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Assessment Agency

FROM **PARIS** TO **BEIJING**

*Insights gained from the UNFCCC
Paris Agreement for the post-2020
global biodiversity framework*

Policy Brief

PBL

From Paris to Beijing

Insights gained from the UNFCCC Paris Agreement for the post-2020 global biodiversity framework

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Main Findings

While recognising differences between climate change mitigation and adaptation on the one hand, and biodiversity conservation on the other, analysis of the Paris Agreement under the United Nations Framework Convention on Climate Change (UNFCCC) offers useful insights for creating a post-2020 global biodiversity framework. This new 'global deal' for biodiversity is currently being negotiated in the Convention on Biological Diversity (CBD) and will be decided at their Conference of the Parties (CBD COP15) in China in 2020. In these discussions, many parties indeed implicitly or explicitly refer to the Paris Agreement as a possible model for the post-2020 global biodiversity framework. However, it often appears that analogies between the climate and biodiversity regime do not sufficiently take into account the specificities of the Paris Agreement, nor do they consider the long road that led to its adoption.

The climate regime has undergone a paradigm shift after the failed negotiations at the UNFCCC COP15 in 2009 in Copenhagen. The climate negotiations moved from a 'regulatory' model of binding, negotiated emissions targets to a 'catalytic and facilitative' model that seeks to create conditions under which actors progressively reduce their emissions through coordinated policy shifts. Four aspects of this shift are especially important within the context of the CBD discussions. First, a process known as the 'Durban platform' was started to achieve a new legally binding global agreement under the UNFCCC. Second, the process towards the Paris Agreement took four years. The CBD has less time to agree on a post-2020 global biodiversity framework at CBD COP15 and the Parties to the CBD need to be realistic about what can be achieved in the two years between the CBD COP14 and COP15. Third, the Parties to the CBD are currently discussing emulating the nationally determined contributions (NDCs) of the Paris Agreement. However, although the NDCs have a central position in the agreement, the broader logic and architecture of the Paris Agreement remains crucial. The NDCs, alone, are insufficient to trigger implementation. Fourth, an 'action agenda' that also included non-state actors, launched in the years preceding the Paris Agreement, strongly increased the ambition level and the possibility of reaching the agreement in Paris.

The Paris Agreement and other pillars of the 'Paris Package' provide a coherent set of features that combines a top-down and bottom-up approach and legally binding and non-binding elements in its logic of change. The architecture includes agreements on a quantitative, long-term objective (temperature increase limited to 1.5/2.0 °C); on peaking of emissions and achieving greenhouse gas neutrality by the second half of the century; on the development of long-term, low-carbon strategies; on adaptation; on means of implementation and finance; on nationally determined contributions (NDCs); on a non-state action agenda; on monitoring, reporting and verification (MRV); on periodic

stocktaking to review the adequacy of commitments; and on a mechanism to ensure increasing efforts by countries, over time, towards achieving the long-term objective ('ratcheting up'). A clear view is needed of an essential and coherent set of features for the post-2020 global biodiversity framework that can be agreed upon in China in 2020, and, as was the case for the Paris Agreement, the elements that need to be further elaborated in the years following the CBD COP15.

To increase the effectiveness of the CBD, elements from the Paris Agreement that could be considered for the new global biodiversity agreement include long-term targets that operationalise the current 2050 vision, national, non-state and sub-national commitments towards achieving those targets and procedural obligations to ensure commitment levels are adequate. CBD's National Biodiversity Strategies and Action Plans (NBSAPs) do provide a basis for national commitments and national reporting could include the progress in achieving national commitments. The commitment process could be broadened to include non-state and sub-national commitments. Reporting on progress towards target achievement and evaluation of the adequacy of commitment levels could be improved and also would need to include reporting on non-state and sub-national action. This also requires a registry of commitments. The CBD currently lacks a 'ratcheting' mechanism, which would ensure that countries become progressively more ambitious in addressing the drivers of biodiversity loss, over time, to achieve the long-term goals of the convention.

