBD), ahead of the second meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework (OEWG2, 24-29 February, Rome). During OEWG2, Parties and observers (e.g., civil society) will extensively discuss the draft. This is an important moment on the road to CBD COP15 (scheduled for 15-28 October in Kunming, China), where the post-2020 framework will be adopted. This framework is expected to provide a strong political answer to the loss of biodiversity worldwide, whose dramatic proportion was again emphasised by the IPBES Global Assessment in 2019. The framework is, also, expected to pave the way for renewing the architecture of biodiversity governance for the next 30 years, and contribute to the transformative changes needed to conserve and restore biodiversity. The zero draft is the first substantial working basis to discuss the post-2020 biodiversity framework. While several key components of the framework still need to be developed, it is essential to assess the first orientations proposed by the draft, and identify the priorities for negotiations, and overall mobilisation, for the remaining months before COP15.

## KEY MESSAGES

The zero draft confirms the orientations of OEWG1 (Nairobi, August 2019): the proposed text displays ambition, on most goals and targets, but also contains chapters on implementation and responsibility and transparency mechanisms, that are fundamental for the consistency of the framework and its intended theory of change. It should be seen as a "working basis in the making". It is only after OEWG3 (Cali, Colombia, July 2020) that a complete working basis will be produced for the actual, full-on negotiation of COP15.

Mobilisation of States and other stakeholders is, ahead and during upcoming negotiation landmarks, essential for: (i) ensuring that the highest ambition is reached on the goals and targets of the post-2020 framework, (ii) reaffirming the importance of the implementation and transparency elements of the framework, so as to make sure that sufficient attention will be paid to these crucial elements in the coming months.

The proposed framework is comprehensive and contains all necessary components to build an ambitious outcome for COP15. Rather than inflating the text with too many additional concerns or details about the goals and targets, negotiators should aim at keeping the text as concise as possible and develop the indicators and monitoring framework, as well as the implementation and transparency elements. Inflating the text offers ground for obstruction and/or diversion strategies.

"Mainstreaming" of biodiversity will be crucial for implementing the post-2020 framework. Other multilateral institutions and processes, especially those concerning productive sectors, must be more involved in the development and implementation of the post-2020 framework. The same goes for non-state actors from the sectors and other parts of society who display a biodiversity ambition. Domestic mainstreaming is indeed also a key to success.

## 1. 2020-2050: A THEORY OF CHANGE IN FAVOUR OF BIODIVERSITY, TO BE COMPLETED BY COP15

The zero draft proposes a *theory of change* that lays out the foundation for the next 30 years of international action for biodiversity. It aims at operationalizing the 2050 Vision of "Living in Harmony with Nature" with long-term goals for 2050 and milestones for 2030, and a set of action-oriented targets describing the measures to be taken by 2030.

The 2030 Mission aims to be realistic, considering the ongoing global trends, and "only" proposes to *stabilise the rate* of biodiversity loss by 2030 (see footnote 12 in the zero draft, and Section 2 of this paper). This would be realised through the combination of conservation and restoration measures, and reduction of pressures on biodiversity (based on the major drivers of biodiversity loss identified by IPBES), setting the conditions to go further in the next 20 years and achieve a recovery of biodiversity by 2050. The proposed framework, and the discussions surrounding it, should thus really be looked at with this 30-year perspective in mind.

By COP15, this theory of change will need to be completed by the other elements of the framework, besides goals and targets. Following is our interpretation of the theory of change that is aimed at:

(i) Having SMART<sup>1</sup> targets and indicators, in order to make them clearer, more tangible and measurable, and thus more "seizable" by the actors working for biodiversity, to make their demands for change clearer (e.g., what pressures to tackle, from which sectors?) and help them better hold the other actors accountable for their actions or inactions.

