GIBSON DUNN

Adoption of a New Global Biodiversity Framework – Key Takeaways for Global Organizations and Financial Firms

Client Alert | January 6, 2023

On 19 December 2022, representatives from 188 countries adopted a new agreement at the United Nations ("**UN**") Biodiversity Conference in Montreal, Canada, to guide global action on nature.[1] The agreement, the Kunming-Montreal Global Biodiversity Framework ("**GBF**"), is the result of several years of negotiations under the auspices of the UN Convention on Biological Diversity **(**"**CBD**" or the **"Convention**"),[2] the first summit having taken place in Kunming, China, in October 2021.[3] The GBF aims to "*halt and reverse*" biodiversity loss through a series of specific goals and targets.[4] Its cornerstone is the target to conserve 30% of the world's land and 30% of the world's oceans by 2030, widely known as the 30×30 pledge.

The GBF is one of a handful of CBD agreements[5] but has the potential to become one of the most significant in moving the dial on nature loss and degradation to date. Described as a "*landmark*" agreement,[6] a "*huge, historic moment*,"[7] and a "*major win for our planet and for all of humanity*"[8], the GBF was signed against a backdrop of global regulatory developments and investor pressure urging action to address climate change and the interconnected biodiversity loss crisis.

We share below our insights on the new framework and how it is expected to shape national and international policies and regulations relating to biodiversity, with implications for global organizations and financial firms.

Key Highlights

- In December 2022 at CO
("**GBF**") under the UN C
- GBF includes four "*overa*
- Seen as a landmark agre
the world's oceans by 20
- A number of the GBF tar
transparency, reduction
biodiversity" by at least $
year to implement nation
- GBF is likely to spur add
enhanced and new volu
- A number of initiatives a
its objectives. For examp
announced at COP 15 a
key sectors.

Related People

Susy Bullock

Maria L. Banda

I. Background to COP15

The meeting of the Conference of the Parties ("**COP**") to the CBD takes place every two years with a view to advancing the goals of the Convention. The CBD, which opened for signature in 1992 at the Earth Summit in Rio de Janeiro[9] and entered into force in 1993, is an international treaty with three objectives—(i) the conservation of biological diversity; (ii) the sustainable use of the components of biodiversity; and (iii) the fair and equitable sharing of the benefits derived from the use of genetic resources.[10] The CBD has nearly universal participation, with 196 States Parties including Belgium, Brazil, China, France, Germany, Singapore, the UAE, and the United Kingdom. The United States signed the treaty in 1993 but has not ratified it. (The U.S. nonetheless participates at the COPs and, as we discuss below, COP15 has implications for U.S. entities and other global organizations.)

In 2010, at COP10 in Nagoya, Japan, the Parties adopted a revised and updated Strategic Plan for Biodiversity, including the Aichi Biodiversity Targets for 2011–2020 ("**Aichi Targets**"), to achieve a goal of "*living in harmony with nature*" by 2050.[11]

In 2019, however, a report by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services ("**IPBES**") concluded that nature was declining globally at rates unprecedented in human history. In 2020, the *Global Biodiversity Outlook 5*, a CBD report, found that, despite progress in some areas, governments had failed to meet the Aichi Targets.[12]

© 2026 Gibson, Dunn & Crutcher LLP. All rights reserved. For contact and other information, please visit us at www.gibsondunn.com. | **www.gibsondunn.com**

These findings set the tone for the next COP—COP15—whose key purpose was to agree on global nature targets for 2030 and 2050. The meeting opened on 7 December 2022 and, following a "*sometimes fractious*" two-week meeting[13] and reservations voiced by several States including on the sensitive and critical topic of financing, the GBF was adopted and the updated draft agreement published in the last few hours of COP15.[14] Alongside the GBF, COP15 adopted a number of other decision texts that spell out more technical details, including monitoring mechanisms, resource mobilization, and areas for future work.[15]

II. Why are COP15 and Biodiversity Important to Organizations and Investors?

In our previous alert, we touched on some of the key reasons why biodiversity loss poses a risk to companies and investors. Most businesses depend on ecosystem services underpinned by biodiversity. For example, a 2020 report from the World Economic Forum ("**WEF**") found that **more than 50%** of the world's GDP ($44 trillion) is moderately or highly dependent on nature and its ecosystems—and is therefore at risk of disruption due to nature loss.[16]

Today, the WEF ranks biodiversity loss as a **top three risk** to the global economy.[17]

Chart 1. Examples of Global Biodiversity Risks[18]