For the CBD, there are potential benefits of starting a process similar to the Global Climate Action Agenda of the UNFCCC. These benefits would include the engagement of more and new actors in halting biodiversity loss and helping to mainstream biodiversity into economic sectors; helping to build a positive momentum around global biodiversity conservation; the fostering of innovative and experimental governance arrangements breaking gridlocks and focusing on governance functions that currently are receiving less attention; and building of confidence for governments and enabling nations to adopt more ambitious biodiversity goals, in the knowledge that non-state and sub-national actors support stronger action.

The CBD could look for inspiration to several elements introduced in the Global Climate Action Agenda. These include, among other things, a platform for non-state and sub-national actors to pledge commitments (e.g. the Non-state Climate Action portal (NAZCA)), in support of globally agreed targets by non-state actors (through what could be called a 'Beijing Pledge for Action'), the accountability framework to measure progress towards achievement of the targets, an annual UN high-level multi-stakeholder biodiversity summit to promote cooperation, high-level non-state ambassadors to champion biodiversity and the inclusion of non-state action in stocktaking, review and assessment processes (e.g. in a 'Biodiversity Gap report').

For the CBD, the main challenges to strengthen non-state action are related to possible coordination of non-state and sub-national action in relation to national action; working to counteract national governments shirking their responsibility towards goals that have been established under the CBD; establishing credibility and avoiding the practices of ‘greenwashing’ existing activities; and measuring progress and comparing effectiveness across heterogeneous initiatives, often with very limited amounts of data.

Close collaboration between the CBD and the UNFCCC is required in the implementation of the Paris Agreement and the new global biodiversity framework.

This is for example necessary to ensure that the UNFCCC NDCs and the Climate Action Agenda also work positively for biodiversity and to avoid ‘silo thinking’ in the development of non-state action agendas on climate change and biodiversity. It is important that trade-offs are addressed and, more broadly, that synergies and mutual supportiveness between the two regimes is promoted. In addition, the UN Convention to Combat Desertification (UNCCD) and other biodiversity-related conventions can play an important role in this process. The implementation of the SDGs may be helpful in increasing the attention for more integrated approaches and could create a biodiversity dividend.

Introduction

Momentum is increasing to reach a new, post-2020 global biodiversity framework. Since past strategies have failed to realise internationally agreed goals and targets and biodiversity loss is expected to continue, maintaining business-as-usual practices is not an option. Simply setting new, hardly altered targets for 2030 and/or strengthening ambitions without improving institutional implementation mechanisms would give a wrong signal. It is therefore important to consider new directions for the Convention on Biological Diversity (CBD), while continuing to build on what has been achieved, to date. The United Nations Framework Convention on Climate Change (UNFCCC) already went through such a process after the failure of the UNFCCC COP15 in Copenhagen in 2009, in the run-up to the Paris Agreement in 2015. Looking at the CBD from the UNFCCC perspective can help open doors to identify innovative institutional mechanisms to facilitate a more inclusive, strong and effective international agreement for biodiversity.

Many parties in CBD discussions implicitly or explicitly refer to the Paris Agreement as a possible model for the post-2020 Global Biodiversity Framework. It is, however, clear that biodiversity and climate are very different issues. Climate change is now relatively high on the political agenda, in part because its impacts are increasingly visible all over the world. Even if deep social transformations are barely addressed in official climate negotiations, acknowledging that transformative action is required in all economic sectors is now commonplace in climate discussions. In the case of biodiversity, the situation is quite the reverse; at the CBD, sectoral discussions and strong language about required changes are possible in negotiations. But outside the CBD and other biodiversity-related conventions, in broader discussions and actions about conservation, biodiversity is still often seen as an additional concern. It is not taken as seriously as climate, nor as a topic that requires deep transformations for progress to be made ('protected areas will do the job'), nor as a topic serious enough to warrant such deep transformations. Climate change benefits from an expertise that has been structured for decades (e.g. IPCC), and biodiversity expertise has just started to organise itself at a level similar to that of climate (e.g. IPBES). For most people, paradoxically, climate change mitigation is now somehow more tangible than biodiversity conservation, even though nature is closer to people's everyday lives. In sum, biodiversity negotiations may address required transformations, but the issue is taken less seriously by the rest of the world, and biodiversity actions continue to seem less tangible to the general public and various stakeholders in society.