(ii) Ensuring that biodiversity actors have sufficient support in terms of financial resources, human and institutional capacity, and knowledge, so that they can most fully exercise their role in pushing for change inside their respective organisations or vis-à-vis other organisations. This could also mean, for instance, reinforcing the weight of National Biodiversity Strategy and Action Plans (NBSAPs) at the domestic level. Speaking more broadly, "enabling conditions", such as structural changes in regulations and the economy, should benefit the actors supporting biodiversity. For example, shifting public and private investments towards business models that are supportive, rather than destructive, of biodiversity, still remains a major challenge to create sufficient changes in economic sectors.

(iii) Creating ways to involve the "other sectors" (e.g., productive sectors, such as the agrifood one) in developing and implementing the post-2020 framework, through mainstreaming biodiversity at the international and national levels, possibly under the umbrella of the Agenda 2030 for Sustainable Development. Having targets that concern these sectors (i), as well as biodiversity actors that are sufficiently supported (ii), should here be complemented with political decisions and policy

procedures making biodiversity an issue to be addressed by the sectors and making them also accountable for their own actions or inactions.<sup>2</sup>

(iv) Involving non-State actors whose contributions are needed to address the drivers of biodiversity loss, by creating and institutionalising spaces for engagement and interaction. The "Sharm El-Sheikh to Kunming Action Agenda for Nature and People" is an embryo of such a mechanism but needs to be strengthened to further invite non-state commitments for biodiversity.<sup>3</sup>

(v) Strengthening transparency and responsibility should create a "political constraint" to implement the post-2020 framework. These mechanisms will have to increase peer pressure between countries on the results of their domestic and international policies on biodiversity. There should ideally be a "*rendez-vous effect*": the moments of stocktaking should have consequences, at least in reputational terms (with consequences in terms of pressure from civil society, or trade by influencing consumer choices or trade agreement negotiations), but also possibly through funding.<sup>4</sup> "Ratcheting mechanisms", or at least non-regression principles, could help maintain or gradually raise ambition. The mechanisms should create a chain of accountability and resonate at the domestic level in order to, a *minima*, help put and maintain biodiversity on the agenda. Ideally, this chain of accountability could extend to the productive sectors, including non-State actors. Future NBSAPs and National Reports should reflect the efforts of countries to contribute to achieving global goals.

As reactions to the zero draft begin, the risk at this point is that a lot of additional language is proposed for goals and targets, especially to make them more detailed. However, the more negotiation time is spent on this element, the less time will be available for the rest of the framework; and the more vulnerable the process could become to Parties willing to create obstruction.

With this in mind, the following sections provide parsimonious comments on the proposed goals and targets, aiming to highlight some critical points of attention and potential improvements, rather than exhaustive language recommendations. The proposed indicators are also of utmost importance, both for the monitoring and transparency issues, but also because they can constitute a place to precise what the concrete implementation of targets could mean (what sectors, pollutants, ecosystems, etc., are targeted), rather than inflating the text *per se*.

<sup>1</sup> SMART stands for: Specific, Measurable, Achievable, Relevant, Time-bound.

<sup>2</sup> Billé, R., et al. (2010). Global biodiversity targets: Vain wishes or significant opportunities for biodiversity governance?. In Billé et al. (2010). *Global Governance of Biodiversity: New Perspectives on a Shared Challenge*. Health and Environment Reports, n° 6, December 2010, IFRI.

<sup>3</sup> Rankovic, A., et al. (2019). An Action Agenda for biodiversity: Expectations and issues in the short and medium terms, IDDRI, *Issue Brief* N°04/19; Kok, M., et al. (2019) Opportunities for the Action Agenda for Nature and People, PBL, *Policy Brief*. PBL publication number: 3630

<sup>4</sup> Rankovic, A., Zou, Y. (2019). Third Biodiversity Workshop - Summary Report. 31 October – 1 November 2019, Beijing. EU-China Environment Project.

## 2. THE WORLD WE WANT? THE GOALS FOR 2050 AND THEIR MILESTONES FOR 2030

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A novelty introduced by the zero draft is the proposal of translating the 2050 Vision, adopted at COP10, into five more concrete and measurable goals, with 2030 milestones. Ideally, in the next decade, regular review processes should enable, with the assistance of scientific expertise, to assess whether collective action is on the pathway to achieve the 2030 milestones, and whether the trends seem compatible with achieving the 2050 goals.

