

UN Biodiversity Conference Highlights: Friday, 9 December 2022

Negotiations progressed in contact groups and Friends of the Chair groups on the global biodiversity framework (GBF), monitoring and reporting, and technical and scientific cooperation. Working Groups took stock of progress of contact groups and reviewed several conference room papers (CRPs). In the evening, work continued on the GBF, digital sequence information (DSI), marine and coastal biodiversity, and the implementation plan and capacity-building action plan of the Cartagena Protocol on Biosafety.

Working Group I

Delegates heard reports from contact groups. On **resource mobilization**, SOUTH AFRICA reported convergence on many of the tools to be used and divergence on the role of the Global Environment Facility (GEF) and a global biodiversity fund. On the **GBF**, CANADA and UGANDA informed that more than half of the brackets in the GBF's opening Sections (A-E) had been resolved. On **DSI**, SOUTH AFRICA noted good will in reaching compromise in a Friends of the Chair group. On **capacity building**, the NETHERLANDS noted a Friends of the Co-Chairs group will address options for institutional mechanisms for enhanced scientific cooperation. The UK reported on continued work on the draft decision and annexes on **monitoring, reporting, and review**. On the Friends of the Chair group on the **GBF monitoring framework**, MEXICO reported agreement on the draft decision, with only the reference to Annex I on the monitoring framework remaining bracketed, adding that many parties called for agreement on the framework's indicators before addressing the terms of reference (TOR) for the *Ad Hoc* Technical Expert Group (AHTEG) in Annex II.

Delegates adopted with no or minor amendments CRPs on:

- the in-depth dialogue on thematic areas under Article 8(j) (traditional knowledge) (CBD/COP/15/WG1/CRP.4);
- the recommendations of the UN Permanent Forum on Indigenous Issues (CBD/COP/15/WG1/CRP.5);
- informing the scientific and technical evidence base for the GBF (CBD/COP/15/WG1/CRP.1); and
- review of progress in implementation of the Convention on Biological Diversity (CBD) and the Strategic Plan 2011-2020 (CBD/COP/15/WG1/CRP.6).

Article 8(j): Delegates addressed a CRP on the development of a new work programme (CBD/COP/15/WG1/CRP.3). On the draft objectives, general principles, and elements of the work programme (Annex I), MEXICO urged retaining only the reference to "free, prior and informed consent," noting that it is standard language from the UN Declaration on the Rights of Indigenous Peoples. The EU suggested maintaining the alternative formulations of "prior informed consent or approval and involvement" of Indigenous Peoples and local communities

(IPLCs) in a footnote. Delegates agreed to Annex I with this and other minor amendments. They noted that Annex II, which contains possible elements for the work programme, will be considered at the next meeting of the intersessional Working Group on Article 8(j). They then approved Annex III on the TOR of the AHTEG on the new work programme with minor amendments.

In the operational paragraphs of the draft decision, BOLIVIA suggested recognition of cosmobiocentric worldviews and diverse values in a paragraph focusing on facilitating full and effective IPLC participation. The UK noted that there has been no agreement on a network of focal points on traditional knowledge for the GBF, calling for supporting and strengthening the role of CBD national focal points. MEXICO and GUATEMALA suggested that the AHTEG include experts both from Indigenous Peoples and from local communities. JAPAN called for noting that any programme and plan would be implemented in a cost-effective manner and without overlap with the work of the Meeting of the Parties (MOP) or other international organizations such as the World Intellectual Property Organization. Delegates approved the CRP with these amendments.

Working Group II

Chair Brown reported on progress from contact groups and Friends of the Chair groups. On **biodiversity and climate change**, the Friends of the Chair group reached consensus on two out of nine bracketed paragraphs, with discussions continuing. On the **agriculture** contact group, a limited number of brackets remain and a CRP will be prepared. Discussions will continue in the contact group on **marine and coastal biodiversity**, and an informal group will discuss deep-sea mining. SOUTH AFRICA reported progress in the contact group on **synthetic biology**, but also outstanding work, including on the TOR for the AHTEG to support the process of horizon scanning.

Delegates approved the following CRPs under the Cartagena Protocol without substantial amendments:

- monitoring and reporting (CBD/CP/MOP/10/WG2/CRP.1);
- assessment and review and final evaluation of the Strategic Plan 2011-2020 (CBD/CP/MOP/10/WG2/CRP.2);
- compliance (CBD/CP/MOP/10/WG2/CRP.4);
- socio-economic considerations (CBD/CP/MOP/10/WG2/CRP.5);
- the Nagoya – Kuala Lumpur Supplementary Protocol (CBD/CP/MOP/10/WG2/CRP.3);
- the Biosafety Clearing-House (CBD/CP/MOP/10/WG2/CRP.6); and
- risk assessment and risk management (CBD/CP/MOP/10/WG2/CRP.9).

Delegates approved the following CRPs under the Nagoya Protocol without substantial amendments:

- access and benefit-sharing (ABS) Clearing-House (CBD/NP/MOP/4/WG2/CRP.3);
- capacity building and awareness raising (CBD/NP/MOP/4/WG2/CRP.4); and
- compliance (CBD/NP/MOP/4/WG2/CRP.5).

(CBD) Sustainable Wildlife Management: Chair Brown introduced a CRP (CBD/COP/15/WG2/CRP.2). MEXICO suggested referring to the “legal” and sustainable use of biodiversity. Following discussion on a proposal by the EU, delegates agreed to take note with appreciation the thematic assessment on the sustainable use of wild species of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES). The CRP was approved with these and other minor amendments.