In this context, this policy brief examines some of the main lessons and warnings related to the Paris Agreement process, in light of future biodiversity governance. Insights are drawn from the process between the failure of the Copenhagen convention and the ultimate achievement of the Paris Agreement (Section 1), from the architecture of the agreement and the 'logic of change' embedded in both the formal agreement and the broader 'Paris package' (Section 2), and, in more detail, from experiences with the implementation of the non-state Global Climate Action Agenda as an important innovative element of the Paris Agreement (Section 3). To ensure synergies and to adequately deal with trade-offs between climate and biodiversity in the implementation of the Paris Agreement, as well as the new global biodiversity framework, the cooperation between CBD and UNFCCC needs to be improved, while collaboration with the UN Convention to Combat Desertification (UNCCD) and other biodiversity-related conventions in this process is also required (see Section 4).

1 The road to the Paris Agreement

The UNFCCC COP15, held in 2009 in Copenhagen, failed to deliver a successor agreement to the Kyoto Protocol. It set the stage, however, for renewing approaches to global climate action. Three points regarding the Paris Agreement, in particular, will be addressed in this section: the fact that a new agreement had to be developed and the time that it took, the adoption of a hybrid institutional architecture combining top-down and bottom-up approaches to global climate action, and the formalisation of the role played by non-state or sub-national actors.

First, four years before COP21 in Paris, at COP17 in 2011 in Durban, Parties decided to ‘launch a process to develop a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties, through a subsidiary body under the Convention hereby established and to be known as the Ad Hoc Working Group on the Durban Platform for Enhanced Action’—in short, the Durban Platform. Three aspects of this process provide useful points for consideration by the CBD.

To start, the discussions that ultimately led to the formal Paris Agreement began four years previously, which is double the amount of time that separates CBD COP14 and COP15. In terms of actual COP negotiations, this is four times more, since the UNFCCC meets on an annual basis, while the CBD usually meets once every two years. The UNFCCC launched the negotiation process at COP17, and had COP18, 19, 20 and 21 (four COPs) to negotiate and come to an agreement; the CBD can launch the process at COP14, and then only has COP15 to come to an agreement in 2020. Of course, intermediary meetings, such as those of CBD’s subsidiary bodies, are also important, but such meetings were also held within the UNFCCC.

Moreover, the UNFCCC’s negotiations were a process that was set up to result in actual agreement (‘any outcome with legal force’). In CBD discussions, however, the legal status of what is decided at COP15 is still unclear. References to a ‘Beijing Agreement’ are sometimes made during the discussions, but, to date, there is no indication of a new treaty being discussed on the road to Beijing to be adopted at COP15. Although COP15 is likely to result in some sort of agreement, it may not necessarily result in a legal agreement—the post-2020 framework may simply be described in an annex to the COP15 decision, as was the case for the post-2010 framework. This matters, because, in the eyes of international law, an independent treaty will be easier to enforce than a ‘COP decision’. And, more importantly, it also creates a stronger dynamic on a national level, even if only

through its ratification process. Furthermore, depending on its architecture, certain aspects of such a treaty may also be enforceable under national legislation (see Section 2 and Maljean-Dubois et al., 2014).

Furthermore, a dedicated ad hoc subsidiary body to the UNFCCC was established after Durban (COP 17) to organise the discussions that would lead to the Paris Agreement. No such process is currently being considered at the CBD. So far, the process that will lead to the post-2020 framework has been the responsibility of the Secretariat, with the support of various advisory groups. Notwithstanding questions of workload and how such a body could help catalyse the work on the post-2020 framework, having a dedicated body and several years of Party-led discussions would considerably enhance the negotiations and help Parties to build consensus. Currently, the draft timeline to the CBD COP15 only states that an 'open-ended Group of Experts of the subsidiary bodies' will work in January and February 2020 'to determine the proposed structure and scope of the post-2020 global biodiversity framework prior to its further consideration by SBSTTA-24 and SBI-3'.