On the goals and their milestones, three general remarks can be made:

- **Firstly, the potential trade-off between "ambition" and "realism"**. When compared to the Aichi Targets, several goals and milestones in the zero draft potentially constitute a regression in ambition: "no net loss" instead of "habitat loss at least halved" and "where feasible brought close to zero"; reduction in the number of threatened species by 2030 instead of "the extinction of threatened species has been prevented" in the coming decade. The theory of change itself proposes to stabilise biodiversity loss by 2030, not halting it completely. The zero draft proposes a "realistic" stance, with quantified goals that could in theory help better advocate for and assess progress.

Without prejudging its efficacy, this strategy will very likely be a contentious point in the upcoming negotiations. Our view is that the credibility of international biodiversity governance will be at stake at COP15, and that agreeing, once again, on very ambitious targets that would quite evidently not be achievable by 2030, could bring it further towards the end of its rope. On the other hand, the potential implications of a relative ambition reduction should be carefully assessed, notably in terms of aspiration, but maybe even more importantly in terms of what it would mean for the negotiation capacity of biodiversity actors to implement the goals at the national level. In any case, it would seem reasonable to require, from actors asking for more ambition, to be as clear as possible on implementation and transparency mechanisms, which will be key for progress whatever remains of the language and quantification of goals and milestones.

- **Secondly, the thorny question of baselines**. The systematic inclusion of dates (2030, 2050) and percentages (X%) in goals and milestones raises, more than was the case before, the question of temporal baselines. Concretely, aiming for a given reduction in the rates of habitat loss in 2030, for example, requires specifying the year to which habitat loss in 2030 will be compared to. A straightforward answer could be to choose the year of adoption of the framework (2020), as was the case for the 2002-2010 and 2011-2020 Strategic Plans. But the political dimension of this question should not be underestimated. For example, certain Parties have already expressed, over last year, that the baseline chosen by the IPBES Global Assessment (1970) to assess

the main drivers of biodiversity loss in the past 50 years, is disadvantaging emerging countries and their agriculture, since the big bulk of habitat loss in high-income countries (e.g., forests in Europe) happened in previous centuries. This seems to be an attempt to try and introduce a "common but differentiated responsibility" (CBDR) narrative, similar to what is found in climate negotiations.

Without taking a stance on the substance of these positions, our general view is that there are numerous other ways to address fairness and equity issues in the framework (e.g., through implementation mechanisms, benefit sharing, by having a target on footprints, etc.), and that trying to include contentious principles such as CBDR would, especially at this stage, pose serious risks of jeopardising the negotiation process.

- **Thirdly, an issue of attribution for the goals on ecosystem services**. Proposing long-term and quantified goals on the benefits of biodiversity to people is a clear indication that the draft fully recognises that biodiversity is a socio-economic issue, and the proposed topics (nutrition, water, resilience, climate change) are potential entry points for a better mainstreaming and linkage with the 2030 Agenda. In the current drafting, however, it is hard to identify what part of these goals could be attributable to an improvement in the state of biodiversity, and what part could be attributable to other efforts. For example, the "improvements in sustainable access to safe and drinkable water" could be achieved with infrastructure, enabling a better treatment and distribution of water, without any improvement in the state of ecosystems. A rewording, and proposal of metrics, that would ensure that it is the services provided by ecosystems that are enhanced, could help disambiguate the goals and clarify the actions that could help reach them.

## 3. "ACTION!": TWENTY ACTION-ORIENTED TARGETS FOR 2030

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To achieve the five goals, the zero draft suggests the adoption of 20 action-oriented targets, grouped in three categories:

- Reducing threats to biodiversity;
- Meeting people's needs through sustainable use and benefit-sharing;
- Tools and solutions for implementation and mainstreaming.

Some targets are not straightforward to understand, and several are not "SMART" yet. As above, we focus here on highlighting areas that seem key for the upcoming discussions, which will probably lead to numerous changes in language and requests for additions and removals.

