

# Strengthening equity in the post-2020 Global Biodiversity Framework

# A guide for negotiators



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# Glossary

<b>CBDR</b>	Common But Differentiated Responsibilities
<b>CBD</b>	Convention on Biological Diversity
<b>GBF</b>	Global Biodiversity Framework
<b>IIED</b>	International Institute for Environment and Development
<b>IPBES</b>	The Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services
<b>IPLCs</b>	Indigenous Peoples and local communities
<b>LDCs</b>	Least Developed Countries
<b>NbS</b>	Nature-based solutions
<b>NGO</b>	Nongovernmental organisation
<b>OEWG</b>	Open Ended Working Group
<b>RBA</b>	Rights-based approach
<b>SBI</b>	The Subsidiary Body on Implementation
<b>SBSTTA</b>	The Subsidiary Body on Scientific, Technical and Technological Advice
<b>UN</b>	United Nations
<b>UNFCCC</b>	United Nations Framework Convention on Climate Change

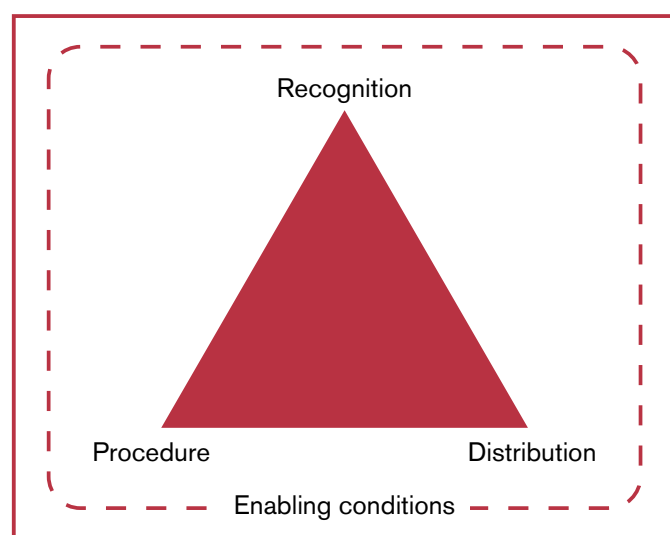
# Section 1: Summary for negotiators

## 1.1. Equity: *what* is it and why does it matter?

**Equity is about fairness.** Conservation is critical to reducing biodiversity loss, but many conservation efforts fail to treat people fairly. This is not only unjust, but can also undermine the long-term sustainability of conservation efforts. Countries have noted, during CBD meetings and negotiation sessions, that equity is essential for driving the transformation needed to achieve the vision of living in harmony with nature.

Equity has three dimensions: *fair recognition* of rights, values and interests, *fair procedures* including participation in decision making, accountability and dispute resolution, and *fair distribution* of costs and benefits, resources, and responsibilities (Figure 1).<sup>1</sup> Equity needs enabling conditions, including participation by all stakeholders and inclusive and integrative governance. There are many levels of equity: equity between individuals and communities, between countries or regions, between present and future generations and also between people and nature.

**Figure 1.** Equity has three dimensions which require strong enabling conditions



## 1.2. Equity: *what* could be strengthened in the GBF?

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. However, the current draft GBF falls short across all three dimensions of equity, bringing into doubt its long-term effectiveness both for people and for nature. Additionally, negotiations have raised concerns that the draft Monitoring Framework for the GBF does not sufficiently reflect equity provisions. While this guide does not specifically focus on the Monitoring Framework, an evidence-based GBF that embeds the equity dimensions will set a strong foundation for strengthening equity in it.

The final negotiations provide an opportunity to address this and to bring the GBF in line with other international and regional agreements, including the Paris Agreement on Climate Change and the Sustainable Development Goals. All three agreements can then work alongside each other to address the climate, nature and inequality crises.

For negotiators seeking to strengthen equity considerations in the GBF, six key principles are summarised below, elaborated upon in Section 2, and then supported by suggestions of potential text changes in Section 3.