Up to **$577 billion** in annual global crop production is at risk from pollinator loss	Around **40%** of the global population is adversely affected by land degradation	**100-300 million** people are at increased risk of floods and hurricanes due to coastal habitat loss
Collapse of wild pollinator populations, marine fisheries, and timber production alone could reduce global GDP by **$2.7 trillion annually** by 2030	Wildlife is the source of **70%** of novel pathogens and loss of natural habitats substantially increases the risk of global pandemics via human encroachment	Coral reefs alone generate **$36 billion** per year for the global tourism industry.
60% of coffee varieties are in danger of extinction due to climate change, disease and deforestation.	**25%** of drugs used in modern medicine are derived from rainforest plants	

Companies and investors are increasingly appreciating and focusing on these material, systemic risks posed by biodiversity loss.[19]

With these global risks, however, also come opportunities for both the public and private sectors. A recent World Bank report estimates that "*nature-smart*" policies can reduce the risk of ecosystem collapse and are "*win-win*" policies in terms of biodiversity and economic outcomes. Meanwhile, the WEF's *Future of Nature and Business Report*[20] found that "*nature-positive*" solutions could create over $10 trillion in business opportunities and provide 395 million more jobs by 2030. Investment in nature can prove to be not just a cost-effective but even a profitable solution for addressing the broader societal objective of biodiversity loss.[21] This growing awareness is reflected in investment in "*nature-based solutions*" ("**NbS**"),[22] which is expected to grow in the light of the GBF's package of actions relating to resource mobilization, mechanisms for planning, and capacity-building and development, and technical and scientific cooperation, as discussed below.

Against this backdrop of urgency and interest, it was no surprise to many that, for the first time, the conference featured a dedicated Finance Day. There were a number of initiatives and developments emanating from the financial sector both in the run up to, at, and following the COP15, including:

- The UN Principles of Responsible Investment ("**UN PRI**"), a UN-supported international network of financial institutions, coordinated a call by 150 global financial institutions with more than $24 trillion in assets under management, on governments to adopt the GBF and committed to work within their own organizations to support the effective alignment of the proposed vision from the CBD of "*Living in Harmony with Nature by 2050*."[23]

© 2026 Gibson, Dunn & Crutcher LLP. All rights reserved. For contact and other information, please visit us at www.gibsondunn.com. | **www.gibsondunn.com**

- The topic of "*biodiversity credits*" and establishing a voluntary market for these developing financial instruments was keenly debated at the COP, and in parallel the WEF and the Biodiversity Credit Alliance are exploring market options for biodiversity credits.[24]
- A new coalition of institutional investors, Nature Action 100, was announced at COP15. The group will identify most critical private-sector actions and work with companies to address nature loss and degradation, focusing initially on 100 companies in key sectors (i.e., those deemed to be systemically important to the GBF's goal of reversing nature and biodiversity loss by 2030).
- The World Benchmarking Alliance ("**WBA**") published a new Nature Benchmark at COP15—an assessment of 389 companies—which found that just 5% understand their impact on nature and less than 1% know how much their operations depend on nature.

III. The GBF's Global Roadmap to 2030

The overarching aim of the GBF is for people to "*liv*[e] *in harmony with nature*" by 2050. To achieve this vision, the GBF has set out a "*mission*" to "*halt and reverse*" biodiversity loss by 2030. It adopted four "*overarching global*" goals and 23 targets for 2030 to protect nature, which are described in more detail below:

(A) The GBF's Four Goals

The GBF's four overarching global goals include:

Goal	Goal Summary
Goal A	Halting "*human-induced extinction*" of known threatened species and reducing the rate and risk of extinction of all species "*tenfold*" by 2050
Goal B	Sustainable use and management of biodiversity to ensure that "*nature's contributions to people . . . are valued, maintained and enhanced*," for the benefit of present and future generations by 2050
Goal C	Fair and equitable sharing of the "*benefits from the utilization of genetic resources, and digital sequence information on genetic resources*" and protection of traditional knowledge associated with genetic resources
Goal D	Ensuring that adequate means of implementing the GBF are accessible to all Parties, and in particular the Least Developed Countries and Small Island Developing States

Although Goal D does not specifically mention either the public or the private sector, is it regarded as one of the most relevant goals for the corporate and financial services sector. Adequate means of implementation, including financial resources, capacity-building, and technical and scientific cooperation are seen as key to ensure the success of the GBF and "*progressively clos*[e] *the biodiversity finance gap of 700 billion dollars per year*."