The second important element regarding the Paris Agreement was the adoption of a hybrid approach to global climate action. The agreement encompasses several global goals (see Section 2) as well as a review system for which Parties could submit their contributions to the achievement of these goals. Such a collective review mechanism is intended to ensure that ambition levels increase and become incrementally aligned with global goal achievement. The Paris Agreement embodies a facilitative and catalysing institutional architecture compared to the regulatory architecture of the Kyoto Protocol, which consists of concrete targets, fixed lists of countries, strong legal rules and institutions, and a nation-only approach'. Voluntary commitments under the Paris Agreement are counterbalanced by a set of legally binding rules to ensure alignment with long-term global objectives, financial support, transparency and regular evaluation. The National Biodiversity Strategy and Action Plans (NBSAPs) are sometimes seen as the CBD equivalent to the UNFCCC's Nationally Determined Contributions (NDCs), mainly because they are developed following a bottom-up process. But how these national strategies are supposed to contribute to achieving global goals is not well articulated. To develop a similar mechanism for biodiversity, the NDCs could provide a good basis, but many elements need to be developed further and be considered as part of a broader architecture (see Section 2).

The third important element is that, in the years leading up to the Paris Agreement, the role of non-state actors has been formalised. An important lesson for CBD, here, refers to the strategic role of the UNFCCC in building momentum towards the Paris Agreement. This process can be described as a 'tale of four stories'. To mobilise non-state action, it was important to align the imaginaries of all actors involved, and help foster a self-fulfilling prophecy; sending the message that, by not committing to climate action, Parties would risk being 'left out' of history. This mindset has major economic implications, among which the risks posed by stranded assets and the need for rapid divestment from fossils. Occasions such as the 2014 UN Climate Summit were key moments in aligning imaginaries

of all actors involved, state and non-state. In addition, non-state actors can put more direct pressure on their national government by making their voices heard through various fora and in the UNFCCC arena, as well by making their own additional commitments. This will increase the feasibility for countries to implement ambitious climate policies, on a domestic level. Furthermore, as non-state discussions are less constrained than formal, multilateral negotiations, they have facilitated the emergence of rather difficult topics, such as those on some key sectoral drivers of climate change. This is for example illustrated by the Powering Past Coal Alliance, launched at the UNFCCC's COP23 in the context of the Action Agenda. Lastly, the Climate Action Agenda has also been a way to increase and channel the energy, because the agenda welcomes and catalyses initiatives from all over the world, and helps link these initiatives to the implementation of the Paris Agreement, thus avoiding a dissipation of energy. With the more open architecture of the Paris Agreement, the Global Climate Action Agenda is a key element in the shift from a regulatory and top-down approach to a more facilitative and integrated model, which creates opportunities for a wide variety of actors to progressively reduce their emissions through coordinated policy changes (Hale, 2016).

Insights for creating a post-2020 global biodiversity framework

Overall, the discussions preceding the CBD COP15 should focus on a coherent set of essential features for the post-2020 framework, and could try to identify elements to be further elaborated in the years following COP15. At CBD's COP14, it is crucial that all actors involved obtain clearer insight into how expectations of achievements towards 2020 can be managed. As most actors are aware, time is short until COP15, and although there will be multiple occasions for discussing the post-2020 framework until the end of 2020, the available time for negotiation needs to be used wisely. In drawing parallels with the Paris Agreement, careful attention should be paid to the overall logic of the Paris Agreement—which has facilitated a positive move forward, although it still has to prove its effectiveness in delivering on promises made. As things stand, imagining 'NDCs for biodiversity' without taking the legal status and the broader architecture, including the accountability framework, of the Paris Agreement into account, would miss important points on what could make such a system interesting and effective for new approaches to the implementation of a post-2020 biodiversity framework (see below and Section 2). The movement towards Intended Nationally Determined Contribution as one of the pillars of the Paris Agreement was also a key moment of political impetus for national governments. Launching 'NDCs for biodiversity' as a new tool would lead to high expectations and may form an important political risk for the CBD (and China's presidency of the COP15), in the absence of the supporting elements to facilitate the implementation of such a tool and to keep Parties accountable. Given the time constraints, the question of how new approaches to national commitments at the CBD could renew the process and the overall logic and framework in which these commitments are to be embedded, needs to be

formally discussed, as soon as possible. Furthermore, it is important to consider that an action agenda for biodiversity could not only be useful for *implementing* the post-2020 framework, but could also be essential for *achieving* the most ambitious results from COP15: sowing seeds for what could become a formal ‘Global Biodiversity Action Agenda’ should be started as soon as possible (see below and Section 3).

Note

- 1 For a description of this paradigm shift, see: <https://www.iddri.org/en/publications-and-events/blog-post/paris-agreement-historic-whats-next>.