- 1. No backward retreat on progress under the Aichi Targets:** Aichi Target 11 included specific language on the need for protected and conserved areas to be both effectively and equitably managed. Currently, this has been dropped from the GBF, representing a backwards step for equity.
- 2. Strengthen commitment to equitable benefit sharing:** the principle of equitable benefit sharing currently applies only to genetic resources. At a minimum, the GBF could be strengthened to ensure benefits from genetic resources are shared equitably

<sup>1</sup> Figure 1 source: CBD Decision CBD/COP/DEC/14/8. Adapted from McDermott, M, Mahanty, S and Schreckenber, K (2013) Examining equity: A multidimensional framework for assessing equity in payments for ecosystem service. *Environmental Science and Policy* 33: 416–427, and Pascual, U, Phelps, J, Garmendia, E, Brown, K, Corbera, E, Martin, A, Gomez-Baggethun, E and Muradian, R (2014) Social equity matters in payments for ecosystem services. *Bioscience* 64(11) 1027–1036.

and that the 'elite capture'<sup>2</sup> that often happens is avoided. But it could also be argued that the principle should be extended to equitable sharing of benefits from biodiversity more broadly.

3. **Uphold the rights-based approach:** the rights-based approach (RBA) is already reflected in international environmental law and could be better reflected across the GBF, from the Goals to the Enabling Conditions and Means of Implementation. This would mean ensuring that procedural and substantive rights are reflected in the text wherever relevant. Particular attention could be paid to ensuring that the rights of marginalised groups (Indigenous Peoples and local communities (IPLCs), women and youth) are addressed, that the human right to a clean, safe and healthy environment is recognised, and that decision makers are transparent and accountable for their responsibilities.
4. **Embed equity in the Enabling Conditions:** procedural equity (including participation in decision making, accountability and dispute resolution) is as important as recognition of rights and equitable distribution of costs and benefits. The Enabling Conditions make passing reference to some elements, but these could be further 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 different guide in this series will explore broader opportunities for strengthening the GBF's Enabling Conditions.
5. **Promote equitable access to finance:** addressing the vision, goals and targets of the GBF requires increased financial resources. But this increase also needs to be distributed equitably, including at the local level. This focus on equitable distribution could be reflected in Target 18 and in the Means of Implementation.
6. **Advocate for stronger intergenerational equity:** the Enabling Conditions recognise the importance of intergenerational equity, but do not elaborate. An important aspect of intergenerational equity is to acknowledge, respect, hear and give space for youth

to be included in all levels of decision making. Most significantly, the GBF is an opportunity to establish an international framework to achieve an equitable world that respects and lives within planetary boundaries. Integrating the concept of planetary boundaries across the GBF would be a major step forward for securing intergenerational equity.

### 1.3. Equity: *how can negotiators strengthen provisions in the GBF?*

**Four complementary strategies can help negotiators strengthen equity:**

1. **Embed equity considerations at the core of national negotiating processes and positions.** For example, ensure community stakeholder voices are included as you develop your position.
2. **Show leadership.** Encourage other countries in your negotiating blocs, alliances and coalitions to embed equity within their negotiating mandate. Show them what you are doing.
3. **Negotiate for text changes that strengthen equity in the draft GBF.** Changes can be proposed through formal negotiation meetings at the regional level, through the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) and the Subsidiary Body on Implementation (SBI) meetings, and at the Open-Ended Working Group (OEWG) meeting. Section 3 provides some suggestions of text changes that would strengthen equity.
4. **Uphold equity throughout the process of negotiating the GBF.** Virtual negotiations are not accessible to everyone, which creates equity issues. Without ensuring equity during the negotiation process for the GBF, it will be 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 they are in-person, virtual or a hybrid.

<sup>2</sup> In this context, 'elite capture' is used to define a situation where resources intended to be used for biodiversity conservation for public benefit are instead used to benefit only a few individuals of superior social status to the detriment of the welfare of the broader community.

## Section 2: Evidence base for negotiators

These notes will help negotiators build arguments in support of the six principles set out in Section 1. They provide insight into legal precedent and other supporting evidence.

### 1. No backward retreat on progress under the Aichi Targets

Target 2 of the draft GBF includes a proposal to safeguard 30% of the planet as protected areas by 2030. Over 160 environment and human rights NGOs have warned that this current proposal could harm as many as 300 million IPLCs unless the GBF provides strong protections for their rights.

As it stands, Target 2 is a backward step for equity language, compared with its predecessor — Aichi Target 11, which sought to ensure that protected areas were both effectively and equitably managed. The IPBES 2019 Global Assessment found that existing protected areas were “not yet effectively or equitably managed”. Failure to specifically mention equity in Target 2 seems likely to make this situation worse rather than better.

