

Letter of Concern about Regression in the draft post-2020 Global Biodiversity Framework

Dear Madam, Sir

We want to share with you our concerns with the current text proposed as [the 'update of the zero draft' of the post-2020 Global Biodiversity Framework](#) since it actually represents a step back in biodiversity related policies and obligations.

First, it should be noted that this is not a negotiated document since the last real negotiations, in February 2020, resulted in more than 50 pages of often worthwhile text proposals that were then summarized and presented as a GBF draft despite the reiterated concerns raised by civil society in terms of transparency and inconsistencies with the mandate provided to OEWG. Moreover, the resulting text is a major regression if compared to decisions already made under the CBD, and existing global commitments and obligations in the field of biodiversity.

In the current draft, Aichi Target 3 is weakened by suggesting that only the most harmful perverse incentives that trigger biodiversity loss should be phased out in the short term and contains no reference to the role of public and private investments in supporting biodiversity-harmful projects. The draft also fails to acknowledge the key role of over-consumption by wealthy elites in global biodiversity loss and the need to ensure implementation of CBD articles **3, 4 (b), 7 (c), 8 (l), 14.1 (d), 14.2 and 22.1 in this respect**. The need to change consumption patterns has been reduced to a vague reference to consumer choices, ignoring the role of corporations in producing and marketing harmful products and excluding environmental and social costs from the prices of these products and the overarching role of governments in putting in place a regulatory framework that avoids harmful production and thus consumption.

The draft goals and targets also overlook the many valuable decisions the CBD COP has taken to apply the precautionary principle, for example in the field of new technologies like geo-engineering and synthetic biology. The precautionary principle is absent also on Target 4 since international law already requires wildlife trade to be legal and sustainable. Adding the word 'safe' to the language in this target will not reduce the level of global wildlife trade. Target 4 is also a significant regression on SDG Goal 15.5 which commits to 'halt the loss of biodiversity' by 2030 and 'by 2020, protect and prevent the extinction of threatened species'.

Even though CBD COP 14 encourages Parties to take into account a rights based approach (RBA) in the GBF, the latest 'draft' does not include any reference to the human rights, role, participation, needs and aspirations of rightsholder groups like Indigenous Peoples, women, local communities, peasants and youth in its goals and targets, except for very vague references that provide no guarantee that human rights violations like forced resettlement in the name of conservation will be halted, participation will be effective and equitable, and benefits will be equitably shared. It does not align with the UN Declaration on the Rights of Indigenous Peoples or the UN Declaration on the Rights of Peasants, and does not safeguard the right to Free, Prior and Informed Consent of Indigenous Peoples regarding any conservation or other activities that take place on their territories. The draft also fails to incorporate and build on 20 years of work by the Ad Hoc Working Group on Article 8j, including the Voluntary Akwé Kon, Mo'Otz Kuxtal, and Rutzolijirisaxix Guidelines, and the Tkarihwaíé Code of Ethical Conduct (CBD COP decisions VII/16, X/42, XIII/18, XIV/12).

Similarly, while the role of these rights holders in biodiversity conservation and sustainable use has been recognized and supported in several CBD COP decisions (VII/11, VII/12, VI/22, X/32, XII/12, XIII/5, XIV/6, XIV/7, XIV/8 and XIV/16), no concrete target is proposed to recognize Indigenous and local community governance rights, despite growing scientific evidence that this is the most effective approach to biodiversity conservation.

Rather, a questionable target of 30% was set to expand protected areas and other effective area-based conservation measures without any conditions to ensure equitable governance of these areas and no mention of ICCAs. Moreover, the 30% target lacks a scientific basis, ignores climate change, pollution and other threats to biodiversity, and Indigenous territories, that cannot be addressed by area-based conservation alone and risks associated like potential erosion of ecosystem integrity, carefully defined in CBD decisions as the ecosystem approach. This target is also a significant regression in the field of forests, as Sustainable Development Goal 15.2 includes a commitment to halt deforestation and forest degradation by 2020 and thus protect 100% of the world's forests. Several other ecosystems are already covered by more ambitious targets too. In this light, proposed target 1 on spatial planning also forms a major step backwards, as it only puts 50% of the world's land and marine area under spatial planning, while ignoring the governance aspects of spatial planning

The draft also fails to include a specific target on gender intersectionality, which was recommended by the Women's Caucus and supported by numerous Parties, thus ignoring the valuable work invested in the development of the Gender Action Plan (CBD COP decision XII/7).

The current GBF text also includes terms such as "Nature-based solutions" that without a universally adopted definition is being used for carbon offsets and other activities that are very harmful for biodiversity and the communities that depend on it directly (e.g. Afforestation through monoculture, often alien, tree plantations see also CBD COP decision XI/19). Such concepts, and the overall draft goals and targets, also promote a very utilitarian and human-centric approach to biodiversity that ignores the intrinsic value of biodiversity, which is recognized in the Convention, and the moral, cultural, spiritual and aesthetic values of biodiversity. Using nature as a solution for human needs is not the same as "living in harmony with nature". In fact, the combination of area-based conservation, nature-based solutions and offsets could readily be exploited by corporate interests seeking to deflect attention from their continued emissions of greenhouse gases by claiming to 'protect nature'. This could in turn lead to a major appropriation of the land and territories of IPLCs and peasant farmers.

In general, there is a lack of balance between the three objectives of the CBD in the draft, and the targets proposed in relation to sustainable use, and access and benefit sharing, are weaker than many of the existing CBD COP decisions that relate to these crucial objectives (e.g. CBD COP decisions VII/2, VII/11, XII/5, XII/12, XIV/6, XIV/7). A major omission is the issue of DSI which is not included in the draft GBF. In addition, the corresponding indicators do not address the three objectives in a balanced way.

In conclusion, we call on governments to reject the latest draft of the GBF as it would form a major step backwards in global biodiversity policy.

The valuable proposals to strengthen the GBF provided through submissions and in previous negotiation rounds should form the basis for a scientifically informed discussion about a possible GBF [that incorporates civil society concerns](#) and supports a more participative, equitable, inclusive, whole of society and rights-based implementation of the Convention, including the many previous decisions that have still not been implemented.

It is vital to act decisively now and not use the promise of a new set of targets as an excuse for further inaction.

CBD Alliance