2 The architecture of the Paris Agreement and the ‘Paris package’

The success of the Paris Agreement has often been ascribed to its coherent set of features that provide a clear logic of change as well as to its hybrid structure, in terms of combining top-down (global goals) and bottom-up (national commitments) approaches and voluntary commitments and legally binding principles and provisions.

The architecture of the Paris Agreement consists of several related elements:

- First of all, a quantitative, long-term goal was established and agreed on by all Parties: the goal of limiting global warming to well below 2.0 °C (Art. 2).
- A goal targeting the main drivers of global warming (greenhouse gas emissions), which describes that, during the second half of the 20th century, these emissions must peak and a global greenhouse gas neutrality (net zero anthropogenic emissions) must be achieved (Art. 4.1.; see Vallejo et al., 2018).
- All Parties, both developed and developing countries, are to undertake and communicate ambitious efforts for greenhouse gas emission reduction (Art. 2, Art. 4.2), as their ‘nationally determined contribution’ (NDC) to the global response to climate change, described in the two points above. This is an important point to stress: the NDCs are the Parties’ commitments to contribute to achieving the above global goals on greenhouse gas emissions, in order to achieve the final objective of limiting global warming to 2 °C, and if possible to 1.5 °C, by the end of this century. In other words, Parties commit to addressing the *drivers* of climate change in order to achieve a certain *state of the climate system*.
- To support the long-term trajectories that would realise the objectives for greenhouse gas reduction, parties are invited to develop national long-term, low greenhouse gas emission development strategies (Art. 4.19). These strategies are complimentary to the NDCs; the latter are commitments made under the Paris Agreement, while the former are tools meant to pilot long-term domestic transformations, and to ensure a mutual consistency between the long-term national vision and the successive NDCs. Successive NDCs, furthermore, must contain increasing ambition levels (for greenhouse gas emission reductions) at every new version, again supporting the long-term goal (see below).

The NDCs were a major innovation on the road to UNFCCC's COP21, reflecting the move towards a more 'bottom-up' regime. NDCs provide Parties with the opportunity to decide on their own contribution level, reflecting their specific national circumstances, departing from the earlier practice of globally negotiated top-down greenhouse gas emission reduction targets under the Kyoto Protocol. However, current NDCs are not yet ambitious enough to limit global temperature increase to well below 2°C. Furthermore, many Parties are not on the right trajectory for achieving their NDCs, either (UNEP, 2017). To ensure the development of sufficient, ambitious and scaled-up NDCs, over time, a monitoring, reporting and verification (MRV) system was put in place, along with a 'ratcheting up' mechanism. Monitoring, reporting and verification takes place through a transparency framework that follows the progress made by parties in the implementation of the Paris Agreement, through a mechanism to support implementation and compliance, and stocktaking every five years to assess progress towards the long-term target and the adequacy of commitments. It is expected that external influence from for example civil society benchmarking country efforts, together with this MRV system, will pressure Parties into creating ambitious and fair NDCs. Furthermore, via the 'ratcheting up' mechanism, the Paris Agreement stipulates that Party contributions must show progress, over time, and reflect the highest possible ambition level. The goal of this mechanism is that Parties, by continually scaling up their NDCs, and by providing fair and the most ambitious contributions possible, in light of their circumstances, will provide constant and ever-increasing progress towards the global goals. The combined elements of this architecture have at least enabled *all* Parties to commit to action, and have renewed the discussion on how to increase and assess global efforts to tackle climate change. It is, however, too early to tell whether this will indeed be sufficient, both in practice today and in the future, and whether this will indeed improve the implementation of the UNFCCC.

An important thing to keep in mind, here, is that, while the focus in this policy brief, so far, has been on climate change mitigation, the Paris Agreement also contains other goals, in addition to the global targets on limiting global warming. These goals have been essential for the adoption of the agreement and for its subsequent implementation. Article 7 of the agreement sets the stage for a global goal on adaptation, which is especially important for developing countries. This article ensures more robust adaptation policies and the related funding. Similarly, Article 9 sets a long-term goal for financing. Articles 10 and 11 include provisions for technology transfer and capacity building. Action towards these goals is sometimes also presented in NDCs, although not in all of them.