(CP) Detection and Identification of Living Modified Organisms (LMOs): Delegates addressed a CRP (CBD/CP/MOP/10/WG2/CRP.8). BRAZIL, supported by PARAGUAY and ECUADOR, requested deleting language on parties submitting information on techniques and organisms resulting from new technologies. The EU and SOUTH AFRICA opposed. Following informal discussions, consensus was reached to refer to newly developed and unauthorized LMOs. Following lengthy discussions, delegates agreed to urge parties and invite international organizations to provide financial resources to laboratories and to strengthen LMO detection and identification infrastructure, particularly in developing countries and especially in least developed countries, small island developing states, and countries with economies in transition. Parties further agreed on encouraging funding for capacity building of relevant personnel and on requesting the 25th meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) to consider the need for an update of the training manual on the detection and identification of LMOs upon the submission of relevant information by parties. The CRP was approved with these amendments.

(NP) Financial Mechanism and Resources: On a CRP (CBD/NP/MOP/4/WG2/CRP.2), delegates agreed to include in the framework of programme priorities for GEF-8, the need to support the integration and mainstreaming of ABS on genetic resources and traditional knowledge in biodiversity and sustainable development-related policies. The CRP was approved with this and other minor amendments, and with the understanding that a paragraph welcoming the COP decision relating to the new strategy for resource mobilization will remain bracketed until the strategy is finalized.

(NP) Monitoring and Reporting: Delegates addressed a CRP (CBD/NP/MOP/4/WG2/CRP.1). They accepted a proposal by MALAWI to reflect all articles of the Protocol when reviewing the format for national reporting. On the reporting questionnaire, TOGO proposed that parties explain their answers irrespective of whether they are affirmative or negative, which was accepted. Following a proposal by MALAWI, a lengthy debate and informal deliberations, parties agreed to add a question relating to other specialized international ABS instruments.

(CBD/CP/NP) Review of Effectiveness: Delegates addressed a CRP (CBD/COP/15/WG2/CRP.3). Discussions revolved around how to address virtual and hybrid meetings. The EU and the UK promoted a balanced approach, with proposals for highlighting collaborative, environmental, and financial advantages of hybrid meetings. The AFRICAN GROUP and NEW ZEALAND referred to the benefits of face-to-face negotiations and to challenges from technology and timezone differences, wishing to restrict virtual and hybrid meetings to special circumstances. The debate was referred to an informal group. A second informal group was requested to find a solution for a bracketed paragraph on other areas to improve effectiveness.

Contact Groups

GBF: Co-chaired by Basile van Havre (Canada) and Francis Ogwal (Uganda), delegates agreed to start the section on fundamental premises (B bis) with a shortened chapeau regarding how GBF implementation, including the vision, mission, goals, and targets are to be understood, acted upon, implemented, reported, and evaluated. They then agreed to a number of paragraphs presented following informal consultations on: a human rights-based approach to GBF implementation; consistency with international agreements and instruments; cooperation and synergies; and the theory of change. Informal consultations continue on texts on the One Health approach and on principles introduced from COP Decision 14/34 (preparatory process for the GBF).

Delegates then addressed the 2050 goals. Goal A on conservation of ecosystems, species, and genetic diversity included two options, the first of which contained numerical values. A large coalition of countries proposed a third, compromise option, which included some numerical values. Following discussion, delegates agreed to work on the basis of the third option, on the understanding they could introduce concepts from the second one. The matter was referred to an informal group. Discussions continued in the evening on the goals and the 2030 targets.

Planning, Monitoring, Reporting, and Review: Co-chaired by Gillian Guthrie (Jamaica) and Andrew Stott (UK), the group continued negotiations on a Co-Chairs’ non-paper. With regard to the global review of progress in GBF implementation, parties debated whether to refer to either a review, review of impacts, assessment, stocktake, or analysis. Delegates argued that “impacts” would be taken into account in stocktaking proposed in a different paragraph and that “assessment” can be confounded with IPBES work, adding that “analysis” requires discussions on parameters to be used. They agreed to conduct a “global review of collective progress” in the implementation of the GBF, including means of implementation, at COP 17 and COP 19. They also agreed the sources of information should be decided at COP 16. Co-Chair Guthrie suggested a footnote describing what a review entails. They further debated whether to establish an AHTEG to develop concrete procedures for the review, and decided to mandate the Subsidiary Body on Implementation (SBI), with advice from SBSTTA, to develop draft procedures for a global review of collective progress in GBF implementation. The paragraph on revising and updating national biodiversity strategies and action plans was amended to reflect that the revision would be informed by the outcomes of the global review.

In The Corridors

As another busy day packed with working and contact group meetings progressed, delegates began to seriously consider what their chances are of reaching an agreement on an ambitious GBF. While most emphasized that the third day of the COP is still too early for accurate predictions, they concurred on the main obstacles. “If we manage to agree on resource mobilization and digital sequence information, then the only thing pending is to find our way out of the labyrinth of goals and targets of the GBF,” joked a delegate, trying to keep an eye on the penalty shootouts at the football World Cup.

Other participants, however, opted to focus away from the spotlight. “While the GBF is undoubtedly the most urgent consideration,” one offered “we should not lose sight of the important work that has already been fulfilled.” She pointed towards a series of more technical items successfully concluded, especially under the Convention’s Protocols, including on the ABS and Biosafety Clearing-Houses, emphasizing that “this is what implementation is all about.”