**Template for the Advanced Comments on Draft Documents on Planning, Reporting and Review Mechanisms for the Resumed Session of the Third Meeting of the Subsidiary Body on Implementation**

**TEMPLATE FOR COMMENTS: Draft guidance for capturing commitments from actors other than national governments in the context of enhanced planning, monitoring, reporting and reviewing mechanisms contained in CBD/SBI/3/11/ADD 6**

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| **Advanced comments on the draft documents on Planning, Reporting and Review Mechanisms for the Resumed Session of the Third Meeting of the Subsidiary Body on Implementation** | |
| **Scope of this template for comments** | Draft guidance for capturing commitments from actors other than national governments in the context of enhanced planning, monitoring, reporting and reviewing mechanisms contained in the document CBD/SBI/3/11/Add.6, which includes a draft of Annex B to CBD/SBI/3/CRP.5. This template aims to collect feedback on that Annex. |
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| **Comments** | |
| Please include general comments on capturing commitments from actors other than national governments.  Switzerland is not totally convinced of the term “actors beyond/other than national governments”. We would prefer the classical term of Non-State Actor. We understand that the term used is supposed to be broader and include i.a. subnational authorities. However, the latter does not have the same status as non-state actors and are in most of the national jurisdictions anyway directly bounded by the national government’s international commitments, which is not necessarily the case for non-state actors. Related document CBD/SBI/3/INF/20 uses both terms alternatively which is confusing.  Switzerland supports the establishment of a platform to register and follow the implementation of voluntary commitments by non-state actors. We understand that the Sharm El-Sheikh to Beijing Action Agenda for Nature and People has the potential to serve these objectives. However, if a framework for voluntary commitments formulated by non-state and sub-state actors would be established, such a framework should include a robust accountability mechanism. Moreover, it shouldn’t interfere with the reporting and review mechanism of Parties to the CBD. We therefore would prefer that other independent but objective institutions such as the IUCN would run the platform.  The circle of addressed stakeholders should be better defined. Otherwise, there is a risk of loss of the big picture, of control and finally of credibility (i.a. problem of green-washing). Par. 4 mentions intergovernmental organizations and other MEAs. For Switzerland, these institutions shouldn’t be mentioned here as “stakeholders”, since they have another specific legal status.  We are not sure whether non-state actors “demonstrating how their commitments support and impact the post-2020 global biodiversity framework” is enough to counter the mentioned risks of greenwashing and negative influencing on the intergovernmental process (see par. 6). An independent assessment by knowledgeable institutions such as IUCN or WCMC is required to guarantee environmental integrity of such an instrument.  Par. 8 speaks about building upon the experiences of the Action Agenda and using it. Here again Switzerland is of the opinion that also other institutions should be considered to draw lessons from non-state actions, such as IUCN or Business Councils. In addition, we are not convinced that the Action Agenda in its current form is a platform adapted for the dialogue and exchange mentioned.  For Switzerland, it is not clear what is meant by “including commitments from actors other than national governments in the enhanced planning, monitoring, reporting and review mechanism under the Convention” (cf. title II). In our opinion, it shouldn’t be included in the NBSAP’s system and it should rather remain to a certain extent separated from the enhanced planning, monitoring, reporting and review mechanism under the Convention that is clearly addressed to contracting parties. Thus, while we support the use of agreed indicators (par. 7) and of metrics under the TNFD as well as the avoidance of double counting (par. 9d), we are more skeptical towards the use of information related to non-state actors as a basis for national and regional analysis (par. 9a), the alignment with the cycles and deadlines of national commitments (par. 9c) and the collaboration with related MEAs (par. 9e). Regarding the latter, MEAs are not really “non-state actors” and their contribution or contributions by States under these MEAs have to be integrated into the official reports by States as foreseen by the Bern Process. The foreseen collaboration with coalitions of actors and the joint commitment’s system (par. 10) also need more clarity, so that any risk of jeopardizing the enhanced planning, monitoring, reporting and review mechanism under the Convention can be excluded.  As a conclusion we do not think that this guidance is elaborated enough. More discussion is needed to develop and design a process that allows to take commitments by non-state actors into account and assess their performance. | |
| Please use the table below to provide any specific comments on the template: | |

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| **Section** | **Comment** |
| 1 | Please provide comments on section 1 on general information on the actor.  Subnational or local governments; intergovernmental organizations and United Nations system entities have a different status than other non-state actors mentioned and we are of the opinion, that the draft should take into account the specificities of those institutional actors. They should be included in the reporting mechanism for non-state actors only for commitments taken on their own. Otherwise, it should be part of the “normal” national reporting mechanism, since it is then – at least indirectly – a commitment of the relevant contracting party. |
| 2 | Please provide comments on section 2 which includes the section on specific commitments from actors other than national governments.  - |
| 3 | Please provide comments on section 3 on progress tracking.  - |