

SBI 4 Highlights: Tuesday, 28 May 2024

On the penultimate day of the fourth meeting of the Subsidiary Body on Implementation (SBI 4), delegates strived to make progress addressing conference room papers (CRPs) on: the financial mechanism; the draft capacity-building and development action plan for the Nagoya Protocol (NP); the Clearing-house mechanism (CHM) and knowledge management; and communication, education, and public awareness (CEPA). The contact group on mechanisms for planning, monitoring, reporting, and review met in the evening.

Financial Mechanism

Delegates resumed consideration of [CBD/SBI/4/CRP.2](#), discussing the draft recommendations to the 16th meeting of the Conference of the Parties (COP 16).

BRAZIL proposed “welcoming” rather than “acknowledging” the aspirational programming share of 20 per cent of resources allocated under the Kunming-Montreal Global Biodiversity Framework (GBF) Fund to support actions by Indigenous Peoples and local communities (IPLCs). NORWAY suggested recommending that the Global Environment Facility (GEF) “ensures that country-driven projects contributing to this target are designed and implemented” in consultation and partnership with IPLCs. The paragraph was approved as amended.

A paragraph emphasizing the applicability of COP guidance to the GBF Fund was bracketed. Regarding a provision referring to the annex, which addresses the four-year outcome-oriented framework of biodiversity programming priorities for the ninth replenishment period of the GEF (GEF-9), many parties wished to make amendments within the annex. SBI 4 Chair Chirra Achalender Reddy (India) bracketed the annex and the operative paragraph, with a footnote, suggested by the UK, indicating lack of detailed discussions at SBI 4.

On two paragraphs directed to the governing bodies and secretariats of other biodiversity-related conventions, the DEMOCRATIC REPUBLIC OF THE CONGO (DRC) suggested “encouraging” rather than “inviting” cooperation and synergies. This amendment was accepted for the first paragraph that requests these conventions include a standing agenda item on their meetings to provide advice on collaboration and synergies; and was bracketed, following opposition by NORWAY, for the second paragraph regarding participation and input into the inter-secretariat consultation ahead of GEF-9.

The paragraphs referring to yet-to-be-completed documents: on the report of estimated funding needs for GEF-9; and the sixth review of the effectiveness of the financial mechanism, were bracketed.

Three paragraphs originally “inviting” actions by the GEF were amended to also have options, in brackets, to “instruct” or “encourage” the GEF, following suggestions by the EU, BRAZIL, the DRC, COLOMBIA, and PERU. CANADA suggested noting the GEF should “continue to” support partnerships with IPLCs and other stakeholders. COLOMBIA requested adding “people of African descent” to the list of stakeholders, which was bracketed following opposition by the DRC. MEXICO, supported by COLOMBIA, suggested specifying “direct” funding to IPLCs and other stakeholders; COLOMBIA proposed noting that guidelines are voluntary; and the DRC requested reincluding standard

language for “women and youth.” All amendments were kept in brackets.

Reference to using the Convention’s core budget to prepare draft terms of reference for the seventh review of the financial mechanism’s effectiveness was bracketed. The DRC and COLOMBIA requested standard language for “women and youth.” COLOMBIA proposed to consider “possible impacts” of the financial mechanism on stakeholders, including their “rights,” which were bracketed following opposition by the RUSSIAN FEDERATION.

On the part of the recommendation referring to SBI actions not addressed to COP 16, delegates decided to refer to parties “eligible” for funding under the financial mechanism rather than “recipient” ones, following a proposal by the RUSSIAN FEDERATION.

On a paragraph regretting the lack of voluntary contributions for an assessment of the funds needed for CBD implementation for GEF-9, Chair Reddy encouraged informal consultations.

Delegates agreed to: add a paragraph requesting the GBF Fund Council to adopt at its second meeting the terms of reference for its auxiliary body and advisory group, following a suggestion by BRAZIL, supported by the DRC and COLOMBIA; and delete a provision noting with appreciation the speed of delivery of GEF-8, following concerns over language that GEF-8 has reached over 90 per cent of resource usage, suggested by the DRC, GABON, and UGANDA.

They further agreed to encourage the GEF to consider project proposals on biosafety, and access and benefit-sharing (ABS), following a request by the DRC.

