

Strengthening the foundational elements of the post-2020 Global Biodiversity Framework

A guide for negotiators



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Glossary

Aichi Targets	The targets for global conservation agreed by the CBD at its 10 th Conference of the Parties, in Japan, 2010
CBD	Convention on Biological Diversity
COP15	15th meeting of the Conference of the Parties to the Convention on Biological Diversity
GBF	Global Biodiversity Framework
IPBES	Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services
IPLCs	Indigenous Peoples and local communities
IUCN	International Union for Conservation of Nature
NBSAP	National Biodiversity Strategy and Action Plan
NR	National reporting
OEWG	Open Ended Working Group
SBI	Subsidiary Body on Implementation
SBSTTA	Subsidiary Body on Scientific, Technical and Technological Advice
SDG	United Nations' Sustainable Development Goals
UNFCCC	United Nations Framework Convention on Climate Change

Section 1: Summary for negotiators

1.1 Foundational elements: *what are they and why do they matter?*

Negotiations to develop the post-2020 Global Biodiversity Framework (GBF) have focused largely on the proposed goals and targets. However, the Framework's theory of change is clear that action needs to be underpinned by good implementation and strong Enabling Conditions. It also emphasises the need for a transparent system for monitoring, reporting and review. Figure 1 illustrates how these three elements provide essential foundations for achieving the GBF's targets, goals and, ultimately, its vision.

Many countries realise that weak foundational elements will undermine progress and substantially reduce the GBF's potential to deliver the intended outcomes for biodiversity. All three foundational elements must work together for the GBF to have the best chance of success.

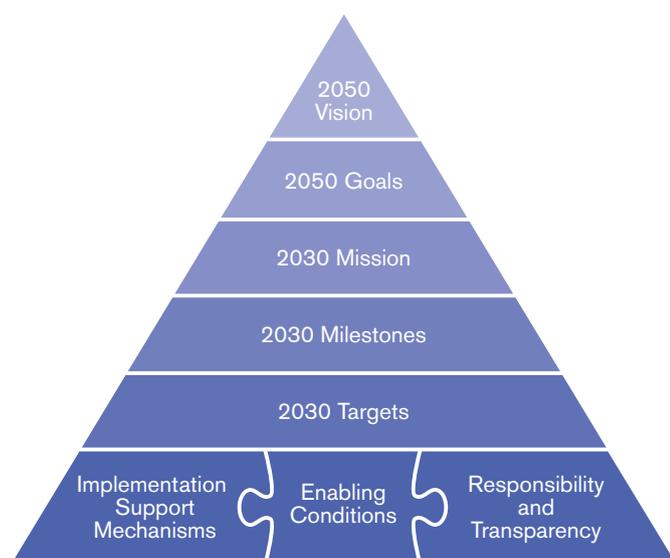


Figure 1. The GBF's ultimate success will build on strong interlocking foundations: Implementation Support Mechanisms, Enabling Conditions and Responsibility and Transparency

Implementation Support Mechanisms include financial and non-financial resources, capacity development, knowledge, technology and technical support. The Implementation Support Mechanisms work hand in hand with the Enabling Conditions to support the GBF's targets and goals to drive transformative change. Implementation Support Mechanisms need to be scaled to reflect the GBF's ambition. The Framework's ultimate success in reversing biodiversity decline by 2030 (and subsequently meeting the 2050 Vision of living in harmony with nature) depends both on strong political ambition to reverse the curve of loss and — just as importantly — on robust Implementation Support Mechanisms that ensure we do not face another 'lost decade'.¹

Enabling Conditions encompass 'what's needed' to achieve a desired outcome. For the GBF, they include whole-of-society participation, gender equality, intergenerational equity, synergies with other multilateral environmental agreements, inclusive and integrative governance, and mainstreaming biodiversity considerations into all sectors. The Enabling Conditions must themselves contain the seeds of transformative change, since they facilitate or constrain efforts to achieve the GBF's targets and goals. Clearly articulating what Enabling Conditions the GBF needs will be key to its success. Our failure to meet most of the targets of the previous ten-year global conservation strategy (the Aichi Targets) illustrates decisively that targets alone are not enough.

Responsibility and Transparency are critical for a robust monitoring and reporting system to track progress, and for ensuring that a whole-of-government and whole-of-society approach is adopted. Monitoring, reporting and accountability under the Aichi Targets was insufficient and this contributed to their failure.² This needs to change if the GBF is to stand a chance of success.

¹ Berger, A (19 November 2020) After the failure to meet the Aichi Targets, action is needed to ensure that biodiversity does not face another "lost decade". Equal Times. www.equaltimes.org/after-the-failure-to-meet-the#.YBvL8ndKh0s

² Bulkeley, H, Kok, M and van Dijk, J (2020) Moving Towards Transformative Change for Biodiversity: Harnessing the Potential of the Post-2020 Global Biodiversity Framework. www.eclipse-mechanism.eu/documents/13905/0/Moving+Towards+Transformative+Change/

1.2 Foundational elements: *what could be strengthened?*

Countries and major stakeholders at CBD negotiation meetings to date have emphasised the importance of strengthening the foundational elements of the GBF to ensure it can deliver the transformational change needed to live in harmony with nature by 2050. The final negotiations ahead of COP15 provide an opportunity to address this.

Ten key principles for strengthening the Framework's foundational elements are summarised below, further elaborated upon in Section 2, and then supported by suggested text changes to the GBF in Section 3.

