

Biodiversity financing and safeguards: lessons learned and proposed guidelines

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Presentation based on:

**Biodiversity financing and safeguards:
lessons learned and proposed guidelines**

**– Revised and expanded version of Discussion
Papers on Safeguards UNEP/CBD/COP/11/INF/7
and UNEP/CBD/WGRI/5/INF/7.**

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1.- Background

Outcome CBD-COP 11:

- requests the CBD Secretariat to further develop the discussion paper on safeguards (UNEP/CBD/COP/11/INF7) based on comments of Parties and other stakeholders and requests WGRI5 to prepare a recommendation for the consideration by the twelfth Conference of the Parties (COP12).

Outcome of WGRI-5:

-requests the CBD Secretariat to develop, for consideration by COP12 Draft options for voluntary guidelines.

2.-Methodology

- Literature review and analysis of relevant official CBD documents and other national and international legal instruments
- Submissions by the European Union, India, Peru, Switzerland, and IUCN
- 16 Semi-structured interviews and 3 focus/working groups
- Comments and inputs received at 7 events including WGRI-5, Quito II, Trondheim Conference and 3rd Global Partnership for Business and Biodiversity

3.-Biodiversity financing and safeguards

Biodiversity Financing Mechanisms (BFMs)

- CBD Strategy for resource mobilisation (2008-2015)
- Areas of convergence and divergence on BFMs
- Safeguards for addressing divergences and potential challenges in BFMs and contributing to the three CBD objectives

Safeguards:

- Evolution of the notion of safeguards
- Point of departure: existing laws and policies
- Distinction between substantive and procedural safeguards

4.- Proposed Guidelines

- 1. Biodiversity underpins local livelihoods and resilience**
- 2. People's rights, access to resources and livelihoods**
- 3. Local and country-driven/specific processes linked to the international level**
- 4. Governance, institutional frameworks and accountability**

4.1- Safeguards in existing legal and policy instruments

	GUIDELINES			
TYPES OF SAFEGUARDS	Biodiversity underpins local livelihoods and resilience	People's rights, access to resources and livelihoods	Local and country-driven/ specific processes linked to the international level	Governance, institutional frameworks and accountability
Substantive safeguards	<p>X</p> <p>Convention on Biological Diversity (Art 1, 2 ,3, 8(c, k), 15.1)</p> <p>Convention on Intangible Cultural Heritage, (Art. 11).</p> <p>United Nations Framework Convention on Climate Change, Decision 1/CP.16, Appendix 1 (1. d, g, k; 2.c,e)</p>	<p>X</p> <p>Convention on Biological Diversity (Art 8(j), 10(c))</p> <p>United Nations Framework Convention on Climate Change (Art 3 .1, 3.2)</p> <p>International Covenant on Economic, Social and Cultural Rights, (Arts 1, 6, 11, 12);</p> <p>ILO Convention 169 (Arts. 3.1, 4,6,8, 13, 14, 15, 16),</p> <p>International Convention on the Elimination of All Forms of Racial Discrimination (Art 2)</p> <p>Convention on the Rights of the Child (Art 30)</p>	<p>X</p> <p>Convention on Biological Diversity (Art 5, 8(m), 9 (e), 10 (a) 14(c))</p> <p>Nagoya Protocol (Art. 11, 15 & 16).</p> <p>Convention on Intangible Cultural Heritage, (Art. 19).</p> <p>United Nations Framework Convention on Climate Change (Art 3 .1, 3.2)</p>	
Procedural safeguards		<p>X</p> <p>Convention on Biological Diversity (Art 21)</p> <p>International Covenant on Civil and Political Rights (Art 2.1)</p>	<p>X</p> <p>Convention on Biological Diversity (Art 14.1(c, e, d)), 14.2</p> <p>United Nations Framework Convention on Climate Change Decision 1/CP.16, Appendix 1 (1.c, e,f,h)</p>	<p>X</p> <p>Convention on Biological Diversity (Art. 6, 21, 14.1 (a, b), 16.2, 17),</p> <p>Aarhus Convention (Art. 5, 9.3)</p> <p>UNFCCC Decision 1/CP.16, Appendix (1.i; 2.c,e)</p>

5. Safeguards and different types of BFM

- *Payment for ecosystem services (PES)*: land and tenure rights e.g. access to medicinal plants as part of contractual provisions; FPIC of individual and collectives with assoc. rights and responsibilities.
- *Environmental Fiscal Reform*: reduce perverse incentives such as avoiding subsidies to unsustainable practices. PES are sometimes financed by earmark fiscal reforms.
- *Biodiversity offsets (BO)*: Mitigation strategy includes local values of biodiversity. Approval or rejection of BO based on participatory assessments on the potential environmental, social and cultural impacts (e.g. using the CBD Akwe:kon guidelines).

5. Safeguards and different types of BFM

- *International development finance and ODA*: although ODA may not be an innovative financing mechanism, it can provide seed money (e.g. PES) and lessons learned. Policy coherence, between trade, environment and ODA.
- *Markets for green products*: synergies between biodiversity and fair trade criteria. Effective communication, education and transparency across different standards.
- *Climate funding with co-benefits for biodiversity*: CBD advice on biodiversity and social safeguards concerning climate funding can contribute to produce co-benefits for biodiversity and people's livelihoods at project level as well as larger subnational, national and international levels.

Thank you!

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