



PBL Netherlands Environmental  
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# ACCOUNTABILITY OF COMMITMENTS BY NON- STATE ACTORS IN THE CBD POST-2020 GLOBAL BIODIVERSITY FRAMEWORK

Policy Brief

PBL



# ACCOUNTABILITY OF COMMITMENTS BY NON- STATE ACTORS IN THE CBD POST-2020 GLOBAL BIODIVERSITY FRAMEWORK

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In collaboration with:



# Colophon

## **Accountability of commitments by non-state actors in the CBD post-2020**

### **Global Biodiversity Framework**

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# Summary

Global biodiversity governance has moved beyond the confines of the Convention on Biological Diversity (CBD). Recent studies identify thousands of cities, regions, companies, indigenous peoples, local communities, and other non-state actors taking action to halt and reverse biodiversity loss, often through collaborative initiatives. Steps have already been taken to strengthen the role of non-state biodiversity actors in the CBD post-2020 Global Biodiversity Framework (GBF). With a view to enhancing the role of non-state actors in the CBD, the COP presidencies Egypt and China, together with the CBD secretariat, launched the 'Sharm el-Sheikh to Kunming Action Agenda for Nature and People' at COP14 in 2018. The CBD's Open-ended Working Group (OEWG) that prepared the post-2020 GBF, in late February 2020, affirmed that a 'whole of society' approach plays an important role in the theory of change that underpins the GBF, in parallel with the 'whole of government' approach. The GBF starts from the premise that 'bending the curve of biodiversity loss' will require an unprecedented degree of collaboration and engagement, at all levels of society, including all stakeholders, non-governmental organisations, indigenous peoples, the private sector, youths, civil society, local and sub-national authorities, academia and scientific institutions.

## ***A credible 'whole of society' approach requires an effective accountability and transparency mechanism for non-state and sub-national actors***

Implementing a credible 'whole of society' approach under the forthcoming GBF will create opportunities and challenges. Involving actors beyond the Parties to the CBD risks shifting of responsibilities for halting and reversing biodiversity loss away from the established multilateral process. It also increases the risk of green washing and allowing unwanted special-interest influence on the intergovernmental process. Integrating non-state actors also provides opportunities to build support for intergovernmental processes from the bottom up, putting pressure on governments to take more ambitious action. It could also facilitate new partnerships and collaborations, enhance experimental approaches, and generate support amongst non-state actors to take on biodiversity commitments. In this report, we argue that aligning an accountability and transparency mechanism for non-state biodiversity action with the GBF's responsibility and transparency framework for Parties, could be conducive to harnessing the potential and avoiding the pitfalls of a 'whole of society' approach.

## ***Challenges for an accountability and transparency mechanism for non-state and sub-national actors***

Designing an accountability and transparency mechanism for non-state and sub-national biodiversity action is not without its challenges. First, there could be a trade-off between strict monitoring and reporting requirements and the number of non-state actors willing to voluntarily make commitments. It is difficult to raise the credibility of non-state biodiversity initiatives without demonstrating tangible results. At the same time, raising the

accountability bar could deter organisations from creating and joining initiatives. Hence, the pursuit of weeding out green washing by companies may have detrimental effects on breadth of engagement. Second, the question remains what non-state actions are delivering in terms of direct and indirect impacts and benefits for biodiversity. In the end, these efforts should contribute to conserving and restoring biodiversity and realising the new post-2020 goals and targets. But there is a large heterogeneity amongst the various types of actors and commitments, which makes it difficult to use a common yardstick to assess progress. Third, who should hold non-state actors accountable? The monitoring and reporting of non-state commitments should align with national reporting requirements and timelines under the post-2020 GBF to have maximum impact, but would be additional to reporting mechanisms for Parties. However, so far, it remains unclear who has the mandate, capacity and knowledge to monitor non-state actor actions, let alone hold them accountable.

#### ***Existing non-state monitoring and reporting systems offer potential for reviewing progress***

A potential review mechanism for non-state actors under the GBF would have an abundance of monitoring and reporting data from non-state actors to build on. The mapping of non-state biodiversity initiatives in this report demonstrates that most initiatives already have a monitoring framework in place, and that many also report on their activities. A fewer number of initiatives, primarily standards such as ecolabels, have verifications procedures in place. Accordingly, existing monitoring and reporting mechanisms demonstrate that there are large amounts of data already available in the public sphere on the thousands of biodiversity actions by non-state actors. Future recording of non-state biodiversity action must build on the existing data providers to avoid duplication and streamline accountability mechanisms. A key challenge, here, is to align the existing reporting with the GBF on future goals, targets and indicators with review mechanisms for state action. National governments should have an interest in using their engagement with non-state initiatives with their commitments under the GBF, to ensure that these initiatives engage with the CBD commitment and review process.

#### ***Options for complementing the responsibility and transparency mechanism of the GBF with an accountability mechanism for non-state actors***

This policy brief argues that there are four ways in which the review mechanisms of the CBD and non-state biodiversity action can be aligned to complement each other.

- Aligning national and non-state actor commitments:
  - Ensuring that non-state commitments are in line with the GBF, such as via a ‘science-based targets’ approach using a consistent set of indicators that accounts for the various possible contributions by non-state actors;
  - Developing a close connection between stakeholders and relevant national agencies when developing National Biodiversity Strategies and Action Plans (NBSAPs) to foster a ‘whole of society’ approach; and,
  - Building a robust publicly available international platform for recording non-state commitments.

- Aligning national reporting with that on non-state actor commitments:
  - Following a carefully crafted approach to avoid reporting fatigue and information overload; for instance, by following company reporting requirements set by law, such as the EU’s reporting directive or voluntary reporting standards developed by GRI or CDP.
  - Developing national inventories of non-state biodiversity action that support domestic biodiversity goals and to show-case such action in national reports. Such inventories could also feed the CBD Action Agenda for Nature and People and similar platforms related to the Sustainable Development Goals and the Global Climate Action Agenda.
- Aligning country-by-country review processes and review of non-state actor commitments:
  - Bringing in non-state actors into the review process could strengthen the ‘whole of society’ approach, sharing experiences and highlighting possible collaborations.
  - Showcasing how non-state actors can provide governance functions such as new standards and commitments, knowledge gathering and sharing, and financing, to achieve national and global biodiversity goals.
  - Insert experiences on ‘whole of society’ approaches in countries and international initiatives into joint learning processes in the Subsidiary Body on Implementation (SBI).
- Aligning non-state actions with the global analytical review processes:
  - Developing a collaborative ‘data and analytics’ community to collect, analyse and publish all non-state biodiversity action. Involving current data gatherers on biodiversity action by non-state actors could create a powerful way forward.
  - Ensuring aggregation of data for non-state biodiversity action by publishing periodic ‘gap analysis’ reports, estimating the gap between current biodiversity action and the CBD goals using a shared set of indicators, similar to those carried out for climate change and the UNFCCC.
  - Publishing an annual ‘Yearbook of Biodiversity Action’ that gathers, analyses and presents the reported progress regarding the Action Agenda for Nature and People.

The success of the ‘whole of society’ approach rests on a critical mass of cities, regions, companies, investors, civil society organisations, local communities and other non-state actors taking action to contribute to restoring nature and support the CBD’s goals. Credible action that delivers results can, in turn, instil confidence amongst governments to set bolder national goals, targets and policies in their NBSAPs. Boosting the credibility of non-state action by enhancing accountability and transparency is therefore crucial, to achieve the goals under the GBF.



# 1 Introduction

Global biodiversity governance has moved beyond the confines of the Convention on Biological Diversity (CBD). Recent studies identify thousands of cities, regions, companies, indigenous peoples, local communities, and other non-state actors taking action to halt and reverse biodiversity loss, often through collaborative initiatives (Curet and Puydarrieux, 2020; Negacz et al., 2020; Pattberg et al., 2019). Aligning non-state biodiversity action with the post-2020 Global Biodiversity Framework (GBF) could unleash the potential of non-state actors to support the goals of the CBD by creating a political momentum around ambitious policies and initiatives to halt and reverse biodiversity loss.

