

COP15 - Day 12

Avaaz comments on non-papers

Avaaz has reviewed the following Non-Papers. Here is our initial assessment:

 15 min read

KUNMING-MONTREAL GLOBAL BIODIVERSITY FRAMEWORK (NON PAPER ON ITEM 9A - A DRAFT DECISION SUBMITTED BY THE PRESIDENT)

Avaaz takes note of the Presidency draft of the post-2020 Global Biodiversity Framework issued this December 18th. It is clear the text is offered in the spirit of compromise, and that will need to continue. However, for a truly ambitious GBF to be adopted, there will need to be rapid progress in the closing hours of negotiations.

On goal A, we are concerned that it does not contain 2030 milestones and enough numerical values. Without these, it is going to be difficult to assess whether or not the GBF actually leads to positive impacts on ecosystems, and weakens collective accountability.

On the spatial targets, we welcome the language on Target 1, which ensures that “all areas are under participatory integrated biodiversity inclusive spatial planning and/or effective management processes addressing land and sea use change, to bring the loss of areas of high biodiversity importance, including ecosystems of high ecological integrity, close to zero by 2030, while respecting the rights of indigenous peoples and local communities”. This target is critical since it both addresses the need to close the biodiversity loss gap to zero while ensuring the respect of Indigenous peoples and local communities.

We also welcome the numerical element on target 2, calling for 30% restoration. This will provide Parties with guidance to ensure connectivity and ecosystem integrity are pursued, and confirms the needs for a holistic approach to the management of biodiversity and ecosystems globally.

On the 30x30 goal in Target 3, Avaaz continues to emphasize the importance of increasing this number. 30% protection and conservation by 2030 is not ambitious enough and such a target is already de facto met thanks to the unrecognized contribution of Indigenous Peoples and Local Communities. The science is clear that at least 50% of the planet should be protected by 2030, and that should be reflected in the text urgently.

On Target 7, it is the use of pesticides, not the risk of pesticides, that should be reduced. The language on eliminating plastic pollution should be stronger.

Avaaz welcomes the Presidency's efforts to maintain strong references to the rights of Indigenous peoples and local communities across the goals and targets, and other sections. Specifically, Avaaz welcomes the inclusion of the principle of "free, prior and informed consent", and the explicit mention of their full and effective participation in decision making. However, we point out that under Section C, Paragraph 8, changes should be made to include "other international obligations" in the language, as to ensure Parties implement the agreement in a way that is consistent with the highest human rights standards and in alignment with other treaties and conventions. To that end, we also recommend dropping the expression "in accordance with relevant national legislation" mentioned in this paragraph.

Finally, we note with great concern that in Target 15 the requirement to make mandatory the disclosure of the monitoring, assessment and transparent disclosure by financial institutions of biodiversity risks, dependencies and impacts of financial portfolios and operations; decrease or eliminate negative impacts on ecosystems and biodiversity of investments has been weakened. There is no ambition displayed in only "encouraging" its observance.

Avaaz commends the Presidency for keeping the spirit of the rights-based approach that the GBF is intended to pursue, particularly on the inclusion of Targets 22 and 23. Addressing the issues of rights, respect to culture, the roles of women and girls and youth, and the need to combat the violence against environmental defenders is an important step forward in environmental multilateral agreements.

On the issue of financing, Avaaz takes note of the inclusion of numerical objectives in Target 19. However, there is an imbalance between the amounts pledged in the text and the real needs., which also is relevant for paragraph 35 of the draft decision of the President on Resource Mobilization. Avaaz notes that the resources needed are between 700-1 trillion USD/year while the flows will be increased to 200 billion/year by 2030. The GBF should specify how this gap will be closed.

Regarding biodiversity-offsets and credits in T19, Avaaz is concerned that this proposal could have unintended consequences for biodiversity conservation, including regarding which areas to be prioritized, and the fact that some development practices are too difficult, risky, or even impossible to offset. It could also open the door to greenwashing, and impact Indigenous peoples and local communities.

Avaaz stresses that Parties should modify target 19 in the GBF to include "debt-for-nature swaps", therefore providing a north star that could allow developing nations to seek such initiatives that both help mobilize resources for biodiversity conservation, and alleviate the pressure from destructive practices for increasing commodities exports that impact ecosystems.

All in all, we strongly recommend Parties to thoroughly review this proposal with the spirit of collaboration and bridge-building, to ensure a balanced implementation approach for both developing and developed countries, and to ensure ambition is increased.

RESOURCE MOBILIZATION (NON-PAPER ON ITEM 12 - A DRAFT DECISION SUBMITTED BY THE PRESIDENT)

We welcome the creation of a Global Biodiversity Fund under GEF.