### 2. Strengthen commitment to equitable benefit sharing beyond genetic resources

Equitably sharing benefits arising from genetic resources is one of the three objectives of the CBD and is further elaborated in the Nagoya Protocol. Under the Protocol, IPLCs have specific rights to be consulted, to be informed about access to a genetic resource, to give or withhold consent for its sharing, to receive a fair share in the benefits flowing from a community’s genetic resources or traditional knowledge, and to have customary laws and community protocols regarding traditional knowledge respected.<sup>3</sup>

In the updated draft GBF, Goal C states that “Access and benefit-sharing mechanisms are established in all countries” (C.1) and “Benefits shared increased by [X%]” (C.2). The wording does not specify what exactly should be covered by access and benefit sharing, for example genetic resources alone, or genetic resources and traditional knowledge. Target 12 refers to “access to and the fair and equitable sharing of benefits arising from utilization of genetic resources and associated traditional knowledge”. The Target does not, however, specify how this equitable access and benefit sharing will be achieved.

At OEWG-2 a number of States argued that the principle of equitable benefit sharing should be extended beyond genetic resources, and for this to be reflected in Goal C and Target 12. This position is echoed by the International Indigenous Forum on Biodiversity, which calls for the scope of benefit sharing to be broadened beyond genetic resources and for “biological resources and ecosystem services” to be included in both Goal C and Target 12.<sup>4</sup>

Article 5(2) of the Nagoya Protocol emphasises the importance of communities with established rights (including traditional ownership and usage rights over lands, territories and natural resources) benefiting from access and benefit-sharing regimes. The GBF will need stronger rights language to ensure the Nagoya Protocol commitments are applied.

### 3. Uphold the rights-based approach

The UN Special Rapporteur on human rights and the environment has urged all states to implement a rights-based approach (RBA) to both the climate and biodiversity crises, including putting human rights at the centre of the post-2020 GBF.<sup>5</sup> Adopting a rights-based approach means that conservation

3 Natural Justice (2015) Access and Benefit Sharing E-Learning Series on International Frameworks that Support Indigenous Peoples, Local Communities, and Their Territories and Areas. Natural Justice, Cape Town. <https://naturaljustice.org/wp-content/uploads/2015/09/Access-and-Benefit-Sharing.pdf>

4 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. [https://www.cbd.int/api/v2013/documents/7FCB4269-11C5-EDFB-39F1-B60EEF1C9CE3/attachments/IIFB%20\(2\).pdf](https://www.cbd.int/api/v2013/documents/7FCB4269-11C5-EDFB-39F1-B60EEF1C9CE3/attachments/IIFB%20(2).pdf)

5 <https://www.ohchr.org/Documents/Issues/Environment/SREnvironment/Geneva-Climate-Nature-en.pdf>

approaches ensure the substantive and procedural rights guaranteed by national and international law are upheld, including rights for IPLCs, women, youth and other marginalised groups. Rights-based approaches also ensure that the relationship between rights-holders and duty-bearers are fair and equitable, with “particular attention to social inequalities and unjust distributions of power that constrain the exercise of legitimate rights”.<sup>6</sup>

For decades, the international community has recognised the links between human rights and environmental protection, including biodiversity conservation.<sup>7</sup> These links have been understood in terms of: the impact that resource and ecosystem destruction has on human rights, especially those of IPLCs; the positive role that biodiversity conservation can play in securing human rights; and the human rights impacts of certain approaches to conservation (for example, protected areas that exclude those who depend on them).<sup>7</sup> Many significant court cases, national constitutions and legislation, as well as international instruments recognise the links between environmental sustainability and upholding human rights.<sup>8</sup>

The GBF's Theory of Change highlights the importance of taking a rights-based approach to implementing the GBF. This includes recognising the rights of IPLCs, women, youth and other marginalised groups, and recognising both procedural and substantive rights. There are some elements of a rights-based approach in the GBF — for example Target 20 calls for equitable participation in biodiversity decision making and 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”. But rights language is not consistently applied across the Goals, Targets, Enabling Conditions or Means of Implementation. For example, the draft GBF does not

state that substantive and procedural environmental rights are important in realising biodiversity conservation goals, nor does it recognise that people's right to life, food, water and culture depend on healthy biodiversity and ecosystem services.<sup>9</sup> SBSTTA-24 informal discussions emphasised the need to ensure IPLCs are engaged throughout the development and implementation of the GBF, and that their knowledge is recognised.

Legal and other arguments that could strengthen a rights-based approach include the following (see also the discussion below on embedding equity in the enabling conditions):

- **Rights of IPLCs:** these are enshrined in the UN Declaration on the Rights of Indigenous Peoples and the UN Declaration on the Rights of Peasants. These instruments recognise the importance of supporting IPLCs to secure collective rights to their territories and lands, and to undertake their own conservation initiatives. The need is not just to support conservation by IPLCs but also to recognise their right to decide how to manage their territories — as well as when, how and if to involve others. Language from both of these instruments could usefully strengthen the GBF, particularly in the context of recognising IPLCs' rights and responsibilities, governance systems, and knowledge, innovations and practices, including in the context of any area-based targets and conservation measures.<sup>10</sup> This could be applied to Goal A and to Targets 1, 2 and 7 to ensure these communities are not unfairly disadvantaged.