## 1.1 The ‘whole of society’ approach

Steps have already been taken to strengthen the role of non-state biodiversity actors in the run up to the agreement within the CBD on the post-2020 strategic plan for biodiversity. With a view to enhancing the role of non-state actors in the CBD, the COP presidencies Egypt and China, together with the CBD secretariat, launched the ‘Sharm el-Sheikh to Kunming Action Agenda for Nature and People’ at COP14 in 2018. The Action Agenda is a voluntary commitment platform, hosted by the CBD secretariat, which aims to raise public awareness and support for an ambitious post-2020 agreement, building on the existing and growing momentum for biodiversity positive action in society; to create support for a strong post-2020 agreement at COP15; and galvanise urgent action from a broad base of non-state actors in support of the implementation of the post-2020 GBF (Kok et al., 2019). Political support amongst Parties for the Action Agenda has varied during the negotiations on the GBF, but during the second meeting of the CBD’s Open-ended Working Group on the GBF (OEWG) in Rome in late February 2020, delegates affirmed that a ‘whole of society’ approach plays an important role in the theory-of-change underpinning the GBF, in parallel with the ‘whole of government’ approach which emphasises that biodiversity policy requires involvement of all relevant parts of governments (IISD, 2020).

The ‘whole of society’ approach, which by now has a central position in the First Draft of the GBF (CBD, 2021), starts from the premise that ‘bending the curve of biodiversity loss’ will require an unprecedented degree of collaboration and engagement at all levels of society, including all relevant stakeholders, non-governmental organisations, the private sector, youth, civil society, local and sub-national authorities, academia and scientific institutions. Biodiversity action by non-state actors signals willingness and support for ambitious national goals and action, it provides spaces for innovation and experimentation, and it supports the normative change needed to achieve the CBD’s 2050 Vision of living in Harmony with nature.

A key challenge for operationalising the ‘whole of society’ approach in the GBF is credibility of non-state biodiversity action. Parties, observers and researchers are well-aware that previous attempts to include non-Party actors and initiatives in implementing international environmental agreements have at best had mixed results, heightening the fear of greenwashing and bluewashing (Pattberg et al., 2019; Kok et al., 2019; Chan, 2019). For instance, out of 340 multistakeholder partnerships launched during the World Summit on Sustainable Development in 2002, around 40% never produced any tangible output (Pattberg and Widerberg, 2016). If non-state actors are to be integrated into the CBD process, Parties and observers need to be able to trust that they contribute to biodiversity goals, raising the need for adequate accountability mechanisms. Such accountability mechanism for non-state actors cannot be seen independently, and should indeed be complementary to the post-2020 GBF ‘responsibility and transparency mechanism’ for Parties that is still under negotiation (Kok and Ludwig, 2021; Rankovic and Landry, 2021).

In this policy brief, we address accountability concerns in the design of planning, monitoring, reporting and review mechanisms that serve the responsibility and transparency aspects of the post-2020 GBF (CBD, 2020), and propose concrete measures for building an accountability regime that includes non-state actors to shape a ‘whole of society’ accountability regime that complements the responsibility and accountability mechanism for Parties in the GBF.

## 1.2 Accountability of non-state actors in the CBD post-2020 framework

The First Draft of the post-2020 global biodiversity framework from July 2021 suggests that an ‘enhanced multidimensional approach to planning, monitoring, reporting and review’ is needed and the framework’s theory of change assumes that ‘progress is monitored in a transparent and accountable manner’ (CBD/WG2020/3/3). Yet, despite the potential for increased transparency to facilitate learning and/or build pressure amongst countries to improve implementation, political willingness for transparency mechanisms in the CBD has so far been lacking. However, an increasing number of countries seem to agree on the need to include an effective accountability mechanism at in the post-2020 GBF (IISD, 2020).

Accountability is relevant both in a ‘whole of government’ and a ‘whole of society’ approach (Bulkeley et al., 2021). With a view to strengthening the implementation of the Convention and in response to a request of COP14, the CBD secretariat developed options to enhance review mechanisms. Document CBD/SBI/3/11 (CBD, 2020) provides options for strengthening the global review of the implementation of the CBD and the post-2020 GBF on the basis of national reporting and review processes, as well as relevant global reporting and monitoring. The options mainly focus on an accountability mechanism for Parties. However, the document also recognises the importance of including the monitoring, transparent reporting and review of voluntary commitments of non-state actors. At the

SBI-3 on-line meetings in June 2021 Parties discussed these options, but were not able to come to an agreement.

Designing an accountability mechanism for non-state biodiversity action is not without its challenges. First, there might be a trade-off between strict monitoring and reporting requirements and the number of non-state actors willing to voluntarily make commitments. Accountability is here a double-edged sword, it is difficult to raise the credibility of non-state biodiversity initiatives without demonstrating tangible results. At the same time, raising the accountability bar (e.g. by standardised and regular reporting to the CBD or other 'clearing houses' for information about non-state biodiversity initiatives) could deter organisations from creating and joining initiatives in the first place. Hence, the pursuit of weeding out green washing by companies might have detrimental effects on breadth of engagement.

Second, while demonstrating a large number of non-state actors taking action for biodiversity is an attractive concept as it might indicate how sectors of society attribute importance to halting and reversing biodiversity loss, the question remains what these actions are delivering in terms of direct and indirect impacts and benefits for biodiversity. In the end, these efforts should contribute to conserving and restoring biodiversity and realising the new post-2020 goals and targets. But there is a large heterogeneity amongst the various types of actors and commitments, which makes it difficult to use a single yardstick to assess progress. One of the lessons from the climate regime, and increasingly being experimented with in the SDG and Oceans agenda, is that mechanisms to follow up and review non-state commitments need to be created to see if these commitments make meaningful contribution to the realisation of goals or targets. For example, initiatives involving non-state actors engage in a wide array of governance functions such as target-setting (e.g. science-based targets) and developing standards (e.g. voluntary certification of agro-commodities), private finance, knowledge gathering and dissemination, and operations on the ground.

Third, who should hold non-state actors accountable? The monitoring and reporting of non-state commitments should align with national reporting requirements and timelines under the post-2020 GBF to have maximum impact, but would be additional to reporting mechanisms for Parties. However, it so far remains unclear who has the mandate, capacity and knowledge to monitor non-state actor actions, let alone hold them accountable. The draft SBI recommendation on this topic (CBD/SBI/3/CRP.5) reads [A mechanism for recording, in a standardised way, additional [voluntary] nonstate actor commitments that contribute to the global biodiversity framework to be included in the Sharm El-Sheikh to Kunming Action Agenda for Nature and People]. The analysis in this policy brief shows that, amongst non-state actors, already multiple reporting and review mechanisms are emerging on which also the CBD process could build in holding non-state actors accountable.

These challenges should be considered when designing an accountability framework for non-state actors that aligns with, and complements the responsibility and transparency mechanism for Parties under the post-2020 GBF. This will be recurring topics throughout this policy brief.

## 1.3 Structure

This policy brief aims to discuss accountability for non-state biodiversity action within the broader accountability framework for the post-2020 GBF. Our objective is to provide options for including non-state actors in the emerging responsibility and transparency mechanism of the post-2020 GBF. The policy brief is structured as follows. First, it further explains the background to the ‘whole of society approach’ and non-state action and the ongoing discussions regarding accountability under the post-2020 GBF. Second, it provides an overview of current state of play in terms of existing monitoring, reporting and verification frameworks for non-state biodiversity action. Third, the brief discusses the building blocks for creating an accountability framework for non-state actors. The final section summarises the report and provides recommendations.

## 2 State of play on transparency and accountability for a ‘whole of society’ approach

This chapter elaborates on the ‘whole of society’ approach and discusses the current state of play in the negotiations on the CBD post-2020 framework with regards to transparency and accountability.

### 2.1 The ‘whole of society’ approach for living in harmony with nature

The theory of change for the post-2020 GBF calls for urgent policy action globally, regionally, and nationally in order to transform economic, social, and financial models to restore nature. It assumes a ‘whole of government’ and a ‘whole of society’ approach to realise the necessary changes. The ‘whole of government’ approach means that various parts of national governments, including ministries, agencies, and other parts of the state apparatus, streamline their practices toward a common goal and reduce the risk of counteracting activities. By extending the scope from ‘whole of government’ to ‘whole of society’, proponents suggest that biodiversity action must move beyond national governments to include all relevant stakeholders, non-governmental organisations, the private sector, youth, civil society, local and sub-national authorities, academia and scientific institutions.

