

Towards a global deal for biodiversity

with Norway as a proactive contributor

Key points

- The ongoing process towards new global biodiversity goals and targets for post-2020 is crucial. After two failures with ten-year goals and targets, global biodiversity cannot afford another failure.
- Norway has shown proactivity in relation to core issues in the global process.
- The COVID-19 pandemic may prove to be a game-changer in terms of attracting greater political attention to the biodiversity crisis.



“The rate of biodiversity loss is unprecedented in human history and pressures are intensifying”



Towards a new global deal for biodiversity with Norway as a proactive contributor

“The health of ecosystems on which we and all other species depend is deteriorating more rapidly than ever. We are eroding the very foundations of our economies, livelihoods, food security, health and quality of life worldwide.”

**SIR ROBERT WATSON
IPBES CHAIR**

This Brief scrutinizes the delayed process under the Convention on Biological Diversity towards a new global framework for biodiversity with goals and targets, focusing on the major issues under discussion, and contributions from Norway to the process.

What is at stake?

The fact that our planet is hit by a global biodiversity crisis has attracted far less attention than the equally severe climate crisis. However, in 2019 the biodiversity crisis emerged from the shadows with the release of the *Global Assessment Report on Biodiversity and Ecosystem Services* by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), a UN body established in 2012.¹ The report made media headlines worldwide, thereby confirming the expediency of establishing IPBES as nature’s counterpart to the International Panel on Climate Change (IPCC).

The 2019 report leaves no doubt that nature and biodiversity – beyond their intrinsic values – are vital to human living conditions, and thereby to the eradication of poverty and hunger:

- More than 2 billion people rely on wood as fuel to meet their primary energy needs.
- Approximately 4 billion people rely primarily on natural medicines for healthcare.
- 70% of the drugs used to treat cancer are natural products, or synthetic products inspired by nature.
- 75% of food crops rely on animal pollination.

- Ecosystems on land and at sea are sinks for carbon emissions: they sequester 5.6 gigatons of carbon per year, which corresponds to 60% of all carbon emissions by humans.²

Against that backdrop, the findings of the IPBES report are alarming. For example:

- The current rate of extinction is likely to accelerate rapidly, eradicating up to a million of Earth’s estimated eight million species, many within decades. Species that disappear are lost forever.
- Globally, local varieties and breeds of domesticated plants and animals are disappearing. This loss of diversity, including genetic diversity, poses a serious risk to global food security, undermining the resilience of many agricultural systems to threats such as pests, pathogens and climate change.
- Over 90% of major marine fish stocks are in decline or are overexploited.
- Since 1990, 2.9 million hectares of forests have been lost.
- Three-quarters of the land-based environment and some two-thirds of the marine environment have been significantly altered by human actions.
- Agriculture and food consumption are especially destructive, accounting for one third of land use, three quart-

¹ IPBES (2019): *Global assessment report on biodiversity and ecosystem services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services*, eds E. S.

Brondizio, J. Settele, S. Díaz, and H. T. Ngo, IPBES secretariat, Bonn, Germany. <https://ipbes.net/global-assessment>

² IPBES (2019)

ers of freshwater use and one quarter of greenhouse gas emissions.

- Soil degradation has been worsened by increased use of fertilizers, which has risen four-fold in just 13 years in Asia and doubled worldwide since 1990.
- Land degradation has reduced the productivity of 23% of the global land surface
- These negative trends are likely to continue to 2050 and beyond, albeit with significant differences between regions.³

The main direct causes of biodiversity loss are habitat loss, overexploitation, pollution, invasive species and climate change. Behind these are underlying causes related to our way of living and organizing our societies – including production and consumption patterns, population growth, trade and technological development. In the past 50 years, the human population has doubled, the global economy has grown nearly four-fold and global trade has grown ten-fold, all driving up the demand for energy and materials. Economic incentives have favoured deterioration, not conservation and restoration.