Implementation Support Mechanisms

1. **Scale up resource mobilisation.** There is a substantial gap between the resources needed to tackle the biodiversity crisis and what is available. Scaling up resources to meet the GBF's ambition is crucial and could be achieved through:
 - a. Developed countries committing to and delivering on an ambitious biodiversity finance target to support developing countries
 - b. Explicitly resourcing efforts to eliminate and reform subsidies that are harming biodiversity but also efforts to redirect subsidies so that they support biodiversity conservation
 - c. Mainstreaming biodiversity considerations and the GBF across public and private finance so that 'business as usual', which drives biodiversity loss, is challenged, and more nature-positive outcomes are favoured across all sectors.
2. **Transform capacity development.** Capacity development needs to go beyond incremental, short-term interventions and beyond supporting countries to develop and implement their National

Biodiversity Strategies and Action Plans (NBSAPs). A more rigorous whole-of-society and whole-of-government approach is needed to drive transformative action.

Enabling Conditions

3. **Embed equity in the Enabling Conditions.** Currently, the draft GBF Enabling Conditions make passing reference to some elements of equity, but this could be strengthened. The procedural rights of access to justice, transparency and accountability could be added, bringing the GBF in line with existing international environmental and human rights law. A separate Negotiators Guide³ provides more details on how equity can be strengthened across the GBF, from the foundations upwards.
4. **Commit to a rights-based approach.** Adopting a clear commitment to a rights-based approach in the GBF's Enabling Conditions would help to ensure substantive and procedural rights are upheld in conservation measures. These include rights for Indigenous Peoples and local communities (IPLCs), women, youth and other marginalised groups. Equally important is recognising the right to a healthy environment. Adding this to the Enabling Conditions would increase progress towards the GBF targets and goals.
5. **Broaden recognition for Indigenous Peoples and local communities.** The current Enabling Conditions recognise IPLCs' rights and their need to participate in decision making, but they could go further. This could be extended to recognise IPLC's governance systems, knowledge, innovations and practices.⁴
6. **Strengthen approaches to governance.** The draft Enabling Conditions reference the need for inclusive and integrative governance. However, the Enabling Condition that discusses governance could be strengthened by including the procedural rights of access to justice, and accountability.

3 Bernstein, J, Heinz, V, Schouwink, R, Meunier, M, Holland, E and Roe, D (2021) Strengthening equity in the post-2020 Global Biodiversity Framework. IIED, London. pubs.iied.org/20156iied

4 Forest Peoples Programme and Natural Justice (2019) The post-2020 global biodiversity framework and rights-based approaches, including the right to a healthy environment, for a thriving Earth. www.forestpeoples.org/sites/default/files/documents/Submission%20on%20post-2020%20GBF%20by%20FPP%20and%20NJ.pdf

7. **Clarify how stakeholders can participate.** It is essential that all stakeholders can participate in biodiversity conservation. The GBF's Enabling Conditions already articulate a whole-of-society approach, but they could go further by directly referencing individuals' rights to access information, participate in decision making on environmental matters and seek justice.
8. **Expand the approach to intergenerational equity.** The GBF Enabling Conditions call for intergenerational equity, but they could go further. Generations in policy-making positions today could be specifically accountable for their choices and could acknowledge, respect, hear and give space for youth to be included in decision-making processes at all levels.
9. **Strengthen the gender focus.** The draft Enabling Conditions reference gender equality, and this is an important first step. But stronger language is needed to highlight current constraints to gender equity, especially the lack of equal rights for women to own and manage land. Formally recognising land rights for women is essential, not just for their own wellbeing, but also because their role in land use and management is key for biodiversity conservation, which in turn affects the agricultural productivity and welfare of household members.⁵ There is more discussion on gender equity in Strengthening the development dimensions in the Post 2020 Global Biodiversity Framework: a guide for negotiators.

Responsibility and Transparency

10. **Strengthen planning, reporting and review requirements.** The GBF could catalyse transformative change by becoming a 'learning framework', committed to facilitating and enabling governments to each meet their specific biodiversity challenges, while sharing experiences with the global community. Strengthening and embedding whole-of-society planning, reporting and review processes will be key to the GBF's success.

1.3 Foundational elements: *how* can negotiators strengthen provisions in the GBF?

Four complementary strategies can help negotiators strengthen the foundational elements of the GBF:

1. **Embed the three foundations (Implementation Support Mechanisms, Enabling Conditions and Responsibility and Transparency) into the core of national negotiating processes and positions.** For example, ensure that you include rights holders' and stakeholders' voices as you develop your position.
2. **Show leadership.** Encourage other Contracting Parties in your negotiating blocs, alliances and coalitions to build strong foundational elements into their negotiating mandate. Show them what you are doing.
3. **Negotiate for text changes that put the GBF on stronger foundations throughout the draft.** Changes can be proposed through formal negotiation meetings at the regional level, through the SBSTTA and SBI meetings, and at the Open Ended Working Group meeting. The third session of the OEWG will be the final negotiation session before CBD COP15. Section 3 provides some suggestions of text changes that would help set firmer foundations.
4. **Uphold equity throughout the GBF negotiating process.** Virtual negotiations are not accessible to everyone, which creates issues regarding procedural fairness. This could make it difficult to progress substantive issues. Negotiators can help by being aware of the limitations of virtual negotiations and pushing to ensure all parties and stakeholders can fully engage in negotiation meetings, whether these are 'in person', virtual or a hybrid.

⁵ Conceição, P (2020) Human Development Report 2020. The next frontier. Human development and the Anthropocene. United Nations Development Programme, NY, USA. <http://hdr.undp.org/sites/default/files/hdr2020.pdf>

Section 2. Evidence base for negotiators

These notes will help negotiators draw on evidence and build arguments that support the ten principles set out in Section 1. In so doing, negotiators will put the GBF on stronger foundations.