The ‘whole of society’ has become the overarching term that captures the discussion on the involvement of non-state actors (see CBD/WG2020/3/3). The GBF’s theory of change argues that the wide-ranging changes that are needed to reach the CBD’s 2050 Vision of living in Harmony with nature — which states that ‘By 2050, biodiversity is valued, conserved, restored and wisely used, maintaining ecosystem services, sustaining a healthy planet and delivering benefits essential for all people’ — will require an unprecedented degree of collaboration and social engagement.

A ‘whole of society’ approach can only be realised through inclusive and representative multi-stakeholder and multisectoral platforms, within and across countries. The ‘Sharm el-Sheikh to Kunming Action Agenda for Nature and People’ is a voluntary commitment platform, hosted by the CBD secretariat, which aims to raise public awareness, building on the existing and growing momentum, of urgent action from a broad base of non-state actors in support of an ambitious post-2020 GBF and its further implementation. It is a way to mobilise voluntary commitments by non-state actors and is expected to contribute to biodiversity governance by (Kok et al., 2019):

- engaging more and more diverse actors in halting and reversing biodiversity loss;
- provide a platform to showcase ongoing non-state biodiversity action;
- mainstreaming biodiversity into relevant economic sectors and across society;
- building a positive momentum around global biodiversity conservation in the run-up to COP15;
- building confidence for governments to adopt more ambitious biodiversity goals at COP15, knowing that non-state actors support stronger action;
- fostering innovative and experimental partnerships and initiatives breaking gridlocks; and,
- providing governance functions that complement public policies, such as new standards and commitments, funding, creating and disseminating information, and executing projects on the ground.

The Action Agenda is open for new commitments and building up a database of non-state biodiversity action. For the commitments to feed into the CBDs policy process they need to be linked to the overall review framework envisaged under the post-2020 GBF which is currently under discussion and will be described in the next section. This first of all will require a full recognition of the possible contributions of non-state action in the GBF itself as well in its further implementation.

## 2.2 Options for planning, monitoring, reporting and review process being discussed in CBD

The CBD has over time developed a ‘multidimensional review approach’ (CBD decision 14/29).<sup>1</sup> The primary global planning instruments under the Convention have been the global biodiversity frameworks adopted by the Conference of the Parties. At the national level, national biodiversity strategies and action plans (NBSAPs) have been the main planning tool for national implementation of the global frameworks adopted under the Convention. NBSAPs take various forms, and their scope and focus vary with national circumstances and priorities, as does the degree to which they are aligned with global frameworks. At the global level, reviews of implementation of the Convention and its frameworks in NBSAPs are primarily being conducted by the CBD secretariat. At the national level, the main mechanism for reviewing and reporting on implementation of the

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<sup>1</sup> <https://www.cbd.int/doc/c/3572/oba5/oc4173a13cfoe7bo4of7e6e2/sbi-03-11-en.pdf>

Convention has been the national reports to the Convention and its Protocols. The information from the national reports often provides the basis for the global assessments and reviews. So far, a strong transparency and accountability mechanism has been lacking in the CBD.

Options to enhance planning, monitoring, reporting and review mechanisms to strengthen the implementation of the convention have been presented in document CBD/SBI/3/11. The remainder of this section provides a summary of that document and it has to be noted that these options are still under negotiation. In general, consultations for the GBF noted the need to strengthen responsibility and transparency mechanisms in biodiversity governance at the national and global levels, including the ability to conduct high quality, timely global analysis, tracking and assessment of progress, the value of harmonised national reporting and the need to promote experience sharing. Specific to the topic of this policy brief, the document notes that next to a range of government entities, sub-national and local governments, representatives of indigenous peoples and local communities and of women and youth, civil society as well the academic and research sector and the private sector should all be involved in the planning, implementation, reporting and review processes at all scales.

The document provides a proposal for enhancing the multidimensional review approach of the Convention. The proposed mechanism aims to do this by providing enhanced transparency and responsibility for implementation; providing a means for identifying and addressing gaps in both commitments and implementation; and by strengthening and enhancing the capacity and information-sharing throughout the implementation process.

The proposal is composed of the following elements:

- a. National commitments and commitments of non-state actors, indigenous peoples and local communities and stakeholders;
- b. National reporting;
- c. A country-by-country review process under the Subsidiary Body on Implementation;
- d. Global analytical review.

With respect to *(a) national commitments and commitments of non-state actors*, following the adoption of the post-2020 global biodiversity framework, all Parties would be required to submit national commitments as national contributions towards the global goals and targets. These commitments should state each Party's contribution to the attainment of the global goals and targets and be coupled with effective national biodiversity planning processes for implementing them. Commitments will be due within one year of the adoption of the post-2020 global biodiversity framework. Commitments may be updated in the light of a 'gap report' (see below) in 2023 and following the mid-term review of the post-2020 global biodiversity framework in 2025. The strength of this arrangement is that it requires swift political commitment by Parties immediately following the adoption of the post-2020 global biodiversity framework, while providing flexibility in the timetable and structure of national planning, including the updating of NBSAPs. Commitments of

non-state actors, indigenous peoples and local communities, and stakeholders would continue to be submitted on a voluntary basis using a standardised procedure. A standardised format for commitments will continue to be developed, building upon the Sharm El-Sheikh to Kunming Action Agenda for Nature and People, in order to facilitate aggregation of the submissions. A registry of commitments of non-state actors, indigenous peoples and local communities and stakeholders will continue to be maintained. The commitments of non-state actors could also be reflected in Parties' national commitments, at the discretion of each Party.

Regarding national planning, while not directly part of the process for reviewing implementation of the post-2020 global biodiversity framework, national biodiversity planning process, such as NBSAPs, are an important part of the policy cycle. Reporting processes at both global and national levels needs to be connected to national planning processes so that they can take into account new information and lessons learned. NBSAPs remain to be regarded as the main vehicle for national biodiversity planning and implementation. NBSAPs should continue to aim to provide a whole-of-government approach to the implementation of the Convention. They should help to increase commitment and political support for implementation, including those related to national development plans and the 2030 Agenda for Sustainable Development. Further, in order to maximise the effectiveness and relevance of national biodiversity planning processes, a broad range of national stakeholders, including representation from a range of government entities, local level government, indigenous peoples and local communities, women and youth, and the private sector, should be involved.

National reports will continue to be the *(b) main reporting* and review mechanism under the Convention and the Protocols. The national reports will be used to gather and assess national information on the implementation of the post-2020 global biodiversity framework (through the NBSAPs), associated national commitments and the implementation of the Convention more generally, in a standardised way. Global assessments of progress in implementation would be based on the information contained in the national reports, including information related to globally agreed indicators and other relevant tools and approaches. Reporting templates for the seventh national report and subsequent reports will have standardised sections relating to the monitoring framework for the post-2020 global biodiversity framework which will allow for a global aggregation of progress. The use of a set of agreed headline indicators is proposed as a mandatory component of national reports. The reporting templates will also be simplified to the extent possible and, where feasible, pre-filled with information drawn from existing databases to be amended or validated by the Parties. Non-state actors, indigenous peoples and local communities, civil society and the private sector would also be encouraged to report on the actions taken to implement the framework, the successes achieved, and the challenges encountered and where possible, these actors should be encouraged to contribute inputs to national reports submitted by Parties.



With respect to (c) *country-by-country Party-led review process* under the Subsidiary Body on Implementation, as part of the Convention's multidimensional review approach, there would be opportunities for in-depth consideration of the success of each country in implementing the Convention as well of the challenges they have encountered. This would enable countries to share experiences and lessons learned. These country-by-country reviews could take several forms, including policy forums or party-led reviews. Such an approach would provide an opportunity for dialogue amongst Parties on their implementation successes and challenges, while ensuring that the results feed into deliberations at meetings of the Subsidiary Body on Implementation and of the Conference of the Parties and, as appropriate, meetings of the Parties to the Protocols. In this way, an explicit link from country-by-country review to means of implementation would be established.