(B) The GBF's 23 Targets

The GBF's targets (of which nine incorporate specific 2030 targets) cover the following areas:

Target	Target Summary
Target 1	Spatial planning to bring the loss to areas of high biodiversity importance to **close to zero** by 2030
Target 2	Effective **restoration** of **at least 30%** of degraded terrestrial, inland water, and coastal/marine ecosystems by 2030
Target 3	Effective **conservation** of **at least 30%** of degraded terrestrial, inland water and coastal/marine ecosystems by 2030 (i.e., 30 x 30), recognizing indigenous and traditional territories, where applicable
Target 4	Ensure urgent management actions to stop human-induced extinction of species and restore genetic diversity
Target 5	Ensure that the use, harvesting, and trade of wild species is sustainable, safe, and legal, and reduce the risk of pathogen spill-over
Target 6	Eliminate, reduce, or mitigate impacts of invasive alien species on biodiversity
Target 7	Reduce pollution risks and negative impact of pollution "*from all sources*" to non-harmful levels by 2030, including reducing excess nutrients lost by at least 50% including through more efficient nutrient cycling and use, reducing the "*overall risk from pesticides and highly hazardous chemicals*" by at least 50% including

© 2026 Gibson, Dunn & Crutcher LLP. All rights reserved. For contact and other information, please visit us at www.gibsondunn.com. | **www.gibsondunn.com**

	through integrated pest management, and working towards "*eliminating plastic pollution*"
Target 8	Minimize the impact of climate change and ocean acidification on biodiversity
Target 9	Ensure that the management and use of wild species is sustainable, thereby supporting especially those most dependent on biodiversity
Target 10	Ensure that areas under agriculture, aquaculture, fisheries, and forestry are managed sustainably
Target 11	Restore, maintain, and enhance contributions to people, such as regulation of air, water, and climate, soil health, pollination and reduction of disease risk, through nature-based solutions and ecosystem-based approaches
Target 12	Significantly increase the area, quality, and connectivity of access to and benefits from green and blue spaces in urban and densely populated areas, including by ensuring biodiversity-inclusive urban planning, enhancing native biodiversity, ecological connectivity and integrity
Target 13	Take effective legal, policy, administrative, and capacity-building measures to ensure the fair and equitable sharing of benefits from genetic sources
Target 14	Ensure the full integration of biodiversity into policies and regulations, including environmental impact assessments ("**EIAs**"), across all levels of government and sectors, and progressively align all public and private activities, fiscal and financial flows with the GBF
Target 15*	Take legal, administrative, or policy measures to encourage and enable large and transnational companies and financial institutions to "*monitor, assess, and transparently disclose*" their biodiversity risks, dependencies, and impacts through their operations, portfolios, supply, and value chains, including by providing more information to consumers and reporting on compliance with regulations
Target 16	Ensure that people are encouraged to make sustainable consumption choices, including by establishing supportive policy, legislative, and regulatory frameworks, and, by 2030, reduce "*the global footprint of consumption*," halve global food waste, and reduce waste generation
Target 17	Establish, strengthen capacity for, and implement biosafety measures
Target 18	Eliminate or reform incentives which are "*harmful to biodiversity*" (e.g. subsidies) by 2050, by progressively reducing them by at **least $500 billion per year by 2030**, while scaling up positive incentives for biodiversity conservation and sustainable use
Target 19	Increase the level of financial resources to implement national biodiversity strategies and action plans by mobilizing **at least $200 billion** per year (from public and private sources) and increasing international financial flows from developed to developing countries to **at least $20 billion** per year by 2025 and **$30 billion** by 2030
Target 20	Strengthen capacity-building, access to, and transfer of technology and R&D for the conservation and sustainable use of biodiversity
Target 21	Ensure that the best available data, information, and knowledge accessible to decision-makers and the public to guide governance, awareness-raising, education, monitoring, and R&D management
Target 22	Ensure the full, equitable, inclusive gender-responsive representation and participation in decision-making related to biodiversity
Target 23	Ensure gender equality in the implementation of the GBF

* Target 15 is the GBF's private sector-focused target for businesses and financial institutions. However, as the WEF has noted in its most recent report, multiple other goals and targets are relevant to the private sector and create both risks and opportunities for global organizations and financial institutions.[25]

(C) The CBD's Next Steps

The next UN biodiversity conference will be held in Turkey in 2024. In the interim, the CBD's subsidiary bodies will continue to meet and develop the scientific, reporting, and monitoring foundations for the GBF. Meanwhile, the Global Environment Facility ("**GEF**") will create a new biodiversity-specific trust fund, as outlined in the final agreement.[26]