On a paragraph encouraging parties to consider advice submitted by other biodiversity-related conventions at COP 16, delegates deleted explicit reference to the Convention on the Conservation of Migratory Species of Wild Animals, following a request by SWITZERLAND, supported by JAPAN and CHINA. The CRP was approved with these amendments and brackets.

Capacity-building and Development Action Plan for the NP

Chair Reddy opened discussions on [CBD/SBI/4/CRP.3](#).

Delegates accepted the preambular provisions with minor amendments, including adding a provision noting the limited number of project proposals from eligible countries for support in NP implementation and encouraging them to submit proposals in line with national circumstances and priorities.

On operative provisions, delegates agreed to keep in brackets language on the adoption of the NP capacity-building and development plan, and establishment of regional and/or subregional technical and scientific cooperation centers as these are not yet agreed.

Regarding an invitation to parties and other governments to use this action plan to assess capacity-building needs and priorities, MEXICO suggested including the protection of human rights and respect for Indigenous Peoples’ rights in National Biodiversity Strategies and Action Plans (NBSAPs). BRAZIL requested adding “where appropriate” regarding the involvement of IPLCs and other stakeholders. Both suggestions were bracketed.

Regarding the annexed draft action plan, on a table of indicative capacity-building activities: EGYPT, supported by ZIMBABWE and opposed by SWITZERLAND, urged reference to digital sequence information on genetic resources and the establishment of national databanks; BRAZIL suggested

supporting multilateral networking among public-private research institutions, academia, IPLCs, business, and civil society; and BRAZIL further proposed deleting an activity on integrating bioethics into education programmes to raise awareness about IPLCs' rights, opposed by the EU.

In further proposals for capacity-building activities, the EU suggested: referring to sustainable "and circular" bioeconomy, opposed by BRAZIL; language on the development of "sustainable" biodiversity-based products; supporting development of tools to monitor ABS agreements and the benefits shared, including with IPLCs; and promoting and encouraging, as appropriate, access to and transfer of technology, in particular to developing country parties.

The UK proposed providing guidance, training, or technical assistance on how to monitor monetary and non-monetary benefits, and suggested technology transfer on mutually agreed terms.

BRAZIL, ARGENTINA, and INDONESIA suggested renaming a section to refer to guiding "considerations" rather than "principles." BRAZIL and INDONESIA, opposed by NORWAY, proposed deleting a provision noting that capacity-building activities should follow human rights-based approaches. The EU urged reintroducing reference to the theory of change.

All suggestions were kept in brackets. The CRP was approved as amended.

CHM and Knowledge Management

Chair Reddy introduced [CBD/SBI/4/CRP.4](#).

On a preambular provision on the CHM, delegates agreed to recognize that the CHM should be compatible with and supportive of relevant national legislation regarding data sharing. Following disagreement, reference to international obligations or regulations remained bracketed. The EU, opposed by BRAZIL, CÔTE D'IVOIRE, GABON, INDIA, BURKINA FASO, the CENTRAL AFRICAN REPUBLIC, and EQUATORIAL GUINEA, suggested deleting reference to data sovereignty, which was bracketed. EGYPT suggested acknowledging with appreciation the outcomes of the UN Environment Programme (UNEP)/GEF Global Biosafety Clearing House III. ARGENTINA and BRAZIL, opposed by the EU, suggested bracketing references to the global knowledge support service for biodiversity throughout the document.

On a provision encouraging parties to establish or strengthen national CHMs and ensure their sustainability, SAUDI ARABIA added "taking into account the national legislation necessary to devise capacity-building programmes that target all parties of the CBD and its protocols." The EU reiterated a proposal on updating information of CHM national focal points. The suggestions were bracketed.

On a provision addressing financial, technical, and human resources towards the implementation of the CHM work programme for the CHM, ARGENTINA, supported by TRINIDAD AND TOBAGO, BRAZIL, CUBA, and INDONESIA, and opposed by the EU, requested "urging developed country parties" and inviting other parties and governments "in a position to do so," rather than generally "inviting parties," to provide such resources. ANTIGUA AND BARBUDA, supported by CUBA and TRINIDAD AND TOBAGO, requested referring to developing country parties "in particular small island developing states and least developed countries" across the document. The paragraph was bracketed.