2.1 Implementation Support Mechanisms

1. Scale up resource mobilisation

In 2019, US\$124–143 billion was spent on biodiversity conservation globally, compared with the total estimated need of US\$722–967 billion per year. We urgently need to scale up public finance, source new forms of investment, and mainstream biodiversity across all public finance in order to fill the financing gap of up to US\$824bn per year.

Developing countries found the lack of resources a major challenge to achieving the Aichi Targets. These issues are critical for the GBF. Negotiations must strengthen resource mobilisation commitments and approaches that support local communities (including women, youth, IPLCs). Decisions taken this year will substantially influence the outcomes for biodiversity over the coming decade.

The draft GBF identifies five components for its resource mobilisation strategy. These are: an enhanced financial mechanism; action to reduce or redirect resources currently harming biodiversity; generation of additional financial and non-financial resources; more efficient and effective resource use; and development of national finance plans to support GBF implementation.

These components are a good start, but could be strengthened. Specifically, they need to close the biodiversity finance gap 'at both ends', by scaling up biodiversity finance and scaling back finance that is harmful to biodiversity. The CBD's Panel of Experts on Resource Mobilisation identified this as critical in their January 2020 report.⁶ Three aspects need strengthening in particular:

- a. **Developed countries must make concrete and ambitious biodiversity finance commitments.** The GBF currently calls for an enhanced financial mechanism that delivers resources for developing countries (which many countries propose should be the Global Environment Facility). But the text could be strengthened to specifically call on developed countries to commit public finance to the mechanism, in a similar way to the US\$100 billion annual climate finance target under the Paris Agreement. CBD Article 20 allows for such commitments. Concrete biodiversity finance commitments from developed countries would help to build trust in the GBF and ensure developing countries have the resources needed. It would also signal to the private sector that governments are serious and committed to addressing biodiversity loss.
- b. **Eliminate and redirect subsidies not just to avoid harm, but to benefit biodiversity.** The new GBF is anticipated to lay groundwork for reforming harmful subsidies. The OECD estimates these may be US\$500 billion per year. A recent UK government review,⁷ which included fossil fuel subsidies, put the figure at US\$5–7 trillion annually. Building on Target 17, the second resource mobilisation component in the GBF should not stop at calling for a reduction or redirection of subsidies away from harm. Instead, it should positively redirect those subsidies to support biodiversity-enhancing activities.
- c. **Mainstreaming biodiversity across all funding mechanisms.** The resource mobilisation section should include an additional component recognising that mainstreaming biodiversity across all public and private financing mechanisms can generate additional resources for biodiversity and help to ensure that non-biodiversity-related funding does not significantly affect or undermine the GBF targets and goals. This would build on and complement references to mainstreaming in Target 13 and components of

6 CBD (2020) Evaluation and review of the strategy for resource mobilisation and Aichi Biodiversity Target 20. First report of the Panel of Experts on Resource Mobilisation. www.cbd.int/doc/c/4c88/dbb1/e264eaae72b86747416e0d8c/sbi-03-05-add1-en.pdf

7 HM Treasury, United Kingdom (2021) The Economics of Biodiversity: The Dasgupta Review. www.gov.uk/government/collections/the-economics-of-biodiversity-the-dasgupta-review

capacity building and the Enabling Conditions in the GBF. Aligning financing mechanisms to the GBF could ensure they are 'Kunming-compliant' and deliver for biodiversity across all sectors.

There is a clear need to scale up public finance for biodiversity, source new investment by redirecting subsidies, and mainstream biodiversity concerns across all financing mechanisms. Principle 9 (page 10), on strengthening the gender focus, underlines that resources should be distributed fairly and justly to ensure women, youth and IPLCs are not left out. These are important foundations for the new Framework. Resource mobilisation efforts should also be aligned with the Paris Agreement and the SDGs.

2. Transform capacity development

According to UNEP WCMC, capacity building within the context of the CBD has typically been short term and based on single, incremental interventions, focusing on supporting countries to develop and implement their NBSAPs.² This is an important part of the process, but it is equally important and now urgent that the GBF promotes a more rigorous whole-of-society and whole-of-government approach to capacity development. This is necessary to generate the national capacities needed to drive transformative action.

In 2018, the IUCN surveyed its members regarding their views on capacity-building needs under the biodiversity-related conventions. Many of the conclusions the survey generated are very relevant for strengthening the capacity development provisions of the post-2020 GBF.⁸ First, it is essential to consider what kinds of capacity are needed, who needs the skills, and what they will do with them. Secondly, it is equally important that capacity building emphasises knowledge sharing and is regularly monitored so that it maximises learning and adapts as necessary.²

It is also important that capacity building efforts move away from incremental, singular and short-term interventions and start exploring new kinds of capacities. For example, capacity development could address the key barriers that restrict high ambition in relation to the GBF. One such key barrier is unsustainable production and consumption. So it would be important to ensure that capacity building addresses subsidy

reform's very specific needs. But as well as reforming key productive sectors, capacity building is needed to help mainstream biodiversity across many other sectors, as well as to form new multi-stakeholder partnerships that take whole-of-society and whole-of-government approaches. These need to secure participation by IPLCs, women and youth. Capacity development could also be strengthened in terms of translating GBF targets and goals into actual national strategies. To this end, more support will be needed to enhance monitoring and ongoing evaluation.