In parallel, at the domestic level, States Parties to the CBD will be expected to revise their National Biodiversity Strategies and Action Plans ("**NBSAPs**") to "*align*" them with the goals and targets set out in the GBF (Art. 34(a)) by COP16—the next biodiversity summit.[27] COP15 also agreed that the CBD Parties should submit national reports containing agreed headline indicators in 2026 and 2029.[28]

Implementation of the GBF, however, will also likely continue outside of the narrow context of the CBD. For example, about 60% of the Earth's ocean surface lies outside national jurisdictions—and beyond the reach of national legislation. To preserve biodiversity on the

© 2026 Gibson, Dunn & Crutcher LLP. All rights reserved. For contact and other information, please visit us at www.gibsondunn.com. | **www.gibsondunn.com**

high seas (and on the seafloor), States would need to adopt a complementary sets of biodiversity rules and targets.[29]

IV. Broader Implications and Developments of Note for Corporations and Financial Institutions

The GBF is not a legally binding international treaty, but it is nonetheless expected to affect national policies, regulations, and plans globally as governments seek to give effect to their new biodiversity commitments. As we have seen, global financial institutions are already both supporting and urging such actions.

With its more measurable targets and an "*enhanced implementation mechanism*," the GBF is thought to be more robust—and more likely to be successfully implemented—than its predecessor, the 2010 Aichi Targets.[30] The GBF's system of reporting, monitoring, and "*ratcheting up*" of ambition over time is expected to result in more concrete actions.[31] This approach draws on the implementation framework underpinning the 2015 Paris Agreement on Climate Change ("**Paris Agreement**"). The Paris Agreement—which requires countries to regularly submit their national climate plans for review and increase their climate targets over time—has already had significant impact both on domestic legislation (across all levels of government) and voluntary measures by the private sector. The GBF, already (aspirationally) described as the "*Paris Agreement for Nature*," could potentially be as far-reaching.

At the same time, while the GBF contains some specific targets, not all are quantitative. Quantifying and standardizing national commitments (both in targets and in financial investment) is seen as necessary to ensure implementation.

Depending on the degree of implementation by governments and/or voluntary adoption by the private sector, there are a number of specific aspects of the GBF which could lead to changes in the scope, nature, and increased costs of business and compliance for various organizations as illustrated below.[32] It will be important for individual businesses, management, and boards to track and proactively consider the potential impact of these developments on their operations, investment decisions, and compliance. For instance:

- **Impact of GBF Substantive Targets – Expansion of Protected Areas:** The GBF's substantive targets could have significant implications for business, in particular those that already enjoy a significant degree of support among governments.[33] Currently, around 17% of land and 8% of marine areas globally are protected.[34] The GBF commitment in Target 3 to expand protected areas to at least 30% of the world's land, coastal areas, and oceans by 2030 is likely to have material implications for a number of businesses, including agriculture, fisheries, mining, and logging, which may see a contraction in areas available for their operations, while other sectors, such as tourism, consumer products, cosmetics, and pharmaceuticals, may see growth. Moreover, it is expected that the 30% target may be revised upwards in the future in view of other scientific assessments suggesting that protecting biodiversity requires 30-50% of Earth's land and sea to be set aside for nature.[35]
- **Finance – Phasing out of Subsidies:** The implementation of Target 18 could reshape international financial flows by redirecting $500 billion every year in subsidies that are seen to have a negative impact on biodiversity and putting those funds to a different use. While specific sectors are not named in the GBF, this commitment is expected to target subsidies for agriculture, fisheries, and hydrocarbons.
- **Respecting Indigenous Rights – Implications for Land Use and Operations:** The GBF incorporates Indigenous Rights into various targets.[36] This will shape how governments and the private sector conduct operations in areas with an Indigenous population and heighten the need for securing their free, prior, and informed consent.

© 2026 Gibson, Dunn & Crutcher LLP. All rights reserved. For contact and other information, please visit us at www.gibsondunn.com. | **www.gibsondunn.com**

- **Respecting Human Rights**: The GBF also expressly states that implementation should follow a human rights-based approach and acknowledges the human right to a clean, healthy, and sustainable environment in line with the U.N. General Assembly Resolution 76/300 of 28 July 2022.
- **Disclosure, Increased Transparency, and Commitments:** Finally, Target 15 calls on large and transnational companies and financial institutions to "*monitor, assess, and transparently disclose*" their risks and impacts on biodiversity throughout their operations, portfolios, supply, and value chains by 2030. Many Parties, as well as Business for Nature, a corporate coalition, had called on the COP15 delegates to make Target 15 mandatory for all companies. While the GBF did does not make the target "*mandatory*" or set concrete benchmarks and does not bind private actors, it may nonetheless have significant impacts and enhance impetus in this area, which has already seen some development.