Similarly, Target 10, which refers to the importance of nature-based solutions (NbS), makes no reference to equity. Yet safeguards are needed to ensure that NbS do not displace IPLCs or restrict livelihoods or culture. How NbS are developed, on whose territories, and with what outcomes, matters deeply both for biodiversity protection and for IPLC

<sup>6</sup> [www.iucn.org/sites/dev/files/content/documents/iucn\\_rba\\_systematization\\_compiled.pdf](http://www.iucn.org/sites/dev/files/content/documents/iucn_rba_systematization_compiled.pdf)

<sup>7</sup> Greiber, T, Janki, M, Orellana, M et al. (2009) Conservation with Justice. A Rights-based Approach. IUCN, Gland. <https://portals.iucn.org/library/sites/library/files/documents/EPLP-071.pdf>

<sup>8</sup> UNEP, Factsheet on Human Rights and the Environment. [wedocs.unep.org/bitstream/handle/20.500.11822/9933/factsheet-human-rights-environment.pdf?sequence=1&isAllowed=1](http://wedocs.unep.org/bitstream/handle/20.500.11822/9933/factsheet-human-rights-environment.pdf?sequence=1&isAllowed=1)

<sup>9</sup> CBD Alliance (27 August, 2019) First meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework Opening Statement by the CBD Alliance. [www.iccaconsortium.org/wp-content/uploads/2019/09/OEWG-1-Opening-Statement-CBD-Alliance.pdf](http://www.iccaconsortium.org/wp-content/uploads/2019/09/OEWG-1-Opening-Statement-CBD-Alliance.pdf)

<sup>10</sup> 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. <https://www.forestpeoples.org/sites/default/files/documents/Submission%20on%20post-2020%20GBF%20by%20FPP%20and%20NJ.pdf>



rights to lands and resources, their governance and knowledge systems.<sup>11</sup>

At a more ambitious level a new target could be introduced that recognises Indigenous Peoples' collective rights and responsibilities, governance systems, and knowledge, innovations and practices, including in the context of any area-based targets and conservation measures.<sup>10</sup>

- **The human right to a clean, safe, healthy and sustainable environment:** as the Special Rapporteur highlights in his 2020 report to the Human Rights Council, *"The right to a safe, clean, healthy and sustainable environment is legally protected by more than 80 per cent of Member States through constitutions, legislation, court decisions and regional treaties."*<sup>12</sup> The substantive elements of the right to a clean, safe and healthy environment include: the right to clean air; the right to a safe climate; access to safe water and adequate sanitation; the right to healthy and sustainably produced food; non-toxic environments in which to live, work, study and play; and healthy biodiversity and ecosystems.<sup>13</sup> The draft GBF does refer to the importance of nature's contributions to "sustainable diets and food security, access to safe drinking water and resilience to natural disasters". However, it does so without recognising these as rights, despite their standing in human rights law. For example, the right to water and sanitation was recognised in the UN General Assembly and Human Rights Council resolutions in 2010.<sup>13</sup>

#### 4. Embed equity in the Enabling Conditions

The Enabling Conditions include some reference to key elements of equity, such as participation and "inclusive and integrative" governance. But these are not elaborated, and key elements of procedural equity are missing. Procedural rights are crucial

to implementing the right to a clean, safe, healthy and sustainable environment (see above). Key procedural rights include access to information, public participation, and access to justice. Transparency and accountability are also critical, as without transparency it is impossible to ensure other procedural rights.

The current provisions for procedural equity in the GBF contrast with the Aarhus Convention, which "requires Parties to guarantee rights of access to information, participation in decision-making and access to justice in environmental matters" and the Escazú Agreement, which applies Aarhus principles in the context of the Latin America and Caribbean region, and also embeds participation in a rights-based approach.<sup>14</sup>

**Participation:** As noted under the third principle above on upholding a rights-based approach, language on Indigenous Peoples' rights to participation could be aligned with the United Nations Declaration on the Rights of Indigenous Peoples, especially Article 18 which refers to the explicit "right of Indigenous Peoples to participate in decision-making in matters which would affect their rights".<sup>15</sup>

