

UN Biodiversity Conference Highlights: Wednesday, 14 December 2022

Resource mobilization was the topic of the day, following a walkout of developing countries from contact group deliberations late on Tuesday night. The need to close the financing gap was at the core of negotiations on the global biodiversity framework (GBF), including target 19.1 on financial resources, as well as related discussions on resource mobilization and the Global Environment Facility (GEF). Contact groups also addressed linkages of biodiversity with health, and with climate change. The Friends of the Chair group on digital sequence information (DSI) and the budget committee continued their work. Informal consultations were held on GBF target 10 on management of productive areas, the monitoring framework, and indicators. Heads of delegation met to discuss the state of negotiations and major stumbling blocks. In the evening, contact groups continued work on the GBF, synthetic biology, and resource mobilization, while informal consultations focused on GEF-related matters.

Contact Groups

Biodiversity and Health: Guided by Co-Chairs Barbara Engels (Germany) and Andrew Rhodes Espinoza (Mexico), the contact group made progress on a draft decision based on Recommendation 24/7 of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA), leaving bracketed only text that depends on other items in ongoing negotiations, in particular DSI. For the preambular paragraphs, delegates agreed to note UN General Assembly Resolution 76/300 on the human right to a clean, healthy, and sustainable environment, and Human Rights Council Resolution 50/13 on access to medicines, vaccines, and other health products. They also agreed to include a reference to the newly adopted One Health Joint Plan of Action of the Quadripartite Alliance for One Health. Parties agreed to invite the GEF, in accordance with its mandate, as appropriate, to consider providing technical and financial support for mainstreaming biodiversity and health linkages. Delegates could not reach agreement on language around social determinants of health and socio-economic inequities between developing and developed countries. They also differed on a reference to the “principles” or the “importance” of equity and solidarity with regard to an invitation to the Quadripartite Alliance for One Health and others to take them into account in their work on health and biodiversity. On a request to the Secretariat to produce an updated version of the draft global action on biodiversity and health, bracketed language relates to the need to recognize issues of equity and benefit-sharing. References to DSI and associated traditional knowledge also remain bracketed.

Capacity Building and Technical and Scientific

Cooperation: Co-Chairs Laura Bermudez (Colombia) and Haike Jan Haanstra (the Netherlands) proposed negotiations based on a non-paper, including annexes on: the long-term strategic framework for capacity building and development; and proposals to strengthen technical and scientific cooperation in support of the GBF. Developing countries opposed line-by-line negotiations until the conclusion of the closed meeting of Heads of delegation. Co-Chair Haanstra suggested engaging in negotiations of a non-paper on knowledge management, which was also opposed.

GBF: Lunchtime consultations addressed **Target 10** on management of productive areas. Divergence of views remains on, among other issues: whether “all” productive areas should be managed sustainably; inclusion of fisheries, in addition to agriculture, aquaculture, and forestry; language on the need for a substantial increase of the application of biodiversity-friendly practices and on achieving food security; and a reference to the need for efficiency and productivity of production systems.

In the afternoon, the contact group continued deliberations on **Target 19.1** on financial resources. Expressing concern on lack of progress, developing countries called for closing the financing gap, and providing new and predictable resources in an urgent manner, through a clear and ambitious target. They emphasized support for short-term strengthening of the GEF for immediate financial flow and the establishment of a dedicated fund to be made available by COP 16.

Delegates agreed to move language on “aligning financial flows with the GBF and towards nature-positive economies” to Goal D, arguing that the alignment also applies to other targets on tools and solutions for mainstreaming. Regarding numerical figures of the target, developing countries cited the findings of the report of the panel of experts on resource mobilization, emphasizing three components: the need to close the financial gap, which amounts to USD 700 billion annually; of which USD 500 billion are from harmful incentives; and the remaining USD 200 billion being new and additional resources required to implement the GBF. One party reiterated that developed countries are responsible for 50% of biodiversity loss in developing countries and are therefore responsible for 100 out of the USD 200 billion required. Some parties supported including a footnote referencing the report of the panel of experts.

Delegates noted prior agreement to separate issues of resource mobilization from those on the financial gap, and decided to move the text on subsidies to target 18 on harmful incentives. They agreed to move the reference to the financial gap of USD 700 billion to Goal D, as an overarching and long-term goal. Some delegates called for including the notion that the amount

is what is required globally and should be mobilized every year. Most agreed to substantially and progressively increase the level of financial resources from all sources, including domestic, international, public, and private, in accordance with Article 20 of the Convention to implement national biodiversity strategies and action plans (NBSAPs) by mobilizing at least USD 200 billion every year. The issue on whether the amount will be raised globally, and “by 2030” or “until 2030” remained unresolved.

Delegates disagreed about whether the purpose of the first subparagraph was to focus on the flow of financial resources from developed to developing countries, in line with CBD Article 20 (financial resources), as developing countries pointed out; or, as a number of developed countries argued, on flows of financial resources to developing countries.