The funding commitment is a key element of the agreement made at UNFCCC COP21, and monitoring efforts towards mobilising USD 100 billion (public as well as private funding) by 2020 is another critical element to maintain ambitious coordinated action, on a global scale. Initiatives have been developed, for example, by the OECD and within the framework of the One Planet Summit to monitor or increase funding. NDCs from the South, generally, specify what part of their action programme is conditional on external support and additional funding. The universality of NDC development was accepted under this condition, which might be very specific to the climate regime where the Common But

Differentiated Responsibilities (CBDR) principle was entrenched in the differentiation between Annex I and non-Annex I countries.

Besides these goals, another result of COP21 was the further formalisation of a Global Climate Action Agenda. In addition to the discussions on the Paris Agreement and its procedural mechanisms, a non-state global action agenda was developed, following a long process of non-state and sub-national actor-related initiatives. The mentioning of non-state actors in the Paris Agreement itself was kept to a minimum, whereas the COP21 decision (see FCCC/CP/2015/10/Add.1) creates opportunities for non-state actors to take part in, for example, reviewing processes, technical examinations, showcasing their pledges and providing guidance (also see Section 3).

Insights for creating the post-2020 global biodiversity framework

Various elements of the Paris Agreement could be considered for implementation by the CBD. Long-term targets could operationalise the current 2050 vision. These could be combined with national and non-state commitments, and procedural obligations to help gradually increase the implementation of the post-2020 framework. The CBD's NBSAPs already provide a basis for national commitments. A strengthened MRV system could help follow the progress made by the Parties and non-state actors and strengthen discussions about implementation. By more strongly linking national commitments and NBSAPs to the achievement of long-term biodiversity targets, clear and collective stocktaking could be facilitated, and review, comparison and communication of strategies could be made easier. Furthermore, as currently the formal inclusion of non-state and sub-national actors in the CBD is only minimal, their commitments could be further facilitated and tracked to support a growing momentum and exert bottom-up pressure on CBD Parties.

National Reporting to the CBD will need to include clear statements on the progress countries make in achieving their national commitments and the steps taken towards their contribution to long-term target achievement. On a global level, this information could be gathered and published in a report, similar to the annual Emissions Gap Report for climate change, published by UN Environment. In this way, the global progress made towards addressing the drivers of biodiversity loss and the implementation of conservation measures (e.g. protected areas, nature conservation and restoration) can be assessed, and, thus, also the achievement of global biodiversity targets. A 'ratcheting up' mechanism for parties to become progressively more ambitious about addressing the drivers of biodiversity loss and implementation of conservation measures, over time, is currently lacking under the CBD, but it is a necessary element for achieving the long-term targets.

3 Non-state action for climate and the Paris Agreement

The increased involvement of non-state and sub-national actors in the international climate negotiations and the implementation of the Paris Agreement builds on the recognition of climate action being undertaken in all parts of society. Through the 'Global Climate Action Agenda', the UN and the UNFCCC are now providing a platform for thousands of non-state and sub-national actors and initiatives to submit their pledges and showcase their activities. Non-state and sub-national actors can fulfil an important role in international environmental politics (Widerberg and Pattberg 2015), by bridging the gap between Party commitments and global targets, and by generating new institutional mechanisms that will not emerge from traditional country-to-country multilateralism (Hsu et al., 2018).

The movement towards this recognition of non-state actor contributing to the UNFCCC, was accelerated after the COP15 in Copenhagen, where non-state actors arrived in unusually high numbers and where they protested against the slow decision-making of Parties to the Convention (Fisher, 2010). Momentum changed and increasingly events were organised and elements implemented in the UNFCCC to support this growing movement of non-state actors in the climate regime. Institutional arrangements that were introduced within the period between the COP15 the COP21 and beyond, to promote non-state and sub-national climate action, include, among other things, the 2014 Climate Summit in New York (attracting over 100 heads of state and 800 leaders from business, sub-national governments and civil society), the Lima-Paris Action Agenda (LPAA) (showcasing over 70 initiatives), the Non-State Actor Zone for Climate Action (NAZCA) (a platform currently registering over 17,000 non-state and sub-national climate actions), the Paris Pledge for Action, the Marrakech Partnership for Global Climate Action, the Talanoa Dialogues and the UN One Planet Summit in 2017, and the 2018 Global Climate Action Summit in San Francisco (generating over 500 new commitments).