**Access to justice:** the GBF makes no mention of access to justice.<sup>16</sup> This is a key impediment to procedural equity, particularly in a context of human rights violations that are made in the name of both conservation and/or development (in the form of attacks on environmental defenders). Access to justice is rooted in Principle 10 of the Rio Declaration, which seeks to ensure access to information, citizen participation and access to justice in environmental matters. It is further embedded in 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," and is recognised as a right in the Aarhus Convention and the Escazú Agreement. It was also affirmed in the 2012 Declaration of the High-level

11 Townsend, J (26 October 2020) Indigenous Peoples are critical to nature-based solutions to climate change. *iPolitics*. <https://ipolitics.ca/2020/10/26/indigenous-peoples-are-critical-to-nature-based-solutions-to-climate-change/>

12 [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25640&LangID=E](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25640&LangID=E)

13 UNHRSP, UNEP (2019) Right to a healthy environment: good practices. Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment. [wedocs.unep.org/bitstream/handle/20.500.11822/32450/RHE.pdf?sequence=1&isAllowed=y](http://wedocs.unep.org/bitstream/handle/20.500.11822/32450/RHE.pdf?sequence=1&isAllowed=y)

14 UNECE, Public Participation [www.unece.org/fr/env/pp/welcome](http://www.unece.org/fr/env/pp/welcome)

15 UN (13 September, 2007) United Nations Declaration on the Rights of Indigenous People. [un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP\\_E\\_web.pdf](http://un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf)

16 Di Pangrancio, A. (29 November 2019) A rights-based approach for the post 2020 global biodiversity framework. ECO. [cbd-alliance.org/sites/default/files/documents/ECO%2060%20Issue%205.pdf](http://cbd-alliance.org/sites/default/files/documents/ECO%2060%20Issue%205.pdf)

Meeting on the Rule of Law.<sup>17</sup> The GBF could draw on all these instruments for appropriate language, and/or make reference to them.

**Accountability and transparency:** the current GBF draft includes no reference to the principle of accountability, despite it being a key procedural right. This is in contrast to the Leaders' Pledge for Nature, agreed at the UN Biodiversity Summit in 2020, which refers several times to the importance of committing to "meaningful action and mutual accountability". Likewise, the idea of transparency is not elaborated upon despite being mentioned in the Theory of Change and in the title of Chapter H, "Responsibility and Transparency". The GBF could draw inspiration from both the Aarhus Convention and the Escazú Agreement, both of which recognise accountability and transparency as essential preconditions for citizens to be able to exercise their participation rights and to access information and justice. In particular, the importance of transparency and accountability could be highlighted as part of "inclusive and integrative governance" within the Enabling Conditions.

## 5. Increased and more equitable access to finance

A report by the Paulson Institute, The Nature Conservancy, and the Cornell Atkinson Center for Sustainability found reversing the decline in biodiversity by 2030 will require global spending of US\$722–US\$967 billion each year, over the next ten years. This puts the financing gap at an average of US\$711 billion per year. The report<sup>18</sup> is among the first analyses to include the cost of shifting high-impact economic sectors, such as agriculture and infrastructure, to more sustainable business practices.

Distributive equity must be put at the core of resource mobilisation commitments. Within the climate change arena, the Least Developed Countries (LDCs) have highlighted that only a small proportion of international climate finance reaches them, and an even smaller

proportion gets to the local level where action is needed. They have called for at least 50% of climate finance to be allocated to the world's most vulnerable countries and communities, and 70% to reach the local level by 2030.<sup>19</sup> Tracking biodiversity finance flows is complex<sup>20</sup> but the principle of equitable distribution could be highlighted in the Means of Implementation. This issue is linked to the principle of Common But Differentiated Responsibilities (CBDR) contained in the Rio Declaration. This recognises that nature loss results from inequities between those who consume unsustainably and those who suffer the consequences. Although the United Nations Framework Convention on Climate Change (UNFCCC) embeds the principle of CBDR, it is a highly charged subject for the CBD. Nevertheless, underpinning the financing (as well as technology and capacity) commitments with a reference to differentiated responsibilities and respective capabilities would be a leap forward for distributive equity.

## 6. Advocate for stronger intergenerational equity

The notion of equity between current and future generations is explicit in definitions of sustainable development and in the CBD definition of sustainable use. The GBF draft only makes a passing reference to intergenerational equity, as one of the enabling conditions contained in Section G. A more inclusive expression of intergenerational equity would ensure the GBF reflects the long time horizon of the CBD and broader sustainable development policy. This might entail, for example, acknowledging, respecting, hearing and including youth in decision-making processes at all levels, so that decisions are fair for current and future generations.<sup>21</sup>

Most significantly, the GBF is an opportunity to set the international framework to mandate action towards an equitable world that respects and lives within planetary boundaries. Integrating the concept of planetary boundaries across the GBF would be a major step forward for securing intergenerational equity.