To further facilitate the work of the Conference of the Parties in reviewing progress globally, there is a need for high-quality, near real-time information and actionable analysis. This (d) *global analytical review*, should draw on the information generated through the processes above but also take into account information provided through other forums. The specific timing, format, scope and modalities for these analyses would need to be determined in parallel with discussions on the work programmes of the future meetings of the Conference of the Parties. The following types of analysis are proposed as part of the global review process:

- a. The development of a biodiversity monitoring information system that functions as a near real-time, dynamic monitoring platform for continuously keeping biodiversity under review. It would leverage geospatial and indicator data in a visual, explorable system that is aligned with the indicators agreed as part of the monitoring framework for the post-2020 global biodiversity framework. It would also facilitate tracking of national commitments, national reports and scientific and knowledge management products;
- b. An analysis of national commitments in relation to the aspirations set out in the post-2020 global biodiversity framework. Such a gap analysis would utilise data, scientific information and predictive models and scenarios to assess the cumulative impact of national commitments against the ambition of the global goals and targets in order to identify and recommend action to facilitate the achievement of the post-2020 global biodiversity framework. The gap analysis would compile all the national commitments and use modelling techniques to compare the predicted impact of commitments to the goals of the post-2020 framework to assess whether the level of ambition is commensurate with the ambition of the framework. This would facilitate the provisioning of recommendations for ratcheting up commitments where needed;
- c. A global stocktake of implementation as an evolution of the Global Biodiversity Outlook. The global stocktake would review:
  - i. National and other commitments;
  - ii. National reports;
  - iii. Information in the biodiversity monitoring information system, including scientific assessments and scenarios;

- iv. Linkages and recommendations related to broader processes and information, including those related to sustainable development and the other biodiversity-related and Rio conventions;
- v. Progress on the enhancement of means of implementation (capacity-building, technical and scientific cooperation, and resource mobilisation); (vi) Implementation of decisions of the Conference of the Parties based on analysis of data provided in the decision tracking tool.

Aligning the review mechanisms for national governments and non-state actors is crucial for ensuring maximum impact of the latter on the former. It also provide common stock taking points, making it possible to assess the influence of one on the other and to identify follow up actions for Parties and non-state actors after this stocktake has taken place (to ratchet up ambitions if goals are not met). Before venturing into options for aligning the review process under the post-2020 GBF and accountability processes of the non-state biodiversity actions, addressing the challenges identified in the introduction and with a view to avoid reinventing the wheel, it is important to review to what extent accountability mechanisms for non-state biodiversity are already in place. The next chapter provides an overview of the MRV practices that are already in place for non-state biodiversity action.

# 3 Existing transparency and accountability mechanisms in international collaborative initiatives for biodiversity

Aligning accountability mechanisms of non-state biodiversity action with the GBF should draw as much as possible on existing initiatives, in particular in terms of reviewing progress towards the CBD goals. This section demonstrates that a review mechanism for non-state biodiversity action does not have to start from scratch. It maps the current state of play of accountability mechanisms that, here, are understood as monitoring, reporting and verification (MRV) procedures. These procedures focus on cooperative initiatives amongst non-state actors, sometimes in collaboration with national governments, from at least two countries.<sup>2</sup> The mapping demonstrates how any future planning, monitoring, review and verification procedures for non-state biodiversity action under the GBF should harness and learn from existing data and information providers. The analysis is based on 99 initiatives — primarily comprising public and not-for-profit entities — working directly on biodiversity (meaning they have the word ‘biodiversity’ in their mission statement)<sup>3</sup> and that were active by January 2020.<sup>4</sup> The definition of ‘non-state actors’ is interpreted broadly

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<sup>2</sup> The chapter is based on a report by Negacz, K. et al. (2020) Monitoring, reporting and verification of international cooperative initiatives for biodiversity: Mapping international cooperative initiatives for biodiversity. IVM Report R20/04.

<sup>3</sup> The data set is by no means representative for all possible cases of initiatives, but we believe they provide a good illustrative overview of how many initiatives have MRV procedures in place.

<sup>4</sup> For a detailed description of the data-collection methodology, please see Negacz, K. et al. (2020) or Annex 1 for a short summary.

to also include local and regional governments as well as hybrid multi-stakeholder initiatives. The broader understanding is a function of the challenge to strictly distinguish between non-state and state actors. It also illustrates the complex web of public, private and hybrid initiatives that are currently active and that needs to be accommodated in any future review mechanism.

### 3.1 MRV mechanisms abound but are not robust

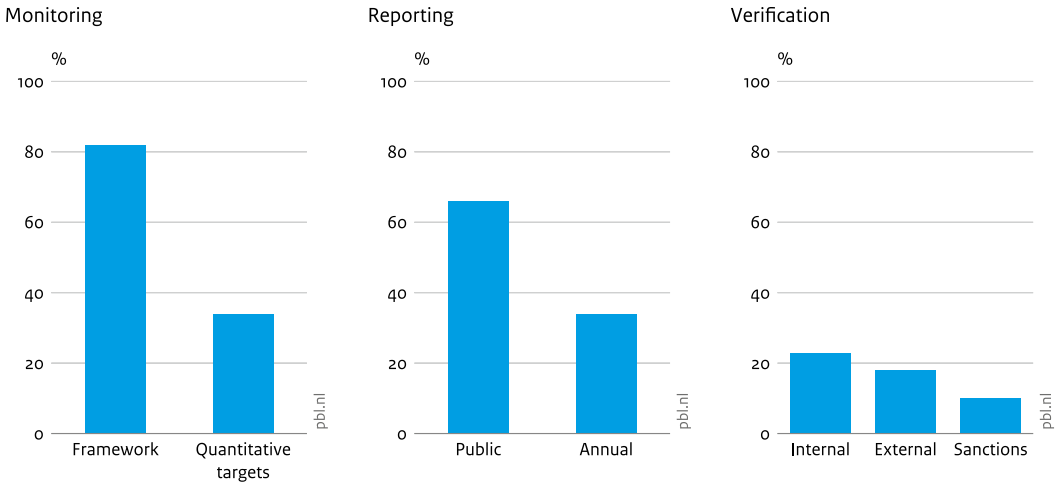
Figure 1 summarises the extent to which monitoring, reporting and verification takes place in the 99 initiatives analysed. Of these 99 initiatives, 81% have a system to monitor their performance. However, the stringency and preciseness between the monitoring frameworks differs widely, as only 35% have quantitative targets. While quantitative targets are not, by themselves, guarantors for successful implementation of the initiatives' goals, they allow for a better understanding of whether objectives are achieved, compared to more qualitative and often vague targets, i.e. increasing the possibility to hold actors accountable for their actions.

Looking at reporting, most of the initiatives (66%) publicly present their performance results in reports. This matters, since any review mechanism must rely on information coming from the initiatives themselves. However, only 34% conduct annual reporting. Hence, while there seems to be reporting mechanisms in place for most of the initiatives, these are often only applied irregularly. A future review mechanism, therefore, must ensure that more initiatives publish performance reports, and that, in particular, the frequency of reporting increases. Performance of the initiatives is verified in less than 25% of the cases. 23% performs the verification themselves and 18% have a third party, in the form of an independent body or consultant checking their performance. It thus seems that the quality of the data and independence of the reporting are difficult to assess in the vast majority of cases in the sample of initiatives.

Finally, the mapping finds that sanctions are applied in 10% of the initiatives, should there be cases of 'non-compliance' with the voluntary commitments. While sanctions are not strictly part of MRV schemes, the data suggest that, even if actors are not adhering to the goals of the initiative, there is only a small chance that they will face consequences from the initiative itself.

Figure 1

**Monitoring, Reporting and Verification in international collaborative initiatives, 2019**



Source: IVM/PBL BioSTAR database, data collection up to June 2019 (99 initiatives)

A more fine-grained analysis of breaking down the numbers according to the types of governance functions<sup>5</sup> they perform, as summarised in Figure 2 (e.g. standard-setting and commitments, financing or information and networking), demonstrates substantial variation amongst the various types of initiatives. For example, almost all financing initiatives (near 90%) have monitoring frameworks (e.g. GEF Small Grants Programme). Quantitative targets are mostly used also by financing initiatives (54%), followed by those working with standards and commitments (48%), such as the CBD Global Strategy for Plant Conservation. Regardless of their function, between 60% and 70% of initiatives make their reports publicly available, but only between 30% and 38% do so annually. Internal and external verification is especially high for standards and commitments initiatives (e.g. Programme for the Endorsement of Forest Certification) with scores of 52% and 44%, respectively. It is less seen amongst operational, informational and networking initiatives, with only 4% to 9% conducting the verification, which also scores lower in target setting.