Notably, the GBF highlights that support should be provided to government and non-government actors, in order to retain capacities and to learn, adapt and manage change. However, the GBF does not specify who is to provide the capacity building. Therefore, it would be helpful to emphasise that capacity building must be provided through a range of actors, including the United Nations, the CBD Secretariat, development partners and other multilateral organisations, all of whom should focus on generating capacity for transformative action as opposed to short-term, isolated interventions.

2.2 Enabling Conditions

3. Embed equity in the Enabling Conditions

The Enabling Conditions could articulate the different dimensions of equity more systematically. For example, the paragraph on governance refers to inclusive and integrative governance", but key procedural rights, including access to information, public participation, and access to justice, could be articulated within it. It is also crucial to highlight the importance of transparent and accountable governance. Unless these equity dimensions are strengthened, it will be difficult to ensure people's substantive rights are realised.

The current provisions for procedural equity in the GBF contrast poorly with the Objective of the Aarhus Convention, which requires Parties to "guarantee the rights of access to information, public participation in decision-making, and access to justice in environmental matters".⁹ It also differs from the Escazú Agreement, which applies

⁸ Moreno, SP and Romero, V (2018) Capacity building and synergies across the biodiversity-related conventions. IUCN. www.iucn.org/sites/dev/files/capacity_building_and_synergies_-_contribution_to_the_long-term_strategic_framework_for_capacity_building.pdf

⁹ UNECE (1998) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters. <https://unece.org/DAM/env/pp/documents/cep43e.pdf>

Aarhus principles in the context of the Latin America and Caribbean region, and also embeds participation in a rights-based approach.¹⁰

Furthermore, language on Indigenous Peoples' rights to participation could be aligned with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), especially Article 18, which refers to the explicit "right of Indigenous Peoples to participate in decision-making in matters which would affect their rights".¹¹ Language on access to justice could draw from Principle 10 of the Rio Declaration or from SDG 16, which aims to "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels." See the next section and *Strengthening equity in the post-2020 Global Biodiversity Framework: a guide for negotiators*¹² for more detail on these issues.

4. Commit to a rights-based approach

The GBF Theory of Change says the Framework should be implemented by taking a rights-based approach and recognizing the principle of intergenerational equity. Certainly, the right to a safe, clean, healthy and sustainable environment and stable climate for all depends on sharing nature's benefits fairly and equitably with present and future generations.¹³ However, there is absolutely no reference to a rights-based approach anywhere in the updated draft GBF. This absence is especially noticeable in the Enabling Conditions.

The rights-based approach is important because rights to life, food, water and culture all depend on healthy biodiversity and ecosystem services. People can only enjoy their human rights when biodiversity is safeguarded. Meanwhile, respect for procedural and substantive human rights help protect biodiversity and ensure sustainable use.¹⁴ Violated rights, persistent inequalities, discriminatory practices and unjust distributions of power and resources all impede the pathway to reversing biodiversity loss.

It is also important that the GBF explicitly mentions the human right to a healthy environment, because this can significantly increase progress towards the GBF's targets and goals. The Framework should encourage countries to translate this right into national and sub-national policies and processes.

5. Broaden recognition for Indigenous Peoples and local communities

IPLCs' participation in the post-2020 GBF is particularly important because their direct dependence on biodiversity and ecosystems generates detailed knowledge. They are the best custodians of these resources (nature is generally declining less rapidly in Indigenous Peoples' lands than elsewhere) and they will face the greatest consequences from biodiversity loss.¹⁵ Women from IPLCs may suffer disproportionately from biodiversity loss, because being female and from an IPLC makes them doubly marginalised. Men and women from IPLCs have different experiences, and this requires nuancing in biodiversity efforts.

The Enabling Conditions do highlight the importance of IPLC's participation and of recognising their rights. But they do not provide any detail on these rights. UNDRIP Article 18 establishes the legal right to participate "in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions".¹¹ This right is underpinned by IPLCs' right to be consulted and to require free, prior and informed consent for decisions that may affect them (Article 19 UNDRIP).¹¹

As well as the rights to participation, other rights could be better recognised. These include Indigenous Peoples' rights to maintain a spiritual relationship with their traditional resources (set out in UNDRIP Article 25), to exercise their traditions, customs and tenure systems (in Article 27 of UNDRIP) and to have the productive capacity of their lands and resources conserved and protected (Article 29 of UNDRIP).¹¹

10 UNECE, Public Participation. www.unece.org/fr/env/pp/welcome

11 United Nations, United Nations Declaration on the Rights of Indigenous Peoples. www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html

12 Bernstein, J, Heinz, V, Schouwink, R, Meunier, M, Holland, E and Roe, D (2021) *Strengthening equity in the post-2020 Global Biodiversity Framework*. IIED, London. pubs.iied.org/20156iied

13 WWF (2021) *Nature Positive by 2030: Kunming Plan for Nature and People 2021-2030*. WWF, Gland. www.wwfca.org/en/kunming_plan_for_nature_and_people/

14 International Indigenous Forum on Biodiversity (2020) *Submission of the IIFB's views on the review of the draft monitoring framework for the post-2020 global biodiversity framework*. [cbd.int/api/v2013/documents/7FCB4269-11C5-EDFB-39F1-B60EEF1C9CE3/attachments/IIFB%20\(2\).pdf](http://cbd.int/api/v2013/documents/7FCB4269-11C5-EDFB-39F1-B60EEF1C9CE3/attachments/IIFB%20(2).pdf)

15 IPBES (undated webpage) *Indigenous and local knowledge in IPBES*. ipbes.net/indigenous-local-knowledge

The Enabling Conditions would also be stronger if they mentioned more explicitly the local communities (including pastoralists, artisanal fishers, forest dwellers and peasants) whose livelihoods and survival, as well as their dignity and self-determination, depends on the natural environment. Peasant and indigenous seed, production and management systems have provided food and nutrition to the majority of the global population.¹⁶ And yet peasants' rights are not effectively protected in national or regional frameworks. Therefore, it is important that the post-2020 GBF align with the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas, which clarifies the importance of legal recognition and protection for rural peoples' rights to their seed systems.