17 UN General Assembly (2020) Resolution adopted by the General Assembly [https://www.un.org/ruleoflaw/files/37839\\_A-RES-67-1.pdf](https://www.un.org/ruleoflaw/files/37839_A-RES-67-1.pdf)

18 Paulson Institute (2020) Financing Nature: Closing the Global Biodiversity Financing Gap. Paulson Institute, Chicago <https://www.paulsoninstitute.org/key-initiatives/financing-nature-report/>

19 <http://www.ldc-climate.org/wp-content/uploads/2019/12/LDC-Group-Vision.pdf>

20 <https://www.oecd.org/environment/resources/biodiversity/report-a-comprehensive-overview-of-global-biodiversity-finance.pdf>

21 Bobo, T and Schwarzer, C (2019) Towards Post-2020 Mobilization of #2: Translating the Many Dimensions of Intergenerational Equity Within the Post-2020 Framework. Post-2020 Biodiversity Framework EU Support <https://4post2020bd.net/resources/translating-the-many-dimensions-of-intergenerational-equity-within-the-post2020-framework/>

Living within planetary boundaries is very different from putting biodiversity “on a path to recovery” as specified in the 2030 Mission of the GBF. It means we must transform key productive sectors so that we tackle the root causes of biodiversity loss, meet peoples’ needs, and avoid crossing dangerous tipping points. The Leaders’ Pledge for Nature<sup>22</sup> 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.<sup>23</sup> The challenge is to ensure that the post-2020 GBF matches the political ambition in the Leaders’ Pledge by charting a transformative change to guarantee that the world starts living within planetary boundaries. In the IPBES’ words, we need a “fundamental, system-wide reorganization across technological, economic and social factors, including paradigms, goals and values”.<sup>24</sup>

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

23 WWF et al. (2020) Leaders’ Pledge for Nature [www.leaderspledgefornature.org/Leaders\\_Pledge\\_for\\_Nature\\_27.09.20.pdf](https://www.leaderspledgefornature.org/Leaders_Pledge_for_Nature_27.09.20.pdf)

24 IPBES. Nature’s Dangerous Decline ‘Unprecedented’; Species Extinction Rates ‘Accelerating’. Media release. [ipbes.net/news/Media-Release-Global-Assessment](https://ipbes.net/news/Media-Release-Global-Assessment)

## Section 3: Negotiation text suggestions

The suggested changes in the Goals, Targets and Enabling Conditions sections, set out in the table below, demonstrate practical opportunities to strengthen equity in the draft GBF, according to the six 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 provisions.

2030 MISSION	
Original text from updated draft post-2020 GBF	Proposed text changes with strengthened equity provisions
<p>The 2030 Mission for this framework is:</p> <p>To take urgent action across society to put biodiversity on a path to recovery for the benefit of the planet and people.</p>	<p>The 2030 Mission for this framework is:</p> <p>To take urgent action across society to halt and reverse biodiversity loss to achieve an equitable and nature-positive world, which respects planetary boundaries and ensures nature's recovery for the benefit of all people and the planet.<sup>25</sup></p>
<p><b>Principles:</b> (5) Strengthen commitment to equitable benefit sharing; (6) Advocate for stronger intergenerational equity</p>	

2030 MILESTONES	
Original text from updated draft post-2020 GBF	Proposed text changes with strengthened equity provisions
<p><b>2050 Goal (b)</b></p> <p>Nature's contributions to people have been valued, maintained or enhanced through conservation and sustainable use supporting global development agenda for the benefit of all people.</p>	<p>By 2030, nature's contributions to all people, of current and future generations, have been secured and sustainably enhanced and are fairly and equitably shared, contributing to the realization of the right to a safe, clean, healthy and sustainable environment and supporting the global development agenda for the benefit of all people.</p>
<p><b>Principles:</b> (2) Strengthen commitment to equitable benefit sharing; (3) Uphold the rights-based approach; (6) Advocate for stronger intergenerational equity</p>	

<sup>25</sup> WWF (2021) Nature Positive by 2030: Kunming Plan for Nature and People 2021-2030. Discussion Paper. [wwfint.awsassets.panda.org/downloads/kunming\\_2030\\_discussion\\_paper\\_final\\_english.pdf](https://www.wwfint.awsassets.panda.org/downloads/kunming_2030_discussion_paper_final_english.pdf)