While some developed countries preferred language generally referring to “finance flows,” developing countries insisted on consistency with CBD language by referring to “financial resources from developed countries.” One developed country urged to also include reference to countries with capacity to contribute. Discussion circled around whether the respective financial resources addressed in this provision should be restricted to public ones addressed in CBD Article 20, with many proposing to have a separate subparagraph about other funding sources, including from international finance institutions and multilateral development banks.

Developing countries then encouraged a general debate about the level of ambition regarding the amount of financial resources committed, whereas some developed countries requested clarity on the nature of the financial flows to be covered. In turn, developing countries flagged reluctance to engage in discussions under the GBF conservation targets, unless the level of ambition was matched in regard to financial resources.

DSI: The group addressed a revised non-paper developed by co-facilitators William Lockhart (UK) and Martha Mphatso Kalemba (Malawi). Delegates addressed a paragraph on scope, including bracketed text noting that DSI is the result of the utilization of genetic resources, and benefits from its use should therefore be shared fairly and equitably. They agreed that no consensus can be reached on either the scope of DSI or its definition, and focused on relevant fair and equitable benefit-sharing from use of DSI. Agreement could not be reached and discussions will continue based on three options.

Parties agreed that the distribution of, and distinctive practices in, the use of DSI require a distinctive solution for benefit-sharing. They further discussed, without reaching agreement: encouraging the depositing of more DSI on genetic resources in public databases; provision of information on their geographical origin; compliance with applicable access and benefit-sharing regulations; and provision of other relevant metadata.

Delegates addressed tracking and tracing of DSI on genetic resources. Most parties agreed in principle that tracking and tracing would be neither practical nor feasible and would not promote a solution for the sharing of relevant benefits. Some underscored the need for information on the geographical origin, especially for specific species. Following lengthy discussions, parties agreed to recognize that “tracking and tracing of all DSI on genetic resources is not practical.”

Following a lengthy discussion on the merits of a multilateral approach on the sharing of the benefits arising from the use of DSI, delegates agreed that this approach has, or could have, the

greatest potential to meet the agreed criteria for a solution on benefit-sharing. They further agreed to recognize, as compromise language, that exceptions to the multilateral approach may be identified in the course of the analysis.

Biodiversity and Climate Change: Guided by Co-Chairs Rita El Zaghoul (Costa Rica) and Sigurdur Thrainsson (Iceland), the contact group held a lengthy discussion on the key aspects of the draft decision and came close to finding common ground. Delegates tentatively agreed to refer to the UN Environment Assembly Resolution 5/5 on nature-based solutions for sustainable development in preambular text and to include the definition of such solutions and the need for further analysis of their effects. They also converged on referring to both nature-based solutions “and/or” ecosystem-based approaches, “as appropriate,” throughout the draft decision, and on encouraging parties to consider both concepts “for their mitigation and adaptation action while ensuring relevant social and environmental safeguards.”

There was no palpable solution on whether global strategies to address biodiversity and climate change should take into account “such principles as common but differentiated responsibilities.” A reference to renewable energies in the context of impacts on biodiversity from climate change mitigation action also remains bracketed. The Co-Chairs will consult with Working Group II Chair Brown on whether the item can be referred to a Friends of the Chair group.

Synthetic Biology: Discussions focused on the process for horizon scanning, monitoring, and assessment. An informal group reported back on its work, noting that initial agreement was reached on creating a “Multidisciplinary” *Ad hoc* Technical Expert Group, simultaneously deleting reference to “social, economic, and cultural impacts as well as related issues” regarding a relevant review by SBSTTA. Following lengthy discussions, the group agreed to the aforementioned compromise.

Delegates further agreed on the coordinating actors for the various steps of the process, noting that they will make use, when possible, of digital tools for disseminating and collecting information, including submissions of information, outreach to relevant institutions and organizations, online fora, and collaborative activities, as appropriate. Discussions continued into the night.

In The Corridors

Resource mobilization was the talk of the day, with media and participants reflecting on the late-night events of the previous day. The walkout by developing countries during the negotiations on resource mobilization had taken many by surprise, causing widespread concern.

Discussions in the corridors and behind closed doors brought up the finance gap for biodiversity action, with positions potentially hundreds of billions of USD apart. During a suspense-filled contact group on the GBF in the afternoon, one delegate stressed that, “we are not accepting a GBF without proportionate finance.” Statements indeed reiterated that the level of ambition for both financial resources and conservation targets of the GBF had to be synchronized, as delegates were called on to put their positions on the table, since “we cannot pretend to like omelets and be afraid of breaking the eggs!” As the day progressed, some participants pondered whether the GBF or the resource mobilization strategy would take priority in further negotiations. One participant raised the proverbial question: “What should come first, the chicken or the egg?”