6. Strengthen approaches to governance

Good governance underpins the viability of all the GBF's Enabling Conditions. This section specifically focuses on the governance-related Enabling Condition at Paragraph 14(g).

According to the IPBES, transformative change will require “fundamental, system-wide reorganization across technological, economic and social factors, including paradigms, goals and values”.^{17,18} The IPBES further asserts that achieving transformative change requires innovative approaches to governance that are not just inclusive and integrative, but also informative and adaptive.

The GBF's Enabling Conditions do reference inclusive and integrative governance but not informative and adaptive governance. These should be added, as all four elements are integral to transformative governance.

Informative governance requires a strong commitment to bridge the policy-science divide, to recognise both western scientific and traditional knowledge, and to respect knowledge that includes different types of values and understanding.

Adaptive governance takes regular opportunities to reflect on progress, successful mechanisms, bottlenecks, and emerging areas of success so as to find the best ways forward. It continuously learns about and adjusts to uncertainty, social conflicts and complexity in socio-ecological systems.¹⁹

In addition, the ‘inclusive and integrative’ governance elements of the GBF could be strengthened. For example, the GBF is silent on what inclusive and integrative governance means — who comes to the negotiation, whose voice is listened to, how resources are distributed. Gendered and inclusive policies need to be integrated into governance systems at all levels of the GBF's operations, and this should be stressed in the GBF Enabling Conditions.

7. Clarify how stakeholders can participate

Stakeholders' participation, through a whole-of-society approach, is essential for biodiversity conservation. This is already articulated in the GBF, but the Enabling Conditions relating to this could also go further. They could include a direct reference to individuals' rights to access information, participate in environmental decision making and to seek justice.

The right to participate stems from the Universal Declaration of Human Rights (Article 21) and the International Covenant on Civil and Political Rights (Article 25). The equally authoritative Rio Declaration on Environment and Development enshrines in its Principle 10 the right of concerned citizens to participate in decision-making processes. It obligates governments to facilitate participation by ensuring access to information and justice.

Principle 10 has been upheld in all of the Rio review summits and all the multilateral environmental agreements that have been adopted since 1992, including the Sustainable Development Goals. Public participation in decision making is now widely recognised as fundamental for achieving sustainable development.²⁰

¹⁶ Monsalve Suárez, S et al. (2020) The rights to biodiversity and seeds. FIAN International and FIAN Belgium. fian.org/files/files/Andrea_20201211_Papers_4_Seeds_v2

¹⁷ IPBES (2018) Regional Assessment Report on Biodiversity and Ecosystem Services for Europe and Central Asia. IPBES secretariat, Bonn, Germany. <https://ipbes.net/assessment-reports/eca>

¹⁸ IPCC (2018) Global warming of 1.5°C. An IPCC Special Report. www.ipcc.ch/sr15/

¹⁹ Razzaque, J and Visseren-Hamakers, I (2019) IPBES Global Assessment on Biodiversity and Ecosystem Services. Chapter 6. Options for Decision Makers. Draft. IPBES. www.ipbes.net/sites/default/files/ipbes_global_assessment_chapter_6_unedited_31may.pdf

²⁰ UN, Sustainable Development Goals Knowledge Platform (undated) Information for integrated decision-making and participation. sustainabledevelopment.un.org/topics/information-integrated-decision-making-and-participation

The Enabling Conditions stress the “participation of all relevant stakeholders” but are nowhere near as strong as the language of the Aarhus Convention, which “requires Parties to guarantee rights of access to information, participation in decision-making and access to justice in environmental matters”. The Enabling Conditions would be considerably strengthened if brought in line with the Aarhus wording. This is a contentious matter, since the Aarhus Convention has not been universally adopted. But at the very minimum, participation language should be qualified as in SDG target 16.7, which aims to “ensure responsive, inclusive, participatory and representative decision-making at all levels”.

8. Expand the approach to intergenerational equity

The GBF Enabling Conditions recognise the importance of intergenerational equity, but do not provide any insights as to what this means in practice.

Intergenerational equity affirms that all generations share a common but differentiated responsibility to ensure a healthy planet for the generations that follow. The post-2020 GBF must ensure that fulfilling the right to a safe, clean, healthy and sustainable environment for present generations does not undermine future generations’ right to enjoy the same. Intergenerational equity requires fairness, collaboration and dialogue between all generations.²¹ The principle was first enshrined in Principle 3 of the Rio Declaration on Environment and Development. This stated that “The right to development must be fulfilled so as to equitably meet developmental and environmental needs of present and future generations.”²²

Intergenerational equity is also enshrined in the Preamble to the Convention on Biodiversity, which commits Member States to “conserve and sustainably use biological diversity for the benefit of present and future generations”.