2030 MILESTONES	
Original text from updated draft post-2020 GBF	Proposed text changes with strengthened equity provisions
<b>Goal A.1</b> The area, connectivity and integrity of natural systems increased by at least [5%].	<b>Goal A.1</b> The area, connectivity and integrity of natural systems increased by at least [5%] while recognizing and securing 100% of the rights to lands and waters traditionally and collectively governed by Indigenous Peoples and local communities. <sup>25</sup>
<b>Principles:</b> (1) No backward retreat on progress under the Aichi Targets; (3) Uphold the rights-based approach	
Original text from updated draft post-2020 GBF	Proposed text changes with strengthened equity provisions
<b>Goal B.1</b> Nature contributes to the sustainable diets and food security, access to safe drinking water and resilience to natural disasters for at least [X%] million people.	<b>Goal B.1</b> Nature contributes to the sustainable diets and food security, access to safe drinking water and resilience to natural disasters for at least [X%] million people, upholding the human right to a safe and clean environment.
<b>Principle:</b> (3) Uphold the rights-based approach	
Original text from updated draft post-2020 GBF	Proposed text changes with strengthened equity provisions
<b>C.1</b> Access and benefit-sharing mechanisms are established in all countries. <b>C.2</b> Benefits shared increased by [X%]	<b>Goals C.1 and C.2</b> By 2030, mechanisms that support the access and utilization of genetic resources, biological resources and ecosystem services, as well as associated traditional knowledge are functional, legal and sustainable, and the benefits from the utilization of genetic resources have increased significantly and are shared fairly and equitably. <sup>26</sup>
<b>Principle:</b> (3) Strengthen commitment to equitable benefit sharing	

26 Inspired by WWF with modifications by Johannah Bernstein

TARGETS	
Original text from updated draft post-2020 GBF	Proposed text changes with strengthened equity provisions
<b>Target 2</b> By 2030, protect and conserve through well connected and effective systems of protected areas and other effective area-based conservation measures at least 30% of the planet with the focus on areas particularly important for biodiversity.	<b>Target 2</b> By 2030, protect and conserve through well-connected, equitable and effective systems of protected areas and other effective area-based conservation measures at least 30% of the planet with the focus on areas particularly important for biodiversity, while at the same time recognizing Indigenous Peoples' and local communities' collective rights and responsibilities, governance systems, knowledge, innovations and practices.
<b>Principles:</b> (1) No backward retreat on progress under the Aichi Targets; (3) Uphold the rights-based approach	
Original text from updated draft post-2020 GBF	Proposed text changes with strengthened equity provisions
<b>Target 7</b> By 2030, increase contributions to climate change mitigation adaptation and disaster risk reduction from nature-based solutions and ecosystems based approaches, ensuring resilience and minimizing any negative impacts on biodiversity.	<b>Target 7</b> By 2030, increase contributions to climate change mitigation, adaptation and disaster risk reduction from nature-based solutions and ecosystem-based approaches, ensuring resilience, minimizing any negative impacts on biodiversity and people and guaranteeing the full participation and engagement of Indigenous Peoples' and local communities at all stages.
<b>Principles:</b> (1) No backward retreat on progress under the Aichi Targets; (3) Uphold the rights-based approach	
Original text from updated draft post-2020 GBF	Proposed text changes with strengthened equity provisions
<b>Target 8</b> By 2030, ensure benefits, including nutrition, food security, livelihoods, health and wellbeing, for people, especially for the most vulnerable through sustainable management of wild species of fauna and flora.	<b>Target 8</b> By 2030, ensure equitable benefits including nutrition, food security, livelihoods, health and wellbeing for all people, especially for the most vulnerable, through sustainable management of wild species of fauna and flora and the realization of the right to a safe, clean, healthy and sustainable environment, and the creation of just and equitable societies.
<b>Principles:</b> (3) Uphold the rights-based approach; (2) Strengthen commitment to equitable benefit sharing	