Overall, there will be a need to precise how the action-oriented targets are enabling the achievement of the 2030 and 2050 goals. Scientific expertise, through scenario exercises, might be helpful for these discussions in the coming months, and the following years to assess progress.

Concerning the targets on threats, it is worth noting that the draft follows the five main drivers of biodiversity loss identified by IPBES. The draft proposes a combination of “classic” measures for habitat loss (protected areas, important sites for biodiversity, restoration), but also tries to address the pervasive habitat loss due to land and sea use change in the rest of the planet, by introducing a target on spatial planning. Strengthening spatial planning tools and policies that integrate biodiversity could be an important contribution to implementing the whole framework.

On pollution, the draft proposes to focus on nutrients, biocides, and plastics, the three major pollutant families that are harming biodiversity, according to IPBES. It focuses on the major issues, and provides a tentative figure (50% reduction), which is already quite ambitious. It could also help create synergies with the cluster of the “chemical conventions”,<sup>5</sup> but also with the FAO. A better inclusion of water sanitation appears critical, and language such as “pollution from excess nutrients and nutrient loads in water bodies” could be helpful.

For the other targets, small modifications of this type could help precise or complete the targets. For example, on human-wildlife conflict, it could be precised “reducing human-wildlife conflicts by seeking cohabitation”, to close the door to reducing conflicts by getting rid of wildlife. The target on nature-based solutions for clean water provision suffers from the same attribution issue as described for the goals. On outreach, specifying “Promote public awareness through *media involvement, enhance education, ...*” would be useful, since media and education policies have a central role in raising awareness on environmental issues.

Two central points, in our view, need to be strengthened in the coming months. Firstly, the synergies with other multilateral processes (in addition to the biodiversity-related conventions, the oceans conventions, the other Rio conventions, and other MEAs) and international and regional organisations on sectors (such as the FAO, or regional fisheries organisations) should be more reflected in the targets and their proposed indicators. Such tighter linkages with the existing frameworks of sectoral arenas would help further the mainstreaming agenda. On climate change, it seems important to distinguish the mitigation and adaptation agendas.

<sup>5</sup> Kinniburgh, F., Rankovic, A. (2019). Mobilising the chemical conventions to protect biodiversity - An example with pesticides and the Stockholm and Rotterdam Conventions. IDDRI, *Issue Brief* N°07/19.

Secondly, especially on tools and solutions for implementation, important additions could be made. In Target 12, all harmful subsidies should be targeted, and a figure could be proposed, for example a 20% shift of public investments from harmful subsidies to biodiversity-friendly economic activities. Implementing such shifts in public incentives has proven to be very hard politically, and starting with a figure, even if apparently modest, could help start a transition. In Target 13, it seems important to introduce that strategic impact assessment including biodiversity should not only concern “projects” but also policies, and first and foremost, commercial policies (targeting free-trade agreements that are not assessed).

## 4. RAISING THE BAR ON MAINSTREAMING AND ACCOUNTABILITY

Mainstreaming biodiversity at every scale should be prioritised and strategically enhanced throughout the post-2020 global biodiversity framework. The authorities in charge of the 2030 Agenda, such as the High-Level Political Forum (HLPF), could be important partners for this endeavour. The opportunity is twofold: not only would it complete the HLPF’s expected role to bridge gaps between Sustainable Development Goals, but it would also promote biodiversity mainstreaming actions decided at political level. Other relevant organisations could be mentioned in the post-2020 framework. The COP decision could, however, play an important role and call for the HLPF to bring together UN agencies, the World Bank, the WTO, and MEAs to prepare jointly specific actions plans and programmes of work.

The first draft launches discussions on responsibility and transparency. In the current version of both the framework and the draft decision, Parties are expected to bring contributions to global goals with their own national commitments and goals, to update their NBSAP, to monitor and follow the implementation with suggested indicators, and to adapt national commitments and measure according to a periodic stocktake. One last element, in the draft, indicates “Additional mechanisms for responsibility and transparency”: here lay opportunities for improvement too.

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