Most recently, the 2030 Agenda for Sustainable Development enshrines the principle of intergenerational equity through its commitment to leave no-one behind.²³

The Enabling Conditions do reference intergenerational equity, but the language could be strengthened considerably. Most significantly, respecting intergenerational equity implies living within planetary boundaries. And this in turn means major reforms to key productive sectors. The Leaders’ Pledge for Nature²⁴ spells out the reforms needed: sustainable production and consumption; sustainable food systems that meet peoples’ needs and respect planetary boundaries; resource-efficient, circular economies; sustainable growth; sustainable supply chains; and land-use practices that regenerate ecosystems. The challenge is to ensure that the post-2020 GBF matches the political ambition in the Leaders’ Pledge by specifically recognising planetary boundaries as a key component of intergenerational equity within the Enabling Conditions.

In addition, the Enabling Conditions should hold generations in policy-making positions accountable for their choices and require them to acknowledge, respect, hear and give space for youth (including girls) to be included in decision-making processes at all levels.²⁵ Reflecting the common but differentiated responsibility of all generations, today’s policies, laws and regulations should account for both present and future impacts on biodiversity.

9. Strengthen the gender focus

Enabling women’s full engagement in biodiversity decisions and land management is critical to ensuring biodiversity conservation and sustainable use efforts are successful in the long term. The GBF’s targets and goals will not be achieved if one half of the population is missing from the solutions.

21 International Indigenous Forum on Biodiversity et al. (20 December 2019) Submission of views on possible targets, indicators and baselines for the post-2020 Global Biodiversity Framework and peer review of a document on indicators. IIFB, TEBTEBBA, PIKP, FPP. [cbd.int/api/v2013/documents/7B0F021A-E67D-1EE7-9AF9-92FBAEDFA3EA/attachments/IIFB.pdf](https://www.cbd.int/api/v2013/documents/7B0F021A-E67D-1EE7-9AF9-92FBAEDFA3EA/attachments/IIFB.pdf)

22 United Nations General Assembly (12 August 1992) Report of the United Nations Conference on Environment and Development. A/CONF.151/26 (Vol. I). www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_CONF.151_26_Vol.I_Declaration.pdf

23 United Nations Department of Economic and Social Affairs, Transforming our world: the 2030 Agenda for Sustainable Development. <https://sdgs.un.org/2030agenda>

24 <https://www.leaderspledgefornature.org/>

25 Global Youth Biodiversity Network (December 20 2019) Post-2020 Global Biodiversity Framework. <https://www.cbd.int/api/v2013/documents/AEDB05F9-81F0-E2E9-14A8-834B6575BD40/attachments/GYBN2.pdf>

Women play crucial roles as primary land managers and resource users. Yet often their voices are not heard as loudly as men's in decision-making processes. Further, women around the world face significant equity constraints, especially their unequal rights to own land,²⁶ and discriminatory social norms and practices.^{27,28} Because of this, they suffer disproportionate impacts both from biodiversity loss and from gender-blind conservation measures. Formally recognising land rights for women is essential, not just for their own wellbeing, but also because of women's key role in land use and management for biodiversity conservation, and hence agricultural productivity and household welfare.²⁹

At present, the GBF bundles gender equality in with equity for youth and IPLCs. But this dilutes the focus and fails to highlight double injustices, for example, being a woman from an indigenous community.

The current GBF Theory of Change does acknowledge the need for “appropriate recognition of gender equality, women's empowerment, youth, gender-responsive approaches.” As well, GBF Target 20 calls for equitable participation in biodiversity decision making and it refers to the importance of ensuring “rights over relevant resources of Indigenous Peoples and local communities, women and girls, as well as youth, in accordance with national circumstances”. The Enabling Conditions also call for gender equality, gender-responsive approaches and empowerment of women and girls, but they could go further.

There are three ways that gender aspects could be strengthened in the GBF:

- a. Align the Enabling Conditions could with SDG Target 5a, which calls for reforms to “give women equal rights to economic resources, as well as access to ownership and control over land...”.
- b. Strengthen the call for distributive justice, so that resources are mobilised in a gender-sensitive way, and so that the biodiversity finance mechanism integrates gender equality into funding policies and guidelines.
- c. Encourage Parties to integrate gender across all policies and processes at national and sub-national levels, to ensure women can engage with these and make meaningful contributions.

2.3 Responsibility and Transparency

10. Strengthen planning, reporting and review requirements

One reason the Aichi Targets failed was that countries were not required to report on the actions they were meant to be taking. Analysis by the CBD's Subsidiary Body on Implementation found that while national biodiversity plans and reports were in place, they lacked ambition, both in national targets set to reach the Aichi Targets (which were themselves difficult to measure), and in the efforts planned to reach them.³⁰

Reporting on progress should be improved: in frequency, detail and transparency. It could include peer review processes and mechanisms that allow national progress reports to be aggregated to the global level. If the GBF is going to catalyse transformative change and realise the 2050 vision of people living in harmony with nature, it must “become a ‘learning framework’, committed to facilitating and enabling governments to each meet their specific biodiversity challenges, while sharing back experiences with the global community”.³¹

Improving the current NBSAPs and National Reporting (NR) is an important challenge.² But on its own it won't be enough to achieve the planning, reporting and review that will be essential for a ‘transformative change’. At the very least, NBSAPs will need to be fully repurposed to develop a whole-of-society and whole-of-government approach,

26 Villa, M (2017) Women own less than 20% of the world's land: it's time to give them equal property rights. Davos, Switzerland: World Economic Forum. <https://www.weforum.org/agenda/2017/01/women-own-less-than-20-of-the-worlds-land-its-time-to-give-them-equal-property-rights/>

27 FAO (2002) Gender and access to land. FAO Land Tenure Studies. Rome. <http://www.fao.org/3/y4308e/y4308e.pdf>

28 World Bank (2019c) Women in half the world still denied land, property rights despite laws. Washington, DC. www.worldbank.org/en/news/press-release/2019/03/25/women-in-half-the-world-still-denied-land-property-rights-despite-laws.