<sup>5</sup> In line with Widerberg, Pattberg, and Kristensen (2016), we distinguish between four types of functions: ‘standards and commitments’ use functions such as rulemaking and implementation, mandatory compliance, standards for measurement and disclosure of activities, certification schemes and voluntary and private standards and commitments. ‘Operational’ initiatives employ, for example, technology research and development, pilot project implementation, demonstration and deployment of activities, skills enhancement, and best practice dissemination. ‘Financing’ initiatives primarily finance operational activities. Finally, ‘information-sharing and networking’ (information and networking) initiatives provide technical consulting, training, and information services to build capacity, share knowledge, and support local government.

**Figure 2**  
**Monitoring, Reporting and Verification in international collaborative initiatives, per governance function, 2019**

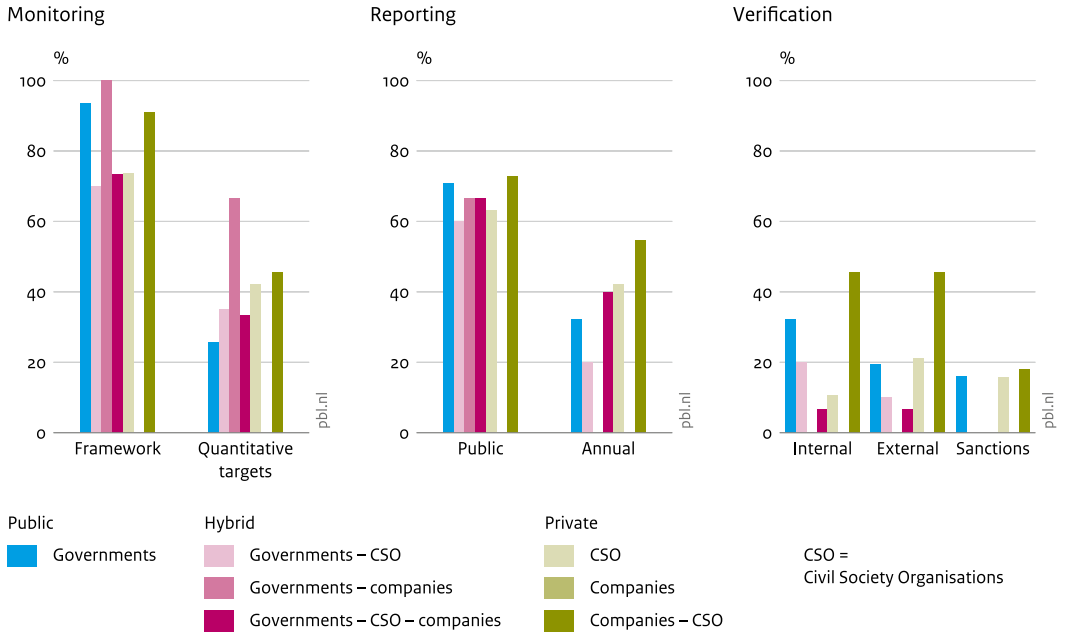


Source: IVM/PBL BioSTAR database, data collection up to June 2019 (99 initiatives)

Finally, sanctions are used by 28% of standards and commitments initiatives (e.g. International Tropical Timber Organization) and by less than 8% of other initiatives.

In sum, the analysis finds that there are mechanisms already in place to monitor non-state biodiversity action in initiatives. The quality of the mechanisms in terms of stringency and robustness, however, requires attention as most initiatives have qualitative targets with irregular reporting and weak verification procedures. Depending on the function of an initiative, it seems to be more or less likely to have a robust MRV framework. Whereas initiatives engaging in ‘financing’ or ‘standard and commitments’ activities are more likely to have robust frameworks, initiatives having ‘information and networking’ and ‘operational’ functions are less likely to have robust procedures. Finally, ‘sanctions’ are, by far, the most popular amongst initiatives with ‘standard and commitments’ activities, likely because many of them engage in labelling.

**Figure 3**  
**Monitoring, Reporting and Verification in international collaborative initiatives, per governance zone, 2019**



Source: IVM/PBL BioSTAR database, data collection up to June 2019 (99 initiatives)

### 3.2 Membership constellation matters

Another interesting finding is that the robustness of the MRV procedures seems to be correlated with the type of actor leading the initiative.

Almost all initiatives led by governments (more than 90%) and all initiatives that are a cooperation between government and company (100%) monitor their performance. Also quantitative targets are most often adopted by government–company initiatives (65%), such as IUCN SOS Save Our Species. The initiatives with governmental actors involved score similarly regarding the public availability of their reports. Initiatives led by governments also have a relatively high internal verification rate (32%); some of them include external verification mechanisms (19%) or sanctions (16%).

A majority of the initiatives led by private entities and/or civil society organisations (CSO) (74% of CSO initiatives and 91% company–CSO collaborations) have monitoring systems in place. More than 40% of them track quantitative targets as well. 73% of Company–CSO initiatives and 63% of CSO initiatives publishes their reports, with more than 50% and 40%

reporting annually, respectively. Internal and external verification is especially high for company–CSO initiatives (45%) such as Nespresso AAA Sustainability Quality — The Positive Cup. Finally, also sanctions are included most often by company–CSO initiatives (18%), such as International Sustainability and Carbon Certification (see Figure 3).

The results are perhaps not surprising as monitoring may be especially important for governments and companies which are held accountable by voters and customers. Companies using eco-labels for the products, for instance, are often required to undergo various types of monitoring, reporting and verification to prove their credibility. Moreover, companies and CSOs lead in reporting and verification which is often required by law (in business for stock-listed companies only) and by members (non-governmental organisations).

### 3.3 The MRV landscape: A motley crew of mechanisms

The analysis in this chapter demonstrates that a potential review mechanism for non-state actors under the GBF would have an abundance of monitoring and reporting data to build on. A majority of cooperative initiatives, engaging thousands of individual actors, are doing some kind of reporting and thus some kind of monitoring. The robustness of the data, reporting, monitoring and verification mechanisms varies greatly however, and a minority of initiatives have quantitative targets, annual reporting, and third-party verification. Initiatives where governments are involved tend to score better and have more robust MRV procedures. Consequently, there is ample opportunity to use existing data to build a review framework on. However, aligning variable selection, consistency with the post-2020 targets and indicators, measuring methods and analysis, remains a challenge.

Aligning the data flows and analysis from the non-state actors with the GBF requires adjustments to both content and timing. Regarding content, a central challenge is to create simple reporting frameworks that generate comparable data points. Hence, the GBF's reporting and review framework should take existing non-state data sources into account if it wants to harness their potential and vice-versa, non-state actors should be able to communicate how they contribute to the global goals in a clear and consistent way. The level of aggregation is also a point of concern. The mapping in this chapter shows that there are reporting mechanisms in place for various initiatives and their individual members. While this data may be conducive to understanding the individual actions, the data may be less suitable for aggregation, both in terms of how much the individual actions generate collectively, and to assess whether actions by non-state actors in the initiatives contributes to the global biodiversity goals. Regarding timing, the GBF's review may contain both an *ex post* and an *ex ante* element, depending on how the stocktake and ratcheting mechanism plays out. The *ex post* element is part of the global stocktake, evaluates the level of achievement vis a vis the current goals and in case of an implementation gap results in additional actions to achieve the goals; the *ex ante* element feed into the expected improvements in the National Biodiversity Action Plans and action plans by other



stakeholders over time, to ensure that ambition levels increase (see also van Asselt (2016), for a similar discussion on climate governance).

The analysis in this chapter demonstrates that national governments should have an interest in aligning their engagement in initiatives (sometimes, the term ‘non-state’ masks the involvement of public actors in multistakeholder collaborations) with their commitments under the GBF. As we discuss in the next section, there are several ways of aligning the GBF process with non-state biodiversity action.

#### Text box 1 Other data collection efforts

The analysis in this chapter builds on a sub-set of collaborative initiatives from the Bio\* project. There are, however, other initiatives that have experience with collecting data on biodiversity action by non-state actors. An early example is the VCA Registry. In the VCA Registry, individual, communities, and companies register their efforts to set up Voluntary Conservation Areas (VCA). VCA's are marine or terrestrial geographically defined areas which are managed towards conservation and listed in the registry. Members to the platform are nudged to submit conservation management plans, subjects itself to audits and provide updates on progress. To date, nearly 35 VCAs have been registered on the VCA Registry homepage. According to their website, because of lack of funding, the VCA registry is currently on hold (situation September, 2021). Lessons from the VCA are used in developing a platform for ‘area-based conservation efforts by non-state actors’ in support of the CBD Action Agenda. This is done by the UNEP World Conservation Monitoring Centre (UNEP-WCMC).

