

The Paris Agreement as inspiration?

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The *UN Framework Convention on Climate Change* (UNFCCC) and the *Paris Agreement under the UNFCCC* are making their entry in the CBD - not only as a biodiversity-related convention to be taken into account, but as an inspiration to guide the CBD process.

Halldór Thorgeirsson, formerly UNFCCC Secretariat, was invited to present about the Paris Agreement during the plenary on post-2020, and many times "voluntary commitments" appear to be the new buzzword for the post-2020 framework.

The Paris Agreement is built on voluntary pledges. However, it looks as if it is not achieving the "well below 2°C" that it set out for. Negotiations in Bangkok in September 2018 to draft the Paris Agreement Work Programme were reportedly deadlocked over disagreements on climate finance.

Nonetheless, building a post-2020 framework on the basis of voluntary commitments is the most-cited aspect to be copied from the Paris Agreement.

What processes or instruments are of interest to delegates?

The UNFCCC and the Convention on Biological Diversity are both products of the Rio Summit in 1992. Since 1993, the CBD has taken a range of legally-binding decisions, and country parties have ratified two legally-binding protocols and one subsidiary protocol. The UNFCCC however is lacking such instruments. After the Kyoto Protocol did not fulfil its goals, it was replaced by the Paris Agreement: an agreement in which each country determines its own contribution to mitigate global warming, and without a mechanism that forces a country to set a specific target by a specific date.

If Parties failed to achieve the Aichi Targets - why should we have more hope that they would achieve more by voluntary commitments? Why would we hope that countries would provide more financial resources if they were *not* bound by a COP decision?

There is also another question with regard to finances. In Article 20 of the CBD, countries committed themselves to providing financial resources to fulfil the three objectives on of the Convention. Para 2 spells out that "*the developed country Parties shall provide new and additional financial resources to enable developing country Parties to meet the agreed full incremental costs to them of implementing measures which fulfil the obligations of this Convention*". They do this via contributions to the *Global Development Facility* (GEF), which in turn gives financial support to developing countries, based on need assessments.

But if targets are voluntary - do countries then have needs that the GEF has to honour? Are developed countries obliged to provide money for them? After all, it would be voluntary for a country to aspire to targets or pledges for which they don't have the resources themselves.

So why are delegates looking to the Paris Agreement for inspiration?

Is it because Climate Change and the UNFCCC are in the news more than the CBD? But is press coverage the main driver to achieve the objectives of UNFCCC or the CBD?

The CBD should concentrate on its unique achievements: legally binding instruments on the highest international level and a commitment to common but differentiated responsibilities. Yes, we failed to reach the Aichi Targets, but we should review *why* that happened - not just move to a weaker instrument.

Private sector engagement

A Stumbling Block for Implementation

Simone Lovera (Global Forest Coalition, Paraguay)

The COP/MOPs are almost over, and while results could and should have been better in the field of applying the precautionary approach regarding risky new technologies, delegates can be quite satisfied about the results in some of the other fields. The (draft) COP decisions recognize the need for transformative change, the indispensable contribution of conservation initiatives by Indigenous peoples, local communities and women and other collective actions, and - perhaps most importantly - the need to redirect perverse incentives away from activities that destroy biodiversity and towards these community conservation initiatives. If these COP14 decisions would be fully implemented prior to and after 2020, we might be able to actually halt biodiversity loss.

But will they be implemented? This depends strongly on the governance structures responsible for implementation, and whether these governance structures themselves are free from perverse incentives. Sadly, the increasing trend of "*private sector engagement*" is a potential perverse governance incentive, as it is creating serious conflicts of interests in the broadest sense of the term. Public private partnerships and other forms of blended finance create financial dependencies of governments and other public institutions on the commercial interests of private industries. Such commercial interests include economic interests in existing subsidy flows, even if those subsidies are perverse from a biodiversity perspective. If a protected area agency, for example, has a biodiversity offsetting partnership with a mining or pulp plantation company, it will not be in favor of phasing out subsidies to that company, as this might undermine the economic viability of that company and thus its financial support to the protected area. One simply should not bite the hand that feeds you. As a result, increased private sector engagement will per definition lead to a de-priorization of the phase out of perverse subsidies, even though it is broadly recognized that divestment from biodiversity destruction is by far the most important action that can be taken to halt biodiversity loss.

It is important to emphasize these perverse governance incentives have little to do with the goodwill of specific corporations. The sustainability departments of industries, whose representatives we normally find at COPs, often do impressive work in terms of improving their company's qualitative performance. Yet, per definition, they cannot support measures that might impact on

their company's growth strategy, as corporations, in a capitalist system, need to foster growth strategies to ensure returns on investments. But in most industrial sectors, including in particular agro-industry, it is the quantity of production that causes the main problems for biodiversity, rather than the quality. Unlimited growth strategies will, sooner or later, violate planetary boundaries.

Take a dairy company like *Yili*, which shared the exhibition space with the Chinese host Government of the next COP the past weeks. The exhibition shows an impressive amount of actions taken by Yili to reduce its environmental impacts. Yet these actions do not and cannot address the fact that increased dairy production will per definition lead to increased greenhouse gas emissions, as these emissions are inherent to a cow's intestinal system. So as recognized by the IPCC in its latest report, we need a shift towards plant-based diets to reduce the climate impact of food production. Yet one simply cannot ask a dairy producer to support such a shift. It needs to be a Government, or another public interest institution, that supports such shifts and the Chinese government is actually one of the few governments that has formally set a target for reducing meat consumption.

Reduced meat and dairy consumption will significantly contribute to halting forest loss in continents like South America where soy feedstock production for the Chinese market is a leading cause of deforestation. As such, we can only hope that close partnerships between the Chinese government and companies like Yili will not stand in the way to this badly needed transformative change