In September 2020 another UN report, Global Biodiversity Outlook 5, was issued on progress towards achieving the 20 global biodiversity targets that countries set for themselves for 2020, the so-called Aichi Biodiversity Targets. However, there is little progress to report since none of the targets have been fully met according to the report.⁴

Towards a new global deal for biodiversity

The main global forum for addressing these serious issues is the Convention on Biological Diversity (CBD), signed by the world's heads of state in 1992 at the UN Conference on Environment and Development in Rio de Janeiro,

and now ratified by all states except the USA .

The CBD is not the first global treaty to address nature and nature conservation. In the 1970s and 1980s, before the term 'biodiversity' was invented, several treaties were adopted, but these were limited in scope to the protection of certain ecosystems and species. The CBD was the first convention to cover biodiversity and biodiversity components in a holistic and comprehensive way. Implicitly, it embodies the concept of sustainable development introduced in 1987 in the Report of the World Commission on Environment and Development, *Our Common Future* – also known as 'the Brundtland report', after the chair of the Commission, former Norwegian Prime Minister, Gro Harlem Brundtland.

The comprehensiveness is reflected in the three objectives of the CBD:

- 1) conservation of biodiversity;
- 2) sustainable use of biodiversity and its components;
- 3) fair and equitable sharing of benefits arising from the utilisation of genetic resources.

As a broad framework convention, its provisions are vague, leaving it to the discretion of each country to determine which specific actions need to be taken at the national level. In the absence of clear-cut legal obligations under the CBD, the parties have committed themselves to many decisions on various issues, with varying degrees of concreteness. Among the most important decisions are 10-year goals and targets to halt biodiversity loss, adopted in 2000 and in 2010, respectively.

The CBD can hardly be described as successful, considering the continued loss of biodiversity during its time in force and the failure to achieve ten-year goals and targets not only once but twice. On the other hand, the picture might well have looked even worse without the CBD, which has at

³ IPBES (2019)

⁴ Convention on Biological Diversity (2020) Global Biodiversity Outlook 5

least created some awareness of the problem and set a global agenda.

A process for a new global deal for biodiversity with another round of goals and targets is now underway, to be decided in Kunming, China, at the forthcoming 15th meeting of the Conference of the Parties (COP 15), the decision-making body of the CBD. COP 15 was to be held in October 2020, but has been postponed until May 2021 at the earliest, due to the COVID-19 pandemic. Several preparatory meetings to COP15 have been similarly postponed. Meanwhile, a draft for a global biodiversity plan has been released as the basis for broad discussion among governments, scientists, NGOs and other stakeholders.⁵

What will it take for these new goals and targets to be met, when the previous ones have had so little success? This question is crucial: global biodiversity can hardly afford another failure here.

On a positive note, the IPBES report seems to have served as an eye-opener for many who had previously been unaware of the seriousness of the situation, or of the need for 'transformative action'.⁶ The challenge now is to bring this awareness beyond and above national ministries of the environment, which are normally responsible for nature conservation but tend to rank low in government hierarchies. It is essential to take on board also the influential ministries of agriculture, forestry, fisheries, trade and finance, as these can have major impacts on the underlying causes of biodiversity loss. Responsibility for action is needed across all sectors and from all actors.

Two of the seventeen UN Sustainable Development Goals directly concern

biodiversity, while several of the others integrate biodiversity to varying degrees. This indicates increasing recognition of the importance of biodiversity at the highest level.⁷ The same goes for the convening of a UN Summit on Biodiversity by the President of the General Assembly on 30 September 2020, at the level of heads of state and government, under the theme of '*Urgent action on biodiversity for sustainable development*'.⁸ However, as all other major events in these times, it will have to be held digitally, which will make it less visible or momentum-creating than under normal circumstances.

Accountability for meeting new global biodiversity targets

To push implementation of goals and targets, we need a more structural approach to implementation than practised so far under the CBD. The main instrument for national implementation is National Biodiversity Strategies and Action Plans (NBSAPs). Those have been prepared by nearly all countries, but with highly differing structures and content, and there exists no global mechanism to assess if and how these contribute to achievement of the global goals and targets. Neither is there a mechanism that could guide countries to improve their individual and collective performance.