The disclosure-related Target 15 builds on a growing number of existing regulations and standards and will likely spur additional actions, as summarized below:

- ***Existing National and Regional Regulations*** – As noted in our previous alert, a number of regulations already apply to corporates and/or investment funds in Europe (for example in the UK, France, and the EU[37]) and globally that already incorporate specific biodiversity and nature-related disclosures. As with other ESG-related disclosures and standards, alignment across regulatory and industry sectors in the development of further or enhanced biodiversity disclosures will be key for industry generally. Organizations should, however, be prepared to encounter a host of new and potentially inconsistent rules and regulations across countries.
- ***Global Standards and Frameworks*** – Prior to COP15, the Taskforce on Nature-Related Financial Disclosure ("**TNFD**") released the third version of its beta framework (v0.3) for nature-related risk management and disclosures, which includes guidance on target-setting developed with the Science Based Targets Network ("**SBTN"**).[38] Calls on business and financial institutions to assess and disclose their biodiversity impacts and risks have only increased since COP15. In response, the International Sustainability Standards Board ("**ISSB**"**)** announced that it will research "*incremental enhancements*" to complement the Climate-Related Disclosures Standard (S2) (currently under development), including in relation to "*natural ecosystems*."[39] There are already calls to make the ISSB standard (once completed) mandatory.[40]

While mandatory disclosure may be some years away, in the meantime the GBF may result in the enhancement of existing national and regional regulations and accelerate the development and proliferation of new voluntary (and eventually mandatory) rules on nature-related disclosure across different jurisdictions and regulatory regimes. This could in turn affect long-term investment decisions and regulatory compliance for businesses across the value chain.

V. Conclusion

There have already been a number of private-sector related developments relating to biodiversity, which indicate that these issues are gaining real momentum and traction in the financial markets. These include the launch of a number of new biodiversity funds,[41] the expansion and enhancement of biodiversity criteria in sustainable bonds and sustainability-linked loans, and the developments in the voluntary biodiversity credits market.

The Global Biodiversity Framework reflects a further, important milestone in this journey. The full impact of COP15 may not be visible until COP16, when CBD Parties are called to publish their national biodiversity action plans. However, the private sector is rightly taking note of the key emerging operational impacts on business (such as respect for Indigenous

© 2026 Gibson, Dunn & Crutcher LLP. All rights reserved. For contact and other information, please visit us at www.gibsondunn.com. | **www.gibsondunn.com**

and human rights, and transparency and reporting of risks and impacts on biodiversity) and its corresponding complexities and costs of implementation alongside the growth and economic opportunities for market participants.

---

[1] Conf. of the Parties to the Convention on Biological Diversity, U.N. Doc. CBD/COP/15/L.25, *Kunming-Montreal Global Biodiversity Framework*, Draft Decision Submitted by the President (Dec. 18, 2022) [hereinafter "**GBF**"].

[2] Convention on Biological Diversity, *opened for signature*, June 5, 1992, 1760 U.N.T.S. 79 (entered into force Dec. 29, 1993) [hereinafter "**CBD**"].

[3] *See* Gibson Dunn's Client Alert on COP 15 (Part I) and related regulatory developments published in October 2021: COP 15 Biodiversity Firmly Back On The Regulatory Agenda.

[4] *See* CBD, *Nations Adopt Four Goals, 23 Targets for 2030 in Landmark UN Biodiversity Agreement*, CBD Press Release (Dec. 19, 2022) [hereinafter "**CBD Press Release**"].

[5] *See, e.g.*, Cartagena Protocol on Biosafety to the Convention on Biological Diversity, *opened for signature*, May 15, 2000, 2226 U.N.T.S. 208 (entered into force Sept. 11, 2003); Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity, *opened for signature* Feb. 2, 2011, 3008 U.N.T.S. 3 (entered into force Oct. 12, 2014).

[6] *See* CBD Press Release.

[7] UK International Environment Minister Zac Goldsmith, quoted in CarbonBrief, *COP15: Key outcomes agreed at the UN biodiversity conference in Montreal*, 20 Dec. 2022 [hereinafter **CarbonBrief, *COP15: Key outcomes***].

[8] Canadian Environment Minister Steven Guilbeault, quoted in *id*.