29 Komatsu, H et al. (2018) Does women's time in domestic work and agriculture affect women's and children's dietary diversity? Evidence from Bangladesh, Nepal, Cambodia, Ghana, and Mozambique. Food Policy 79: 256–270 <https://www.sciencedirect.com/science/article/pii/S0306919217305833>

30 SCBD (2020) Review of progress in the implementation of the Convention and the Strategic Plan for Biodiversity 2011-2020 <https://www.cbd.int/doc/c/5aef/78a1/21e5276acd4d9b6a9c6855ed/sbi-03-02-en.docx>

31 Phang, SC et al. (2020) Addressing the implementation challenge of the global biodiversity framework. Biodiversity and Conservation 3061–3066. <https://link.springer.com/article/10.1007/s10531-020-02009-2>

spelling out the various stakeholders' roles and responsibilities.

Whole-of-society approaches must match the complex array of issues in the post-2020 GBF with an equally diverse array of actors from different sectors and disciplines, and get everyone to work together.³² Success will require governments to commit to: inclusive and predictable engagement with stakeholders; support for multi-stakeholder partnerships; stakeholder involvement in monitoring country implementation; and efficient and accountable funding mechanisms.

The GBF could also learn much from the UNFCCC,³³ for example adopting a 'ratchet' mechanism to ensure no backtracking on ambition, and to encourage countries to enhance their ambition at each reporting period. Including the principle of progression in the GBF's Responsibility and Transparency section could spur Parties into such action.

³² Kindornay, S and Kocaata, Z (2019) A whole-of-society approach: partnerships to realize the 2030 Agenda. Good Practice in 2030 Agenda Implementation Series. British Columbia Council for International Cooperation and Canadian Council for International Cooperation, Vancouver and Ottawa. www.bccic.ca/wp-content/uploads/2019/06/International-Partnership.pdf

³³ Voigt C (2020) An implementation mechanism for the Post 2020 Global Biodiversity Framework – inspirations from the UN Paris Agreement. University of Oslo, Norway. https://trondheimconference.org/assets/Files/TC9%20miscellaneous%20files/Policy-Brief_An-Implementation-Structure-for-the-Post-2020-Global-Biodiversity-Framework.pdf

Section 3: Negotiation text suggestions

The table below sets out suggested changes for the GBF's Implementation Support Mechanisms, Enabling Conditions and Responsibility and Transparency sections. These changes demonstrate practical opportunities to strengthen the framework's foundations, according to the

ten principles highlighted in Section 1. The table compares the current draft with proposed changes. These changes are not necessarily to be used verbatim. Rather, they give negotiators some ideas on what could be introduced to strengthen current wording.

IMPLEMENTATION SUPPORT MECHANISMS	
Original text from updated draft post-2020 GBF	Proposed text changes to give the framework stronger foundations
<p>Paragraph 13(a) Mobilizing sufficient resources essential for achieving the objectives of the Convention and for implementing the post-2020 global biodiversity framework and reaching its goals and targets. Effective resource mobilization requires transformative, inclusive and equitable change across economies and society. A strategic approach to resource mobilization consists of five crucial components:</p> <ul style="list-style-type: none"> (i) An enhanced financial mechanism that delivers resources for developing countries; (ii) Reducing or redirecting resources causing harm to biodiversity; (iii) Generating additional financial and non-financial resources from all sources, including from international and domestic sources and the public and private sectors; (iv) Enhancing the effectiveness and efficiency of resource use; (v) National finance plans to support implementation 	<p>Paragraph 13(a) Mobilizing sufficient resources is essential for achieving the objectives of the Convention and for implementing the post-2020 global biodiversity framework and reaching its goals and targets. Effective resource mobilization requires transformative, inclusive and equitable change across economies and society. A strategic approach to resource mobilization consists of six crucial components:</p> <ul style="list-style-type: none"> (i) An enhanced financial mechanism that delivers concrete and ambitious biodiversity finance commitments from developed countries, and delivers resources for developing countries; (ii) Reducing or redirecting resources and subsidies causing harm to biodiversity, and redirecting them to support the framework's targets and goals; (iii) Generating additional financial and non-financial resources from all sources, including from international and domestic sources and the public and private sectors; (iv) Enhancing the effectiveness, efficiency and fair distribution of resource use for women, youth and IPLCs; (v) National finance plans to support implementation; (vi) Embedding the framework's targets and goals across all public and private financing mechanisms.
<p>Principles: (1) Scale up resource mobilisation; (5) Broaden recognition for Indigenous Peoples and local communities; (9) Strengthen the gender focus</p>	

IMPLEMENTATION SUPPORT MECHANISMS

Original text from updated draft post-2020 GBF	Proposed text changes to give the framework stronger foundations
<p>Paragraph 13(b) Capacity development crucial for the implementation of the framework includes:</p> <ul style="list-style-type: none"> (i) Enabling evidence-based implementation through nationally determined and/or country-driven actions, in accordance with national priorities; (ii) Support to government and non-government actors at all levels, particularly in developing countries and countries with economies in transition, to develop, utilize and retain requisite capacities and to learn, adapt and manage change; (iii) Building capacities at the individual, organizational and enabling environment levels to facilitate effective policy formulation, the mainstreaming of biodiversity into all sectors, implementation of the framework and the establishment of national systems and measures for transparency and reporting. 	<p>Paragraph 13(b) — add a fourth component to the existing list:</p> <ul style="list-style-type: none"> (iv) Avoid traditional, incremental approaches and concentrate on generating capacity for transformative action, including peer mechanisms to support learning, multi-stakeholder and whole-of-society approaches, sharing of best practices, and a focus on innovation.