The Paris Agreement itself makes minimal reference to non-state and sub-national actors. Several non-state related elements, however, were included in the accompanying decision document. These include, among other things, welcoming the scaling up of ambition by non-state actors and an official mandate to continue with the NAZCA platform (paragraph 118). In addition, several new elements were agreed in the COP Decision,

such as a ‘high-level event’ in conjunction with every COP over the 2016–2020 period, to further build on the Lima-Paris Action Agenda (paragraph 121), the appointment of two high-level champions to facilitate ‘the successful execution of existing efforts and the scaling up and introduction of new or strengthened voluntary efforts, initiatives and coalitions’ (paragraph 122). Furthermore, the COP21 Decision allows for non-state and sub-national actors to participate in the technical examination processes, which was introduced in 2014 during the build-up towards the Paris Agreement. The role they can formally play in reviewing the ambition, implementation and compliance of Parties, however, remains rather limited.

Insights for creating the post-2020 global biodiversity framework

Potential benefits for the CBD in emulating the Global Climate Action Agenda of UNFCCC include: engaging more and new actors in halting biodiversity loss in both conservation and sustainable use, and in mainstreaming biodiversity into economic sectors; help in building positive political and societal momentum around global biodiversity conservation; fostering innovative and experimental governance arrangements, breaking current gridlocks and focusing on governance functions that, currently, are receiving less attention; and enabling countries to take on more ambitious biodiversity goals, in the knowledge that non-state and sub-national actors support more ambitious action.

These benefits could be realised by the CBD, when considering several of the elements introduced in the UNFCCC. First of all, a high level Biodiversity Summit, for both government officials and non-state actors, could help to raise the profile of biodiversity and improve cooperation and provide an important platform for exchanging knowledge and information. Such an event could be organised on an annual basis, to ensure increased cooperation. Further involvement of non-state actors in the post-2020 framework, could help them to better display their biodiversity-positive actions and their support for new globally agreed targets at the CBD COP15. In this way, non-state actors would be given a more formal position in the process. In addition, showcasing their actions could help to increase state ambitions, by showing the willingness of non-state actors to take action in their respective sectors and realms. Providing non-state actors with an equal opportunity to pledge their commitment requires an official platform and registry where these can be aggregated. Such a platform could be inspired by the NAZCA portal, which has been set up by the UNFCCC (<http://climateaction.unfccc.int/>). Commitments need to be monitored and reviewed; hence, independent reporting on these commitments is important and needs to be gathered and published in a report that could be similar to the Yearbook of Global Climate Action, which has been released at every UNFCCC climate COP since COP23. Furthermore, non-state actors could contribute to stocktaking, review and assessment processes at the CBD (e.g. in a ‘Biodiversity Gap report’). Efforts to independently monitor and assess progress by non-state and

sub-national actors are necessary to prevent voluntary commitments that are neither monitorable nor measurable, as was the case in Johannesburg 2002 and Rio+20 in 2012 (Ramstein, 2012).

Implementing these elements naturally comes with several challenges. Leaving aside the lengthy process the UNFCCC went through to develop the Climate Action Agenda, other challenges related to non-state action may emerge for the CBD. With an increasing number of actors being involved in governing biodiversity, the CBD needs to consider how to make the most of these developments and to consider whether and how coordination of non-state and sub-national biodiversity action could take place. Increased action by non-state actors may result in national governments shirking their responsibility if non-state actors contribute substantively to achieve CBD goals. This type of situation needs to be avoided. It will be especially important to consider how to establish credibility of non-state action and avoid greenwashing of current activities. In relation to this point, the question of how progress can be properly measured, and effectiveness can be compared across heterogeneous initiatives and actions that often provide only limited amounts of data, needs to be addressed. It is important to keep these challenges in mind, to ensure effective and long-term implementation of non-state actions in CBD processes and its general biodiversity action.

4 Interlinkages between climate and biodiversity

Implementation of the Paris Agreement and the new global biodiversity framework calls for close collaboration between the CBD and the UNFCCC. This is necessary to ensure that the UNFCCC NDCs and the Climate Action Agenda also have a positive impact on biodiversity and to prevent ‘silo thinking’ from emerging in the development of non-state action agenda’s on climate change and biodiversity. It is important that trade-offs are addressed and, more broadly, synergies and mutually support between the two regimes is promoted. In addition, the UNCCD and other biodiversity-related conventions may also play an important role in this process.