[9] The other key Rio Summit treaties include the UN Framework Convention on Climate Change ("**UNFCCC**") and the UN Convention to Combat Desertification ("**UNCCD**").

[10] CBD, art. 1.

[11] CBD, Decision X/2, "*The Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets*," Doc. No. UNEP/CBD/COP/DEC/X/2, 29 October 2010.

[12] The *Global Biodiversity Outlook 5* found, *inter alia*, that "[b]*iodiversity is declining at an unprecedented rate, and the pressures driving this decline are intensifying. None of the Aichi Biodiversity Targets will be fully met, in turn threatening the achievement of the Sustainable Development Goals and undermining efforts to address climate change*."

[13] CBD, *Nations Adopt Four Goals, 23 Targets for 2030* in *Landmark UN Biodiversity Agreement*, CBD Press Release, 19 Dec. 2022.

[14] CarbonBrief, *COP15: Key outcomes*.

[15] *See, e.g.*, Conf. of the Parties to the Convention on Biological Diversity, U.N. Doc. CBD/COP/15/L.26, *Monitoring framework for the Kunming-Montreal global biodiversity framework*, Draft Decision Submitted by the President (Dec. 18, 2022); Conf. of the Parties to the Convention on Biological Diversity, U.N. Doc. CBD/COP/15/L.27, *Mechanisms for Planning, Monitoring, Reporting and Review*, Draft Decision Submitted by the President (Dec. 18, 2022); Conf. of the Parties to the Convention on Biological Diversity, U.N. Doc.

© 2026 Gibson, Dunn & Crutcher LLP. All rights reserved. For contact and other information, please visit us at www.gibsondunn.com. | **www.gibsondunn.com**

CBD/COP/15/L.29, *Resource Mobilization*, Draft Decision Submitted by the President (Dec. 18, 2022); Conf. of the Parties to the Convention on Biological Diversity, U.N. Doc. CBD/COP/15/L.34, *Long-term strategic approach to mainstreaming biodiversity within and across sectors*, Draft Decision Submitted by the Chair of Working Group I (Dec. 19, 2022).

[16] *See* World Economic Forum, Nature Risk Rising: Why the Crisis Engulfing Nature Matters for Business and the Economy (2020).

[17] *See* World Economic Forum, The Global Risks Report (2022). The top two global risks over a 10-year horizon are "*climate action failure*" and "*extreme weather*."

[18] *See* Global Environment Facility, *Land Degradation*; Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), *Nature's Dangerous Decline 'Unprecedented'; Species Extinction Rates 'Accelerating'*, Media Release (May 5, 2019); OECD, Biodiversity: Finance and the Economic and Business Case for Action (Report prepared by the OECD for the French G7 Presidency and the G7 Environment Ministers' Meeting, 5-6 May 2019) (2019); World Economic Forum, Nature Risk Rising: Why the Crisis Engulfing Nature Matters for Business and the Economy (2020); World Bank, *Protecting Nature Could Avert Global Economic Losses of $2.7 Trillion Per Year*, Press Release (July 1, 2021); UK Government Office for Science, COP15 International Science Advisors' Statement (Dec. 5, 2022).

[19] For example, a recent assessment (November 2022) conducted by CDP showed almost half the companies covered recognising biodiversity as a risk and considering it in their strategies and circa 31% making public commitments and/or endorsements of biodiversity-related initiatives.

[20] *See* World Economic Forum, The Future of Nature and Business, *New Nature Economy Report II* (2020). "*Nature-positive*" refers to the goal that calls for zero net loss of nature from 2020, a net increase by 2030 and full recovery by 2050.

[21] See studies by Verdone and Seidl on the value of investing in restoration and degraded landscapes who estimate that at a global level each US dollar invested in restoring degraded forests gives back between US$7 and US$30 in economic benefits. (Verdone, M., Seidl, A. (2017). Time, space, place, and the Bonn Challenge global forest restoration target Restoration Ecology 25(6): 903–911).

[22] U.N. Env't Prog., State of Finance for Nature (2021).

[23] UNPRI, *150 financial institutions, managing more than $24 trillion, call on world leaders to adopt ambitious Global Biodiversity Framework at COP15*, COP 15 Announcement (Dec. 13, 2022).

[24] A financial instrument which can be used by organizations to help finance activities that deliver absolute positive biodiversity gains. *See also* World Economic Forum, *How biodiversity credits can deliver benefits for business, nature and local communities* (Dec. 9, 2022).

[25] *See* World Economic Forum, The Post-2020 Global Biodiversity Framework and What it Means for Business (Dec. 2022) [hereinafter "**WEF, The Post-2020 GBF**"].