Concerned about this, Norway has submitted a comprehensive proposal for an implementation mechanism in the Post 2020 Global Biodiversity Framework, to 'increase visibility of Parties' actions, enhance mutual learning and trust, sharing of best practices, and create a collective push for steady progress against the achievement of the goals and targets in the framework'.⁹ The proposal is

⁵ CBD (2020). CBD/POST2020/PREP/2/1. Update of the zero draft of the post-2020 global biodiversity framework. www.cbd.int/doc/c/3064/749a/0f65ac7f9def86707f4eaefa/post2020-prep-02-01-en.pdf

⁶ CBD (2020).

⁷ United Nations Sustainable Development Goals (2015). The two goals directly concerning biodiversity are Goal 14, Life below Water and Goal 15, Life on Land.

<https://sdgs.un.org/goals>

⁸ www.un.org/pga/74/united-nations-summit-on-biodiversity/

⁹ Submission from Norway - An implementation mechanism in the Post2020 Global Biodiversity Framework (GBF) <https://s3.amazonaws.com/cbdocumentspublic-imagebucket-15w2zyxk3prl8/42cb7156ccaa842acf485b227079e990>

built on the following four interlinked elements with consecutive actions:

1. NBSAPs need to be upgraded as the key implementation instrument. They should contain clear commitments to reflect post-2020 goals and targets and be submitted at common regular intervals. For each successive NBSAP, countries should take stock of progress as a basis for further action towards achieving the global goals.
2. National Reports should be submitted at common, regular intervals, with standardized formats and indicators to enhance transparency in implementation and achievement of NBSAPs.
3. Country performance should be subject to mandatory periodic Technical Expert Reviews of a facilitative and non-punitive nature.
4. A regular Global Biodiversity Stocktake should be undertaken to measure collective progress towards global goals and targets, capacity building and resource mobilization, based on national reports and scientific inputs from IPBES. The outcome should inform the next round of NBSAPs.

The Norwegian proposal has clear similarities with the implementation mechanism and pledge system included in the Paris Agreement under the United Nations Framework Convention on Climate Change (UNFCCC).¹⁰ Here, countries are to undertake and communicate efforts for greenhouse gas emissions reduction as their 'nationally determined contribution' (NDC) to global goals. They must report regularly on their emissions and on their implementation efforts, and there is a global stocktaking every five years to assess collective progress. The Paris Agreement includes a 'ratcheting up' mechanism prescribing that national

contributions must be scaled up over time, for constant and ever-increasing progress towards the global goals. The Norwegian proposal also presupposes progressive increases of national contributions.

Access to genetic resources and benefit sharing

The third objective of the CBD concerns equity and fairness. Developing countries have attached great importance to this aspect. In order to fulfil this objective, benefits from the use of genetic resources are to be shared fairly and equitably with the provider of the resources, in return for providing access – the concept known as ABS (Access and Benefit Sharing). Such access is subject to prior informed consent by the providing country, on mutually agreed terms with the user.

Ever since the start, ABS has been a controversial and politicized issue in the CBD, with major differences between North and South. Developing countries, often rich in biodiversity and genetic resources, have had high expectations to ABS as a means of avoiding the earlier situation where developed countries practised unrestricted and unrewarded access in order to exploit genetic resources for biotechnology, seeds and production of e.g. pharmaceuticals and cosmetics. The developing nations have seen the commercial demand for genetic resources in their countries as a way to generate income, thereby incentivizing their own efforts at conservation and sustainable use of biodiversity. They have also wanted to counterbalance the rapid expansion of intellectual property rights ownership to living material through patents and plant breeders' rights. The developed countries, by contrast, have generally regarded ABS as an impediment to further research and industrial activity.

ABS remained controversial also after the CBD entered into force in 1992. Developing countries, as the main providers of genetic resources, held

“The decisions and level of action we take now will have profound consequences – for good or ill – for all species, including ours.”