TARGETS	
Original text from updated draft post-2020 GBF	Proposed text changes with strengthened equity provisions
<b>Target 12</b> By 2030, increase by [X] benefits shared for the conservation and sustainable use of biodiversity through ensuring access to and the fair and equitable sharing of benefits arising from utilization of genetic resources and associated traditional knowledge.	<b>Target 12</b> By 2030, establish or strengthen and implement inclusive and equitable decision-making processes to guarantee rights to access to genetic resources, and ensure that the benefits from sustainable utilization of biodiversity (including genetic resources, species and ecosystems and their associated traditional knowledge) are significantly enhanced and shared fairly and equitably.
<b>Principle: (2)</b> Strengthen commitment to equitable benefit sharing	
Original text from updated draft post-2020 GBF	Proposed text changes with strengthened equity provisions
<b>Target X</b> (target does not exist in current draft GBF).	<b>New target:</b> By 2030, appropriately recognise and secure 100% of the rights to the lands and waters traditionally and collectively governed by Indigenous Peoples and local communities for the conservation and the sustainable use of biodiversity, and respect their right to free, prior and informed consent. <sup>25</sup>
<b>Principle: (3)</b> Uphold the rights-based approach	
Original text from updated draft post-2020 GBF	Proposed text changes with strengthened equity provisions
<b>Tools for implementation and mainstreaming</b>	
<b>Target 18</b> By 2030, increase by [X%] financial resources from all international and domestic sources, through new, additional and effective financial resources commensurate with the ambition of the goals and targets of the framework and implement the strategy for capacity-building and technology transfer and scientific cooperation to meet the needs for implementing the post-2020 global biodiversity framework.	<b>Target 18</b> By 2030, bridge the global biodiversity financing gap by increasing the mobilization of financial resources by X%, through new, additional and effective financial resources, which are equitably distributed and reach the local level where action is needed.
<b>Principle: (5)</b> Promote more equitable access to finance	

TARGETS	
Original text from updated draft post-2020 GBF	Proposed text changes with strengthened equity provisions
<p><b>Target 20</b></p> <p>By 2030, ensure equitable participation in decision-making related to biodiversity and ensure rights over relevant resources of indigenous peoples and local communities, women and girls as well as youth, in accordance with national circumstances.</p>	<p><b>Target 20</b></p> <p>From 2020, ensure rights to equitable participation and support capacity in decision making related to biodiversity, and ensure rights over relevant resources of Indigenous Peoples and local communities, as well as peasants, small-scale producers and fishers, women and girls, as well as youth, in accordance with national circumstances.<sup>25</sup></p>
<p><b>Principles:</b> (3) Uphold the rights-based approach</p>	



ENABLING CONDITIONS	
Original text from updated draft post-2020 GBF	Proposed text changes with strengthened equity provisions
(a) The participation of indigenous peoples and local communities and a recognition of their rights in the implementation of the framework;	(a) The recognition of the rights of Indigenous Peoples and local communities to participate in decisions affecting the lands and waters that they have traditionally and collectively governed.
(b) 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;	(b) The right to full and effective participation, access to information and access to justice for all relevant stakeholders, NGOs, Indigenous People and local communities, women and girls, and youth in biodiversity-related decision making and in the implementation that affects their livelihoods and resources.
(d) Recognition of intergenerational equity, including the transmission of knowledge, language and cultural values associated with biodiversity, especially by indigenous peoples and local communities.	(d) Recognition that the number of people who can benefit from nature depends not only on nature's ability to provide the benefit, but on society's capacity to manage demand and distribution of nature's benefits, taking into account intergenerational and intragenerational equity.
(g) Inclusive and integrative governance and whole-of-government approaches to ensure policy coherence and effectiveness for the implementation the framework.	(g) Inclusive and integrative governance and whole-of-government approaches to ensure the realization of the rights to participation, access to information, justice, as well as the rule of law, transparency and accountability for robust and effective implementation.
(x) <b>Currently no clause</b>	<b>NEW CLAUSE:</b> Guarantee human rights in the implementation of the GBF, including the right to a safe, clean, healthy and sustainable environment and the rights of environmental and human rights defenders in the defence of their territories and lands against biodiversity loss. <sup>9</sup>



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. However, the current draft Framework is missing a strong commitment to equity, bringing into doubt its long-term effectiveness both for people and for nature.

This guide seeks to support Parties to the Convention on Biological Diversity (CBD) who wish to see strengthened equity provisions in the draft post-2020 GBF. It will help negotiators to develop national positions, as well as covering the arguments for making equity provisions core to the Framework. The final section offers ideas for the language that could be used to strengthen current equity provisions.

This is the first 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.

## About the International Institute for Environment and Development

IIED is a policy and action research organisation. We promote sustainable development to improve livelihoods and protect the environments on which these livelihoods are built. We specialise in linking local priorities to global challenges. IIED is based in London and works in Africa, Asia, Latin America, the Middle East and the Pacific, with some of the world's most vulnerable people. We work with them to strengthen their voice in the decision-making arenas that affect them — from village councils to international conventions.



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### Toolkit

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