[26] Conf. of the Parties to the Convention on Biological Diversity, U.N. Doc. CBD/COP/15/L.29, *Resource Mobilization*, Draft Decision Submitted by the President (Dec. 18, 2022) (requesting the GEF to establish a Special Trust Fund called the Global Biodiversity Framework Fund ("**GBF Fund**") "*in 2023, and until 2030*" to support the framework).

[27] *See* Conf. of the Parties to the Convention on Biological Diversity, U.N. Doc. CBD/COP/15/L.27, *Mechanisms for Planning, Monitoring, Reporting and Review*, Draft

© 2026 Gibson, Dunn & Crutcher LLP. All rights reserved. For contact and other information, please visit us at www.gibsondunn.com. | **www.gibsondunn.com**

Decision Submitted by the President (Dec. 18, 2022), Art. 1(a).

[28] *See id.*, Art. 1(b).

[29] This could take the form of a separate treaty instrument, like Biodiversity Beyond National Jurisdictions ("**BBNJ**"), which is currently being negotiated within the framework of the United Nations Convention on the Law of the Sea ("**UNCLOS**"), while the exploitation of the seafloor would be governed by the International Seabed Authority.

[30] CarbonBrief, *COP15: Key Outcomes.*

[31] *See, e.g.*, GBF, Sec. J ("*Responsibility and Transparency*") (setting out "*effective mechanisms for planning, monitoring, reporting and review*"). *See also* Conf. of the Parties to the Convention on Biological Diversity, U.N. Doc. CBD/COP/15/L.27, *Mechanisms for Planning, Monitoring, Reporting and Review*, Draft Decision Submitted by the President (Dec. 18, 2022) (adopting an "*enhanced multidimensional approach to planning, monitoring, reporting and review*" in order to "*enhanc*[e] *implementation*" of the CBD and the GBF).

[32] In particular, the WEF expects that these changes will help level the playing field for businesses that have been proactive in addressing their impacts on nature, while imposing "*growing transition risks*" on those who have not worked on adopting a nature-positive approach. Some of the regulator- and business-driven approaches to halting and reversing biodiversity decline include: 1. Deforestation-free supply chains and supply-chain environmental and social due diligence; 2. Net positive impact (NPI) approaches; 3. Financial institutions' policies to address drivers of biodiversity loss; 4. Extended producer responsibility (EPR) schemes; 5. Payment for ecosystem services (PES); and, 6. Regenerative agriculture. *See* WEF, *The Post-2020 GBF*.

[33] *See, e.g.*, High Ambition Coalition, *More than 100 Countries Now Formally Support the Global Target to Protect at Least 30% of the Planet's Land and Ocean by 2030*, Statement (June 30, 2022).

[34] *See* U.N. Env't Prog. et al., Protected Planet Report 2020 (May 19, 2021).

[35] This is at the same time seen as key to tackling climate change. A joint report by the IPBES (referenced above) and the Intergovernmental Panel on Climate Change ("**IPCC**") in 2021 emphasized that biodiversity and climate challenges can only be solved in tandem. *See also* WEF, *The Post-2020 GBF*, at 45.

[36] This includes Goal C, as well as spatial planning (Target 1), conservation (Target 3), customary sustainable use (Target 5 and 9), financial resources (Target 19), data, information, and knowledge (Target 21), access to justice, information, and participation (Target 22). There are also specific references to "*traditional knowledge*" (Goal C, & Targets 13, 21, 22). More generally, implementation of the GBF must ensure Indigenous rights and knowledge, including traditional knowledge associated with biodiversity (GBF, Art. 8 – "*Contribution and rights of indigenous peoples and local communities*").

[37] *See, e.g.*, (i) French Law No. 2019-1147 of 8 November 2019 Regarding Energy and Climate, Art. 29 (Loi n° 2019-1147 du 8 novembre 2019 relative à l'énergie et au climat); (ii) EU Sustainable Finance Disclosure Regulation 2019/2088 ("**SFDR**")-required Statement of Principal Adverse Impacts ("**PAI**") of investment decisions on sustainability factors, such as PAI 7 (Biodiversity): "*Activities negatively affecting biodiversity-sensitive areas*"; (iii) EU Taxonomy Regulation 2020/852's Environmental Objective 6 (Protection and Restoration of Biodiversity and Ecosystems) and the EU's Do No Significant Harm ("**DNSH**") principle, which is meant to ensure that economic activities are not damaging to any environmental objective, where relevant, within the meaning of Article 17 of Regulation (EU) 2020/852.