However, these measures will not be sufficient to solve the biodiversity finance challenge: we need deep reforms in financial institutions, in particular the International Monetary Fund and the World Bank. We see with deep concern the omission of broader reforms of international financial cooperation and institutions. We need to see reflected in the GBF the recognition that we will never be able to mobilize enough finance for climate or biodiversity if we do not reform the fundamentals of the international finance system, starting with reforming the IMF and WB. Assurance of such reforms could also give some confidence to developing countries who need to see more detail on how biodiversity financing gaps will be filled. Inclusion of these targets would build on previous references, both in the CBD and in other fora, such as COP27

Avaaz considers that the non-paper needs to be understood within the broader challenges that the Rio Conventions face, and in a context that includes a constellation of actors and fora that are either ignored or excluded as relevant factors, but which nonetheless strongly influence the decisions to be taken on the GBF and the Strategy for Resource Mobilization. Because the negotiations include highly technical aspects of biodiversity conservation and sustainable use, they tend to get enmeshed in an inward-looking ecosystem of language and focus. It is imperative that we collectively step back and look at the broader picture to identify the barriers and opportunities to move forward.

On paragraph 16, Avaaz agrees that transformation and reform are necessary, but the existing text does not place the emphasis on where this reform is needed. The reform needed goes far beyond the GBF, just as the GBF is greater than the proposed CBD Strategy for Resource Mobilization (SRM). The timeline and building blocks for the SRM should therefore identify and include the Spring and Annual World Bank Group and IMF meetings, with specific requests as proposed below:

Existing text in paragraph 16 reads:

Calls for fundamental transformation of the global financial architecture and the reform of multilateral development banks and international finance institutions, including investment banks, to make them fit for purpose in supporting implementation of the global biodiversity framework, sustainable development and just transition efforts in developing countries;

Avaaz suggest the following language:

Urges Parties and Governments, the World Bank, the International Monetary Fund, the shareholders of multilateral development banks and international financial institutions to reform the international financial architecture and to establish by mid-2023 a roadmap for reforms of the global financial architecture in favor of implementing the three Rio Conventions and the Sustainable Development Goals;

On section B (Increase international biodiversity-related financial flows and financial resources from all sources, item 3a), the current text reads:

By increasing innovative finance solutions, such as green bonds and payments for ecosystem services, and developing guidelines and sharing good practices;

Avaaz suggest the following language:

Expresses utmost concern on the growing debt crisis and its negative impact on the transition towards a more sustainable global economy and achievement of the 2030 Agenda for Sustainable Development, and welcomes the Bridgetown Initiative for the Reform of the Global Financial Architecture and its potential for mobilization of institutions and financial resources in support of the implementation of the post-2020 global biodiversity framework and towards more resilient economies;

Recognizes the need for the development of coordinated and longer-term initiatives between major creditors, high-income donor countries and highly indebted countries to close the biodiversity funding gap through a new round of debt-for-nature swaps and the alignment of new sustainable debt instruments with the potential for transformational impact on international and multilateral finance in support of implementing the post-2020 global biodiversity framework;

Requests the International Monetary Fund to work together with the Secretariat of the Convention, to convene no later than December 2023, an extraordinary, joint Statistical Forum on the measurement of biodiversity variables and their relation to macroeconomic and debt sustainability, and sustainable development.

MECHANISMS FOR PLANNING, MONITORING, REPORTING AND REVIEW **(NON-PAPER ON ITEM 14)**

The post-2020 global biodiversity framework (or Kunming-Montreal Framework, if the name stays) is the third attempt made under the CBD, after the Strategic Plan 2002-2010 and the Strategic Plan 2011-2020. The previous attempts lacked serious transparency and compliance mechanisms, and this time the framework should be much better at this.

Based on latest research, drawing from experiences in multiple other treaties and latest developments in public international law, Avaaz [released proposals earlier this year](#). We still stand by them.

In the drafts released by the President, we see progress on some important elements. Having national planning and reporting documents that will (finally!) address global goals and targets in a similar program was really overdue. This will help provide regular assessments of where countries are collectively on their ambition, at every COP, and carry out a global review on implementation every 4 years.

But there is a crucial layer that is missing. The text is extremely weak on what happens after the global review. For now, the GBF simply says:

“35. Parties may take the outcome of the global reviews into account in the future revisions and implementation of their NBSAPs, including the provision of means of implementation to developing country Parties, with a view to improve actions and efforts, as appropriate.”

This is not even the beginning of an obligation to correct course if things are not on track.

The problem goes even further. As we have explained in our proposals, it is common practice to have compliance procedures in place, with for instance a compliance committee that can assist Parties better identify challenges and specific needs for enhanced cooperation. The weak language presented above risks nothing happening after the global review.

The President's text on “Mechanisms for planning, monitoring, reporting and review” makes it explicit that future COP meetings can make decisions to support implementation further. This should be included in the texts here.