There are also other initiatives that collect and disclose biodiversity information that could be inform the global review of progress on biodiversity action from non-state actors.

**CDP — The Carbon Disclosure Project** has primarily become known for its collection of corporate data on climate change from thousands of companies. Beyond climate data, however, the CDP also collect information from companies on water and forests, registering the commitments and actions based on answers in self-reported questionnaires. In their 2020 Global Water Report, the CDP presents data from nearly 3,000 companies that has disclosed their water risks, impacts and associated responses and strategies via the annual water security questionnaire (CDP, 2020). For the CDP's global forest report, nearly 700 companies disclosed their strategies and actions for addressing deforestation in supply chains and operations.

**GRI — The Global Reporting Initiative** is amongst the world’s leading standard-setting organisations for sustainability reporting. Their standards are used by some 10,000 companies. GRI standard 304 pertains to biodiversity and is used by some 2,000 companies. The standard requires companies to report on biodiversity-related strategies and actions, impacts and operations. This standard will be revised in 2022 and aligned with the post-2020 GBF to the extent possible.

The challenge for the CBD in the coming years will be to organise that information from organisations such as CDP and GRI is aligned with the post-2020 targets of the CBD and that this information is collected and aggregated to support global stocktake. Also new coalitions such ‘Business for Nature’ and ‘Cities with Nature’ could play a role here.

# 4 A credible ‘whole of society’ approach

A ‘whole of society’ approach needs transparency and accountability to be credible. Transparency is created by recording and monitoring non-state actor commitments, and publishing the results and ultimately the achieved impacts. Accountability is exercised by stakeholders accessing, analysing and judging the results. Credibility is ensured when there is transparency and accountability about strategies, actions, commitments, execution and impacts that can foster trust between the non-state actors and their stakeholders, including Parties to the CBD. The coming section discusses how to build a transparent, accountable and credible ‘whole of society’ approach in the GBF, starting with lessons learned from other multilateral processes in climate change and ocean governance.

## 4.1 Insights from other multilateral processes

Mechanisms for integrating non-state actors in multilateral regimes already exist in global climate change governance, notably the UNFCCC, and to a lesser extent, in global ocean governance. Here we discuss how climate change and ocean governance may contain lessons in terms of accountability and transparency for the GBF.

### 4.1.1 Global climate governance

Non-state climate action under the UNFCCC shares many features with the current discussions under the GBF. Similar to the Sharm El-Sheikh to Kunming Action Agenda for Nature and People, the French and Peruvian presidencies launched the Lima–Paris Action Agenda (LPAA) in the run up to UNFCCC’s COP21 in 2014 to garner support from non-state actor and build momentum for an ambitious climate agreement. The LPAA’s first priority was to attract as many commitments and initiatives as possible from cities, regions, companies, investors and other non-Party actors. While high-level criteria were present to become an LPAA initiative, the focus was on quantity rather than quality of commitments.

Momentum and pressure on governments to agree on ambitious action in COP21 were supposed to grow by ‘letting all flowers bloom’. Accountability mechanisms, such as streamlined monitoring, reporting or verification procedures, were expected to come later, if at all. Over time, the need for accountability and transparency grew, in particular to build credibility and understanding of whether the voluntary commitments actually generate emission reductions. Ultimately, the LPAA and the associated ‘groundswell’ of

commitments and initiatives with non-state climate action have been credited playing a conducive role to the Paris Agreement (Jacobs, 2016).

The LPAA, over time, has transitioned into the Global Climate Action Agenda (GCAA) which comprises at least three accountability components. First, the NAZCA platform (similar to the online platform created under the Action Agenda for Nature and People) has become a hub for presenting new commitments and initiatives. While it is centrally managed by the UNFCCC secretariat, it relies on external data providers for input (e.g. Text box 1); non-state actors themselves do not register commitments. Consequently, the data providers exercise a first quality check and gateway for new commitments. Work is thereby divided across sector- or actor-specific platforms, such as the Global Covenant of Mayors for cities, the CDP for companies, and the Climate Bonds initiative for investors. Second, an annual 'Yearbook of global climate actions' released by the UNFCCC summarises and highlights the most important development in NAZCA over the past year. It provides continuity in delivering some high-level statistics such as the number of new actions and type of initiatives. It also provides the opportunity for GCAA to attract attention by launching the report, generate media attention and maintain the momentum. Third, much of the analysis of commitments and initiatives is carried out by an analytical community called Climate Action Methodology Data and Analysis (CAMDA), consisting of a loosely coupled set of academics, think tanks, foundations and institutes. It provides independent assessments, coordinated data-gathering and analytical approaches, as well as, releases an annual global aggregation report that quantifies the (potential) impacts of the commitments made by non-state actors. CAMDA has also provided incidental support and analysis for UNEP's Gap Reports, with special chapters and reports focusing on non-state climate action (see e.g. Hsu et al., 2018). The Global Climate Action Agenda demonstrates that accountability and credibility does not necessarily need to be the first point of attention when building momentum towards important COPs, whereas making commitments and transparent reporting are. Instead, accountability is developed over time, with a distributed network of people and organisations engaging in gathering, monitoring, analysing and reporting on whether the commitments live up to their promises.

#### 4.1.2 Global ocean governance

In global ocean governance, there is a less developed structure to ensure accountability of voluntary commitments. Two international processes, the UN Ocean conference (SDG 14) and the Our Ocean conferences (an annual high-level series that was initiated by US Secretary of State John Kerry in 2014) have provided an online platform for voluntary commitments by state and non-state actors. These commitments are believed to have contributed to awareness raising as well as increased engagement and political will for action toward ocean sustainability. Simultaneously, there is concern about the lack of an effective and transparent review system for reviewing and monitoring progress made by these commitments (Neumann and Unger, 2019; Grorud-Colvert et al., 2019). Some adjustments have already been put into place. In 2018, the Our Ocean conference published a progress report on commitments made under the previous conference, and the UN Ocean conference registry now invites those entities that make commitments to provide an update on their website.

A global registry could reduce competition and avoid double-reporting commitments in various forums, as well as to put into place a consistent way of reporting and monitoring, with clear targets, baselines and review systems (Neumann and Unger, 2019). This global registry should be hosted by an international body, and updated regularly. Commitments could be added throughout the year, and then highlight at an annual event or conference, with an ‘accountability moment’ or global stocktaking, for example, every three years, enabling the global community to assess progress (Grorud-Colvert et al., 2019; Neumann and Unger, 2019). To ensure comparability and promote clarity of commitments, the registry should provide a clear format for registering commitments, for example asking to include an intended date of completion (Grorud-Colvert et al., 2019). The global registry can also be linked and related to existing databases and independent scientific assessment of the state of the oceans (Grorud-Colvert et al., 2019; Neumann and Unger, 2019).

Learning from climate and ocean governance could prove beneficial for going forward with accountability in the realm of biodiversity. In terms of the challenges identified in Chapter 1, the aim at this stage is still to attract as many actors as possible, but with a clear understanding of expectations towards future reporting and review as part of the broader responsibility and transparency mechanism of the GBF.

## 4.2 Aligning accountability of non-state biodiversity actions with the CBD review process

The accountability and transparency mechanisms for non-state action in climate change, ocean and biodiversity governance appear to follow similar trajectories. Non-state actors are spurred to take commitments and join initiatives. Actions are presented on an online platform that, in turn, can be used for regular updates and stocktaking. The mechanisms are, however, largely disconnected from the accountability and review processes for Parties in the multilateral agreements. We argue that for non-state biodiversity action to be complementary and synergistic with state action the GBF, it should align with the CBD’s review process and the ongoing GBF negotiations provide an opportune moment for such alignment.

The nuts and bolts of the GBF’s review process are still under discussion but this section focuses on four elements that are under discussion amongst Parties: national commitments and commitments of non-state actors, indigenous peoples and local communities and other stakeholders; national reporting; the country-by-country review process; and, a global analytical review.

### 4.2.1 Aligning national and non-state actor commitments

Harnessing the potential of non-state actors to support the global biodiversity goals requires their commitments to the GBF’s goals. An alignment process can happen at several steps in the policy process. First, by ensuring that non-state commitments are in line with the GBF when the goals are formulated. Science-based targets is a step in the right direction.