Learning from the Paris Agreement’s architecture when developing the post-2020 biodiversity framework would already provide a welcome opportunity to create closer cooperation and synergies for actions at global, national and non-state levels, for conserving and increasing biodiversity as well as combatting climate change. Many would consider such cooperation as a given, because of the many close links between the two fields. Halting biodiversity loss and combatting climate change are both considered key components of sustainable development. Therefore, both are of crucial importance for achieving the Sustainable Development Goals (SDGs). Climate change is a main driver of biodiversity loss and exacerbates other drivers. Conserving biodiversity may help mitigate climate change by protecting and enhancing carbon stocks, while enhancing climate change adaptation. Reducing deforestation and degradation of tropical forests is often highlighted as an obvious win-win-win solution, for climate change mitigation, adaptation and biodiversity conservation. Finally, policies and actions for climate change mitigation and adaptation could also harm biodiversity if they are implemented without biodiversity safeguards (e.g. forest plantations, biofuel development, and ocean fertilisation).

However, the fragmented structure of international environmental cooperation is not conducive to coordinated and mutually supportive efforts, consisting—as it is currently—of individual regimes, each having its own legal autonomy and interlocked institutions. This is a particularly important issue for the CBD with its framework character, broad scope and high dependence on collaboration with other global fora, such as the two other Rio Conventions, the biodiversity-related conventions, trade agreements and the FAO to

achieve its objectives. The CBD and the UNFCCC have had a history of working in ‘silos’. While some efforts have been made on an international level to foster closer collaboration—for example, by establishing a liaison group between the Secretariats of the three Rio Conventions—the two regimes have not succeeded in coherent decision-making, in areas of mutual interest. The most frequent approaches and invitations for alignment have been made from the side of the CBD, but with little or no acknowledgement from the side of the UNFCCC. Under both regimes, government parties have argued against coherence and synergies, referring to the legal autonomy of the regimes and indicating that agendas should not be ‘mixed’, thereby overlooking the fact that decisions under one regime may well be part of the solution for the other. The isolated thinking that the two agendas should be kept apart may, to some extent, be replicated in non-state action agendas, under both conventions.

The full potential for synergy will only be realised if countries are able to integrate their policies on a national level. Few NBSAPs address climate change, and, where they do, this is mostly in the form of simply reflecting on the impact of climate change on biodiversity and not in considering specific objectives and actions. Not many of the current NBSAPs emphasise the role of various natural ecosystems in mitigating and adapting to climate change. Therefore, coherence between NDCs and biodiversity protection plans will need to be ensured.

Insights for creating the post-2020 global biodiversity framework

If the CBD is to consider results from the Paris Agreement and apply certain elements, more collaboration and openness between the CBD and the UNFCCC will be needed. This applies to the process of how a Paris Agreement-like system for NDCs and a non-state action agenda could be adapted to a post-2020 framework for biodiversity. Together with the other interlinkages, similar systems for nationally determined contributions to biodiversity and combating climate change could pave the way for more coherent policies and actions, by the two regimes on a global level and by governments and non-state actions through their pledges. This would also require involvement of the third Rio Convention, the UNCCD and the other biodiversity-related conventions. Implementation of the SDGs will also be helpful, here, in increasing the attention for more integrated approaches and, thus, could facilitate a biodiversity dividend.

Abbreviations

CBD	Convention on Biological Diversity
COP	Conference of the Parties
IPBES	Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services
IPCC	Intergovernmental Panel on Climate Change
LPAA	Lima-Paris Action Agenda
MRV	Monitoring Reporting Verification
NAZCA	Non-state Actor Zone for Climate Action
NBSAPs	National Biodiversity Strategies and Action Plans
NDCs	Nationally Determined Contributions
SDGs	Sustainable Development Goals
SBI	Subsidiary Body for Implementation
SBSTTA	Subsidiary Body on Scientific, Technical and Technological Advice
UN	United Nations
UNCCD	United Nations Convention to Combat Desertification
UNFCCC	United Nations Framework Convention on Climate Change

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