Principles: (2) Transform capacity development

ENABLING MECHANISMS

Original text from updated draft post-2020 GBF	Proposed text changes to give the framework stronger foundations
<p>Paragraph 14(a)</p> <p>The participation of indigenous peoples and local communities and a recognition of their rights in the implementation of the framework</p>	<p>Paragraph 14(a) — split into two sub-paragraphs:</p> <ul style="list-style-type: none"> (a) Recognise the established rights of Indigenous Peoples and local communities to participate in decisions affecting the lands and waters that they have traditionally and collectively governed, and their right to free, prior and informed consent. (b) Recognise the rights of Indigenous Peoples and local communities to their distinct laws, knowledge, traditions, customs and land-tenure systems.

Principles: (5) Broaden recognition for Indigenous Peoples and local communities

ENABLING MECHANISMS	
Original text from updated draft post-2020 GBF	Proposed text changes to give the framework stronger foundations
<p>Paragraph 14(b)</p> <p>The participation of all relevant stakeholders, non-governmental organizations, youth, civil society, local and subnational authorities, the private sector, academia and scientific institutions through a whole-of-society approach and through inclusive and representative multi-stakeholder and multisectoral platforms;</p>	<p>Paragraph 14(b)</p> <p>The participation of all relevant stakeholders, non-governmental organizations, women, youth, IPLCs, civil society, local and subnational authorities, the private sector, academia and scientific institutions through a whole-of-society approach that ensures the right of individuals to access information and justice, and to participate in official decision making as well as inclusive and representative multi-stakeholder and multisectoral platforms;</p>
<p>Principles: (4) Commit to a rights-based approach; (6) Strengthen approaches to governance; (7) Clarify how stakeholders can participate; (9) Strengthen the gender focus</p>	
Original text from updated draft post-2020 GBF	Proposed text changes to give the framework stronger foundations
<p>Paragraph 14(c)</p> <p>Gender equality, gender-responsive approaches and empowerment of women and girls;</p>	<p>Paragraph 14(c)</p> <p>Integrate gender equality, gender-responsive approaches and empowerment of women and girls through national and sub-national public and private sector biodiversity activities and the biodiversity finance mechanism, and give women equal rights to economic resources and access to ownership and control over land.</p>
<p>Principles: (7) Clarify how stakeholders can participate; (9) Strengthen the gender focus</p>	
Original text from updated draft post-2020 GBF	Proposed text changes to give the framework stronger foundations
<p>Paragraph 14(d)</p> <p>Recognition of intergenerational equity, including the transmission of knowledge, language and cultural values associated with biodiversity, especially by indigenous peoples and local communities;</p>	<p>Paragraph 14(d)</p> <p>The recognition of intergenerational equity, including the transmission of knowledge, language and cultural values associated with biodiversity, especially by indigenous peoples and local communities, is essential to ensure that the respect, protection, and fulfilment of the right to a safe, clean, healthy and sustainable environment for present generations does not undermine future generations' right to enjoy the same.</p>
<p>Principles: (3) Embed equity in the Enabling Conditions; (4) Commit to a rights-based approach; (6) Strengthen approaches to governance; (7) Clarify how stakeholders can participate; (8) Expand the approach to intergenerational equity</p>	

RESPONSIBILITY AND TRANSPARENCY

Original text from updated draft post-2020 GBF	Proposed text changes to give the framework stronger foundations
<p>Paragraph 18a (i)</p> <p>National strategies and action plans:</p> <ul style="list-style-type: none"> (a) Are the main instrument to identify national commitments; (b) Include all targets and actions; (c) Address all performance indicators relevant to the identified targets drawing on the monitoring framework attached to this framework; (d) Should include a financing plan; (e) Should be updated quickly according to an agreed schedule 	<p>Paragraph 18a (i) — add an extra sub-point:</p> <ul style="list-style-type: none"> (f) Should reflect a whole-of-society and whole-of-government approach, spelling out stakeholders' differing roles and responsibilities
Original text from updated draft post-2020 GBF	Proposed text changes to give the framework stronger foundations
<p>Paragraph 18b (i)</p> <p>National reports</p> <ul style="list-style-type: none"> (a) National reports will report on all actions identified in the national strategies and action plans using agreed indicators including headline indicators; (b) National reports will be issued regularly and in time, in accordance with the agreed schedule. 	<p>Paragraph 18b (i) — add an extra sub-point:</p> <ul style="list-style-type: none"> (b) National reports should be prepared in accordance with the principles enshrined in the Enabling Conditions. They should ensure the full participation of all relevant stakeholders and should ensure rigorous stocktaking upon which ambition and improved progress can be demonstrated at each reporting period.
<p>Principles: (10) Strengthen planning, reporting and review requirements</p>	



The post-2020 Global Biodiversity Framework (GBF) will be a major milestone in global agreements on biodiversity conservation, setting international ambition for the next decade. This guide seeks to support Parties to the Convention on Biological Diversity (CBD) who wish to strengthen the chapters on Enabling Conditions, Implementation Support Mechanisms, and Responsibility and Transparency (the ‘foundational elements’) in the post-2020 GBF. It helps negotiators develop national positions and offers information on the rationale behind strengthening these aspects of the GBF.

This is the third in a series of guides published by IIED that will support CBD negotiators to influence key aspects of the post-2020 GBF where it aligns to their national interests.

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