The best known science-based targets are related to climate change. The Science-Based Targets initiative (SBTi) aims to align voluntary corporate climate action with climate science and the Paris Agreement's goals. Science-based targets are developed by companies and validated by independent parties to build credibility. To date, over 700 companies have submitted such targets.<sup>6</sup> The Science-Based Targets Network — a partnership between leading NGOs, consultancies, research organisations and foundations that is behind the climate initiative — is also developing science-based targets for nature but have yet to become as prevalent amongst companies and cities as in climate change. Second, besides targets, actions also could be aligned with national commitments. A close connection between relevant stakeholders and national agencies when developing National Biodiversity Strategies and Action Plans (NBSAPs) is here crucial. Awareness and understanding between the state and non-state actors may help the latter better understand and prioritise when taking voluntary action. Connecting with other planning processes, such as those for climate (e.g. the Nationally Determined Contributions) and land-restoration plans under the UNCCD, may also enhance the synergies between non-state actions for various international goals. Third, a robust platform is needed for recording the non-state commitments, making them accessible for Parties and other stakeholders to publicly view them. The CBD Secretariat is hosting a website for commitments made under the Sharm El-Sheikh to Kunming Action Agenda for Nature and People, however, this is still in its infancy compared to, for instance, the NAZCA platform for climate change commitments.

#### 4.2.2 Aligning national reporting with reporting on non-state actor commitments

Parties are obliged to provide national reports on the progress of implementation under Article 26 of the CBD. Aligning reporting mechanisms under the GBF and non-state actor commitments may generate synergies and allow for a more holistic approach to reporting. It could also present a regular 'check-in' moment for national governments to take stock of what is happening domestically to support the national biodiversity goals. It could also foster a continuous dialogue between national governments and non-state actors on biodiversity action. This in turn could inspire and embolden national governments to ratchet up their national ambitions in the NBSAPs.

Aligning national reporting with non-state actor commitments should be carefully explored. There is a risk of reporting fatigue and information overload that would defeat the purpose of aligning the national reporting with non-state action. The aim could be for governments to make an inventory of non-state biodiversity action that supports their national goals and to showcase such action in their national reports. Such an inventory could also feed the Action Agenda for Nature and People platform by recording action in a standardised way that is compatible with national and international reporting. The inventory and data collection could also feed similar platforms related to the Sustainable Development Goals and the Global Climate Action Agenda, as well as other reporting needs

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<sup>6</sup> <https://sciencebasedtargets.org/companies-taking-action>

for multilateral processes using tools such as DART that have been developed for that purpose<sup>7</sup> For various non-state actors, another important aspect could be to align reporting standards as much as possible with existing sustainability reporting standards, such as the EU reporting directive and those developed by GRI and CDP for companies, to allow for as much synergy between reporting processes as possible.

#### 4.2.3 Aligning country-by-country review process and review of non-state actor commitments

The CBD offers countries the opportunity to subject their implementation of the NBSAPs to voluntary country-by-country review. Peer review is a two-way learning mechanism for countries to provide and receive information and ideas on how to implement policy and reach their biodiversity goals. Since such reviews are a relatively rare mechanism in international policy-making (see e.g. the OECD's peer-review mechanism), there is little experience with how to align them with non-state action. The development of 'whole of society' approaches through NBSAPs could be a topic of review. Additionally, bringing in non-state actors into the review process could strengthen the 'whole of society' approach, sharing experiences and highlighting possible collaborations. It could also be a moment to discuss how non-state actors can provide governance functions such as new standards and commitments, knowledge gathering and sharing, and financing, to achieve national and global biodiversity goals. For example, some countries are in the process of developing national action agenda's for biodiversity that could be examined. Lessons learned from country peer reviews also need to be discussed at SBI to further develop the whole of society approach across countries, especially with a view on dealing with thorny issues on the policy agenda's.

#### 4.2.4 Aligning non-state actors with the global analytical review

The review process of the GBF will play an important role for building trust, enhance transparency and enable accountability. Non-state actors can play various pivotal roles in the process which is likely to consist of a series of publications and milestones at different moments in time. For example, Chapter 3 demonstrates that non-state actors hold valuable data on how initiatives are performing. Non-state actors also possess the analytical capacity in terms of human and technical resources for reviewing the progress of the GBF, if pooled effectively. They also have access to communication channels reaching a broader audience, increasing the possibility for public scrutiny. Three actions in particular could be taken to align non-state actors with the global analytical review.

First, data gathering must be a collaborative effort as neither the CBD secretariat nor any other organisation have the capacity to single-handedly collect, analyse and publish all non-state biodiversity action. By closely involving current data gatherers on biodiversity action by non-state actors could create a powerful 'data and analytics' community. Building trust and understanding amongst various data-gathering initiatives may also lead towards

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<sup>7</sup> <https://dart.informea.org/home>

convergence amongst which indicators and methodologies to use for aggregating the data into meaningful information for the GBF (see also next section on ‘custodians’).

Second, aggregation of data for non-state biodiversity action could take place in periodic ‘gap analysis’ reports, estimating the gap between current biodiversity action and the post-2020 CBD goals and targets using relevant indicators, similar to those carried out for climate change and the UNFCCC. The climate gap reports are coordinated by the UNEP-DTU Partnership and involves researchers, non-governmental organisations, data providers, and consultancies. The reports focus on national climate action; however, in 2019 it released a separate section on non-state climate action, which could provide a blueprint for how a biodiversity gap report may report on non-state action. Such a specialised report on non-state action could provide more regular detail than, for instance, the IPBES’ Global Assessment Reports or the Global Biodiversity Outlook.

Third, a more light-weight option than a biodiversity gap report may be a periodic ‘Yearbook of Biodiversity Action’ that gathers, analyses and presents the report on the progress of the Action Agenda for Nature and People. Such a report could take the shape of, for instance, a biennial report on the commitments that record progress and presents the state of play. The report could also be used to showcase good practices, enhance learning, create media attention and inspire new commitments by more non-state actors. Alongside such a yearbook, the Secretariat could align messaging and timing with more specialised reports from various stakeholders such as businesses, cities and local communities, which also produce and present updates on a regular basis.

## 4.3 Custodians

The abovementioned suggestions necessitates some level of coordination. Tying the reporting framework to the CBD — for instance, by requesting the CBD Secretariat or others to maintain a database of initiatives and provide regular updates on progress — requires a COP mandate. Should such a mandate be adopted however, then the task to develop, populate, update and report on the thousands of non-state actors and initiatives taking action, is beyond the capacity of the Secretariat. It requires substantive investments in human and financial resources to build the IT infrastructure, develop and agree on common reporting standards and schedules, track commitments over time, and provide regular analysis of the impacts of the initiatives. Consequently, being custodians of the process and the framework should be a collaborative effort, jointly developed amongst main stakeholders with an interest, capacity, data and legitimacy to maintain a framework. International organisations, such as IUCN and UNEP-WCMC, in collaboration with national agencies, transnational non-governmental organisations (e.g. WWF), data providers (e.g. CDP, GRI), academia and assessment agencies, and the CBD Secretariat, could form a networked organisation with various working groups and responsibilities for gathering, analysing and communicating data on non-state biodiversity action. Experiences with the CBD Action Agenda, the VCA and WCMC initiative to build a platform on area-based conservation (see Text box 1) indicate that while they attract quite some attention, creating a sustained monitoring and reporting effort for the coming years proves to be challenging.



# 5 Towards an accountability framework for the ‘whole of society’ approach

Implementing a credible ‘whole of society’ approach under the forthcoming GBF creates opportunities and challenges for accountability and transparency. Involving actors beyond the Parties to the CBD risks shifting of responsibilities for halting and reversing biodiversity loss away from the established multilateral process. It also increases the risk for green washing and allowing special interests unwanted influence on the intergovernmental process. Integrating non-state actors also provides opportunities to build support for intergovernmental processes from the bottom up, putting pressure on governments to take more ambitious action. It could also facilitate new partnerships and collaborations, enhance experimental approaches, and generate support amongst non-state actors to take on biodiversity commitments.