© 2026 Gibson, Dunn & Crutcher LLP. All rights reserved. For contact and other information, please visit us at www.gibsondunn.com. | **www.gibsondunn.com**

[38] On the COP15 Finance Day, Germany committed new funding of EUR 29 million to the TNFD, to be used to complete the technical design work of the TNFD's recommendations, encourage global uptake, and aid alignment with emerging sustainability standards and regulations around the world. The TNFD is based on the format adopted for the Task Force on Climate-Related Financial Disclosures ("**TCFD**").

[39] ISSB has stated that it would build on the work of market-led initiatives grounded in current-best practice and thinking and consider in particular the work of the TNFD and other existing nature-related standards and disclosures (including TNFD's recent work on the intersection of climate and biodiversity disclosures).

[40] For example, Mark Carney, Co-Chair of the Glasgow Financial Alliance for Net-Zero ("**GFANZ**") and founder of the Taskforce on Scaling Voluntary Carbon Markets, has called on the CBD Parties to establish a mandate within Goal D and Target 15 to align financial flows with nature goals and in particular to use these as a base to "establish credible policies to hold finance and other sectors to account for aligning with the goals of halting and reversing nature loss and scaling nature-based solutions." *See* Mark Carney speech at the COP15 Finance and Biodiversity Day on 13 December 2022.

[41] Examples include a number of new equity funds launched such as AXA WF ACT Biodiversity Fund, BNP Paribas Easy ESG Eurozone Biodiversity Leaders PAB UCITS ETF and BNP Paribas Ecosystem Restoration fund, Federated Hermes Biodiversity Equity Fund, Fidelity Biodiversity Equity Fund, RobecoSAM Biodiversity Equities, and UBAM Biodiversity Restoration fund.

The following Gibson Dunn lawyers assisted in the preparation of this client update: Selina Sagayam, Susy Bullock, and Maria L. Banda.

Gibson Dunn's lawyers are available to assist in addressing any questions you may have regarding these developments. Please contact the Gibson Dunn lawyer with whom you usually work, any member of the firm's Environmental, Social and Governance (ESG), Transnational Litigation, or International Arbitration practice groups, or the authors:

Susy Bullock – London (+44 (0) 20 7071 4283, sbullock@gibsondunn.com) Selina S. Sagayam – London (+44 (0) 20 7071 4263, ssagayam@gibsondunn.com) Maria L. Banda – Washington, D.C. (+1 202-887-3678, mbanda@gibsondunn.com)

Environmental, Social and Governance (ESG) Group: Susy Bullock – London (+44 (0) 20 7071 4283, sbullock@gibsondunn.com) Elizabeth Ising – Washington, D.C. (+1 202-955-8287, eising@gibsondunn.com) Perlette M. Jura – Los Angeles (+1 213-229-7121, pjura@gibsondunn.com) Ronald Kirk – Dallas (+1 214-698-3295, rkirk@gibsondunn.com) Michael K. Murphy – Washington, D.C. (+1 202-955-8238, mmurphy@gibsondunn.com) Selina S. Sagayam – London (+44 (0) 20 7071 4263, ssagayam@gibsondunn.com)

Transnational Litigation Group: Susy Bullock – London (+44 (0) 20 7071 4283, sbullock@gibsondunn.com) Perlette Michèle Jura – Los Angeles (+1 213-229-7121, pjura@gibsondunn.com) Andrea E. Neuman – New York (+1 212-351-3883, aneuman@gibsondunn.com) William E. Thomson – Los Angeles (+1 213-229-7891, wthomson@gibsondunn.com)

International Arbitration Group: Cyrus Benson – London (+44 (0) 20 7071 4239, cbenson@gibsondunn.com) Penny Madden KC – London (+44 (0) 20 7071 4226, pmadden@gibsondunn.com) Jeff Sullivan KC – London (+44 (0) 20 7071 4231, Jeffrey.Sullivan@gibsondunn.com)

© 2023 Gibson, Dunn & Crutcher LLP Attorney Advertising: The enclosed materials have been prepared for general informational purposes only and are not intended as legal

© 2026 Gibson, Dunn & Crutcher LLP. All rights reserved. For contact and other information, please visit us at www.gibsondunn.com. | **www.gibsondunn.com**

advice.

Related Capabilities

ESG: Risk, Litigation, and Reporting

Transnational Litigation

International Arbitration

© 2026 Gibson, Dunn & Crutcher LLP. All rights reserved. For contact and other information, please visit us at www.gibsondunn.com. | **www.gibsondunn.com**