ELIZABETH MARUMA MREMA
CBD EXECUTIVE SECRETARY

¹⁰ UNFCCC Decision 1/CP.21 Adoption of the Paris Agreement.

<https://unfccc.int/sites/default/files/resource/docs/2015/cop21/eng/10a01.pdf>

that the main users – the developed countries – were not doing enough to support compliance with the access regulations of provider countries, and wanted a legally binding ABS regime to set user-country measures. The result was the 2010 Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization, aimed at further developing the legal ABS of framework provided by the CBD on this and other measures.¹¹

Since then, recent technological developments have significantly reduced the demand for physical genetic material as implied under the ABS regime. Such material can now be digitally sequenced relatively cheaply, and data can be exchanged rapidly between researchers, institutions, countries and databases. The amount of ‘Digital Sequence Information’ (DSI) in publicly available databases is increasing exponentially, as is the exchange and use of such data. As it is extremely difficult to identify the original source of the sequences, the use of DSI takes place without applying the concept of benefit sharing as per the ABS regime.

This has brought ABS into the spotlight again, with sharply divided views on how to deal with DSI. Core areas of disagreement concern whether DSI is covered by the definition of ‘genetic resources’ in the CBD, as well as whether DSI in any case should fall under the ABS regime, and whether open access to DSI can be regarded as a sufficient form of benefit-sharing. Developing countries fear that the free access to and exchange of DSI will undermine the third objective of the CBD and thereby also their incentives to protect biodiversity. By contrast, developed countries fear that establishing barriers to the already well-established free access and exchange would undermine research and industrial development, to the detri-

ment of both the developed and the developing world.

This issue, and how it is resolved, is likely to have a significant impact on the outcome of the overall post-2020 biodiversity framework. Developing countries will hardly be willing to commit themselves to ambitious targets on biodiversity conservation if their concerns on DSI are not met in some way.

Against this backdrop, one developed country (Norway) and one developing country (South Africa) have entered into a strategic partnership on global dialogues on DSI as part of their bilateral cooperation. The initial dialogue meeting in South Africa in November 2019 provided 65 participants from 27 countries with the opportunity to discuss DSI in an informal context, outside of the formal process leading up to COP15 in China. Participants included policymakers, negotiators, practitioners, and experts familiar with DSI and related issues. All participants at the dialogue were regarded as speaking from their own perspectives, and not as representatives of a specific country or organization. Among other things, the meeting identified and discussed options for dealing with DSI.¹² One option discussed was the creation of a multilateral system for DSI on access and benefit sharing not based on bilateral transactions. The multilateral system that already exists under the International Treaty on Plant Genetic Resources for Food and Agriculture covers a category of genetic resources for which bilateral transactions are also very difficult to handle.¹³

Due to the Covid-19 situation, it has not been determined when the next dialogue meeting will take place.

¹¹ The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity. www.cbd.int/abs/

¹² Report of the First Global Dialogue on Digital Sequence Information on Genetic Resources, 6–8 November 2019, Pretoria, South Africa.

www.abs-initiative.info/fileadmin//media/Events/2019/6-8_November_2019_Pretoria_South_Africa/Report-First-Global-DSI-Dialogue-SouthAfrica-201911.pdf

¹³ www.fao.org/plant-treaty/en/

Tearing down the silos between the biodiversity and climate change regimes

Recent scientific assessments from the IPBES and the IPCC have documented how biodiversity loss and climate change are closely linked in several ways:

- Climate change is a major threat to biodiversity and adds to the other main threats. The IPCC estimates that a 2°C warmer world would be highly critical to the continued existence of many species – and far more critical than a temperature rise of ‘only’ 1.5°C.¹⁴
- Conversely, nature-based solutions may serve to both protect biodiversity and mitigate and adapt to climate change.
- Actions with quick gains for climate-change mitigation and adaptation, such as planting energy crops and fertilization of oceans, may have serious adverse effects on biodiversity.