In this report, we argue that aligning non-state biodiversity action with the GBF’s responsibility and transparency framework for Parties could be conducive to harnessing the potentials and avoiding the pitfalls of a ‘whole of society’ approach. Such an approach is, however, not without its challenges. We have raised three challenges, in particular. First, the potential trade-off between stringent monitoring and reporting requirements and the number of non-state actors willing to voluntarily make commitments. Second, determining the contribution of a large and heterogeneous set of non-state biodiversity commitments towards global goals under the CBD. Third, determining who should hold non-state actors accountable. Accountability requires legitimacy which might be provided through a mandate or informal process, but it also requires capacity to hold someone accountable. The mapping of non-state biodiversity initiatives in Chapter 3 demonstrates tackling the three challenges could build on ongoing efforts. Most initiatives already have a monitoring framework in place, and that many also report on their activities. A fewer number, primarily standards such as ecolabels, have verifications procedures in place. Accordingly, existing monitoring and reporting mechanisms demonstrate that there is much data already

available in the public sphere on thousands of biodiversity actions by non-state actors. Future recording of non-state biodiversity action must build on the existing data providers to avoid duplication and streamline accountability mechanisms. A key challenge, here, is to align the existing reporting with the future goals, targets and indicators as well as review mechanisms of the GBF.

Taking inspiration from non-state actor integration into the UNFCCC and ocean governance, we argue that there are four ways in which the review mechanisms of the CBD and non-state biodiversity action can be aligned:

- Aligning national and non-state actor commitments:
  - Ensuring that non-state commitments are in line with the GBF; for example, via a ‘science-based targets’ approach using a consistent set of indicators;
  - Developing a close connection between relevant stakeholders and national agencies when developing National Biodiversity Strategies and Action Plans (NBSAPs) that fosters a ‘whole of society’ approach; and,
  - Building a robust publicly available international platform for recording the non-state commitments.
- Aligning national reporting with reporting on non-state actor commitments:
  - Following a carefully crafted approach to avoid reporting fatigue and information overload, for instance by following company reporting requirements set by law, such as the EU’s reporting directive or standards developed by GRI or CDP.
  - Developing national inventories of non-state biodiversity action that supports domestic biodiversity goals and to showcase such action in their national reports. Such an inventory could also feed the Action Agenda for Nature and People platform and similar platforms related to the Sustainable Development Goals and the Global Climate Action Agenda, as well as other reporting needs for multilateral processes using tools such as DART.
- Aligning country-by-country review process and review of non-state actor commitments:
  - Bringing in non-state actors into the review process could strengthen the ‘whole of society’ approach, sharing experiences and highlighting possible collaborations.
  - Showcasing how non-state actors can provide governance functions such as new standards and commitments, knowledge gathering and sharing, and financing, to achieve national and global biodiversity goals.
  - Bring experiences on ‘whole of society approaches’ within countries and international initiatives into joint learning processes in SBI.
- Aligning non-state actors with the global analytical review:
  - Developing a collaborative ‘data and analytics’ community to collect, analyse and publish all non-state biodiversity action by involving current data gatherers on biodiversity action by non-state actors could create a powerful.
  - Ensuring aggregation of data for non-state biodiversity action by publishing periodic ‘gap analysis’ reports, estimating the gap between current biodiversity action and the CBD goals using a shared set of indicators, similar to those carried out for climate change and the UNFCCC.

- Publishing a periodic ‘Yearbook of Biodiversity Action’ that gathers, analyses and presents the report on the progress of the Action Agenda for Nature and People.

The success of the ‘whole of society’ approach rests on a critical mass of cities, regions, companies, investors, civil society organisations, local communities and other non-state actors taking action to contribute to restoring nature and support the CBD’s goals. Credible action that delivers results, in turn, can instil confidence amongst governments to take on bolder national goals, targets and policies in their NBSAPs. Boosting credibility of non-state action by enhancing accountability and transparency is therefore crucial to achieve the goals under the GBF.

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# Annex I: Note on methodology

The purpose of this analysis, the second phase of the BioSTAR project, was to examine the transparency and accountability of international and transnational cooperative initiatives (ITCIs) for biodiversity.

In the first phase of the BioSTAR project, presented in Kok et al. (2019), we analysed and described a current institutional landscape of global biodiversity governance beyond CBD. The mapping focused on international cooperative initiatives for biodiversity, covering land, freshwater, and oceans. These are initiatives that are: '(i) international and transnational institutions, which not only have the (ii) intention to guide policy and the behaviour of their members or a broader community but also explicitly mention the (iii) common governance goal, accomplishable by (iv) significant governance functions' (Widerberg et al., 2016). International cooperative initiatives consist of companies, civil society organisations, and national, regional, or local governments working together in different constellations; either public, private, or hybrid (see Figure 4). Initiatives have different roles in the biodiversity governance landscape that we call governance functions: standards and commitments; information and networking; financing; and operational (Abbott, 2012; Pattberg et al., 2017). The mapping also includes biodiversity-related multilateral environmental agreements (MEAs). National, local or individual initiatives are excluded.

Figure 4

### International and transnational cooperative initiatives for biodiversity



Source: Kok et al., 2019

For selecting initiatives, the mapping started with merging existing scientific databases produced by Pattberg et al. 2017 (updated in 2019); other IVM, PBL, and IUCN databases; and, searching the internet and screening online databases<sup>8</sup>. This returned 621 initiatives. However, several of the initiatives focus on issue areas that are only indirectly related to biodiversity. To find initiatives that directly target biodiversity, we selected those that self-identify as biodiversity initiatives. Statements were collected for each of the 621 initiatives (e.g. mission statement, vision, or strategic goals) describing their core focus. The statements were parsed for keywords identified by experts. The keywords were divided into three groups depending on their relevance. Tier 1 initiatives included the word 'biodiversity' (search string: 'biodivers\*') (see Appendix). Tier 2 initiatives included 'strong' keywords associated with biodiversity. Tier 3 initiatives included 'weak' keywords (see Appendix). The tiered system helped the study team to create robust identification of relevant initiatives. Subsequently, eight experts reviewed the list of initiatives. For the second phase of BioSTAR, presented in this policy brief, after excluding inactive and finished initiatives, we obtained a set of 99 records for transparency and accountability analysis (Figure 5).

<sup>8</sup> The SD in Action Registry and the Climate Initiatives Platform.

Figure 5

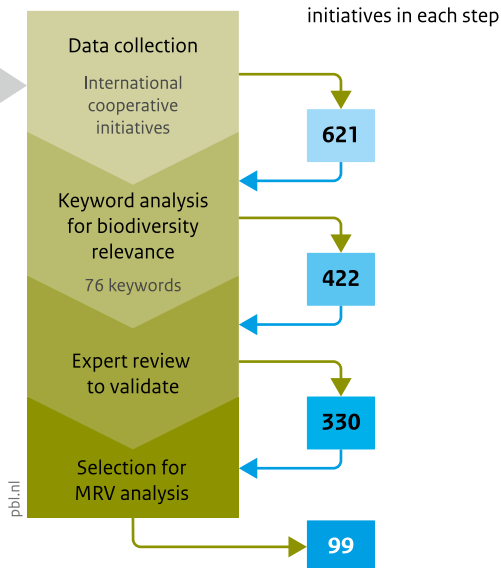
### Research process

Data collection up to June 2019

#### Sources

- Databases from VU CONNECT project, PBL and IUCN
- Internet search

#### Processes



Source: PBL

Further, we operationalised our seven-level Monitoring, reporting, and verification (MRV) framework based on the following binary variables:

- Monitoring - does the initiative have a monitoring framework in place (1) or does not monitor its performance (0).
- Quantitative targets — does the initiative have (1) for quantitative monitoring of performance in terms of biodiversity involving numerical data or (0) for a purely qualitative framework
- Public reporting — are there public reports of the initiative (even irregular) available (1) or not (0)
- Public annual reporting — are there annual reports available (1) or not (0). We checked the reports for 2018 and three previous years, if applicable.
- Internal verification — does the initiative have 1st party verification, i.e. it verifies its performance itself (1) or not (0)
- External verification — does the initiative have 3rd party verification, i.e. whether an independent body conducts verification of an initiative's performance (1) or not (0).
- Sanctions — does the initiative have any sanctions, penalties, or other forms of punishment for members not following the rules and standards (1) or not (0)



All data were collected based on information available on initiatives' websites and, therefore, reflects the state of publicly available data between October and December 2019. Some initiatives mention monitoring or reporting practices but do not display them online, which was coded accordingly (o).



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