These interlinkages require integrative and collaborative thinking at the international, national and local levels. However, as biodiversity and climate change concerns are often addressed in isolation from each other at all levels, opportunities for synergies and trade-offs may be missed. The fragmented structure of international environmental cooperation is not conducive to coordinated and mutually supportive efforts, consisting as it does of individual regimes, each with its own legal autonomy and interlocked institutions. Under the

biodiversity and climate change conventions, attempts from one to reach out to the other to promote coherence are often dismissed with the legal argument that the conventions must remain within their respective ‘mandates’.

However, there have been recent signs that the international climate change and biodiversity agendas may be moving closer together. During the 2019 UN General Assembly, the UN Secretary-General convened a Climate Action Summit at which ‘Unlocking the potential of nature in climate action’ received considerable attention as one of the main themes.¹⁵ In the ‘Beijing Call for Biodiversity Conservation and Climate Change’, French President Emmanuel Macron and Chinese President Xi Jinping issued a statement acknowledging that biodiversity loss and climate change are closely intertwined with the state of the oceans, forests and land degradation. The joint statement underlined the importance of sustainably managing tropical forests as carbon sinks and global biodiversity hotspots; the two countries are committed to working together on the link between climate change and biodiversity.¹⁶

As stressed by the two presidents, protecting the world’s forests is a particularly important win-win solution for biodiversity and climate. Also here, Norway has taken the global lead through its International Climate and Forest Initiative (NICFI), which supports efforts to reduce greenhouse gas emissions from deforestation and forest degradation in developing countries (REDD+). With its visible and proactive international profile in relation to both biodiversity and climate change, Norway is favourably positioned to promote the much-

¹⁴ Hoegh-Guldberg, O. et al. Impacts of 1.5°C Global Warming on Natural and Human Systems. In: Global Warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty. www.ipcc.ch/site/assets/uploads/sites/2/2019/06/SR15_Chapter3_Low_Res.pdf

¹⁵ United Nations (2019). Report of the Secretary-General on the 2019 Climate Action Summit and the Way Forward in 2020. www.un.org/en/climatechange/assets/pdf/cas_report_11_dec.pdf

¹⁶ Ministry for Europe and Foreign Affairs, France (2019) Beijing Call for Biodiversity Conservation and Climate Change (6 November 2019). www.diplomatie.gouv.fr/en/french-foreign-policy/climate-and-environment/news/article/beijing-call-for-biodiversity-conservation-and-climate-change-06-nov-19

needed closer relations and mutual supportiveness between the biodiversity and climate regimes.

COVID-19 as a game changer?

The COVID-19 crisis has deep roots in how humans interact with, manage and conserve biodiversity. Against this otherwise gloomy background, the current pandemic may foster greater awareness and a sense of urgency in relation to the biodiversity crisis. This disease and others that have emerged in recent decades, such as Ebola, AIDS, SARS, avian influenza and swine flu, all have their origin in animals. Habitat loss, such as forest destruction and degradation, brings wild animals, livestock and humans into closer contact with each other, facilitating the spread of diseases, including new strains of bacteria and viruses. Meanwhile, illegal and uncontrolled trade of live wild animals creates dangerous opportunities for contact between humans and the diseases these animals may carry.¹⁷

As yet, it is not clear if and to what extent the process towards the now-postponed COP15 will be reoriented to reflect the pandemic and nature conservation as a means to prevent the spread of diseases transmitted from wildlife. As the country of origin of the COVID-19 virus and host and president of the COP15, China would be an obvious candidate for exercising leadership in this regard. This could involve setting a positive example through reforming its own national wildlife management system, and, at the international level, pushing for ambitious new global goals and targets which also cover the prevention of animal-transmitted diseases.



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¹⁷ WWF (2020) The Loss of Nature and the Rise of Pandemics: Protecting Human and Planetary Health.
<https://wwf.eu.awsassets.panda.org/downloads>

[/the_loss_of_nature_and_rise_of_pandemics__protecting_human_and_planetary_health.pdf](#)