On encouraging parties to join relevant biodiversity-related networks, ARGENTINA, opposed by the EU, PERU, GUATEMALA, and MEXICO, requested deleting reference to the Global Biodiversity Information Facility, which was bracketed.

EGYPT proposed a new operative paragraph requesting UNEP elaborate a global capacity-building project on using the CHM, and inviting the GEF to provide support. The provision was bracketed.

On the part of the draft recommendation addressing knowledge management, delegates approved the preambular paragraphs with minor amendments, bracketing references to national legislation, international regulations, and data sovereignty, as with the preamble on the CHM.

Regarding the operative provisions, delegates bracketed: paragraphs on adoption of the knowledge management strategy, as well as Annex II containing the strategy; and Annex I containing the CHM work programme 2024-2030.

The UK, opposed by BRAZIL, proposed deleting a specific reference stressing inequalities between countries regarding data collection, and the entire paragraph was bracketed.

COLOMBIA requested standardizing language on IPLCs and people of African descent throughout the document; others suggested adding women and youth; and the EU proposed to refer to actors mentioned in the knowledge management strategy. The proposals were bracketed.

The CRP was approved with these and other minor amendments.

CEPA

Chair Reddy opened consideration of [CBD/SBI/4/CRP.5](#).

In the preamble, delegates discussed references to specific GBF sections and targets, and bracketed them. On a provision addressing progress towards strengthening education to support GBF implementation, ARGENTINA suggested deleting "transformative changes," opposed by COLOMBIA, the EU, CHILE, and MEXICO. The term was bracketed.

Under a paragraph recognizing implementation challenges faced by developing countries, INDIA, supported by BRAZIL, suggested qualifying that adequate resources are necessary "in accordance with Article 20," and the EU, opposed by BRAZIL proposed, referring to "adequate resourcing." Both suggestions were bracketed.

An operative paragraph welcoming actions to align the CEPA work programme with the GBF was bracketed with an amendment by the EU to change "suggested" to "additional" actions.

COLOMBIA, supported by BURKINA FASO, suggested to "encourage" parties to develop and implement national-level actions, as a compromise for diverging proposals, which was accepted. The EU, supported by ARGENTINA and BURKINA FASO, suggested streamlining text on "national circumstances." INDIA requested standard language regarding countries' national circumstances, "capabilities, and priorities." Following discussions between COLOMBIA and the EU, options for text on cultural "differences" and/or "contexts" were bracketed. CANADA noted that the global plan of action on education is not developed yet, and reference to this was bracketed. Discussions will continue.

Contact Group on Mechanisms for Planning, Monitoring, Reporting, and Review

Co-Chairs Gillian Guthrie (Jamaica) and Carolina Caceres (Canada) reopened discussions on the SBI draft recommendation, managing to clear it for plenary consideration by deleting minor bracketed references. They then considered the draft recommendation for a COP decision. Co-Chair Guthrie presented clarified text based on previous discussions and invited the contact group to review it to ensure that the intent was not lost, highlighting the options for the governance framework of the global review; and the annex on the advisory committee for those who were in support of it. She said that while the provision on non-state actors would be reviewed, the respective annex would only be considered time permitting, and would otherwise be bracketed. Discussions continued into the night.

In the Breezeways

Speed, or seeking speed, was on the agenda of SBI 4's penultimate day. Delegates concluded their consideration of three CRP documents over the course of morning and afternoon plenary sessions. Many welcomed this sign of progress, though for others it provided meager consolation, with one weary delegate noting "we're well aware of the long list ahead, but the way forward is less clear."

With only two plenary sessions remaining before the meeting is concluded, the question of how to complete the outstanding items was heard inside and outside the negotiation rooms. A number of seasoned negotiators expected that heavily - if not entirely - bracketed draft recommendations and annexes will be sent to COP 16, potentially creating an even bigger bottleneck down the line. As participants wandered out of plenary for one last evening contact group session, one delegate remarked that "there is still time for tomorrow to be better."

The *Earth Negotiations Bulletin* summary and analysis of SBSTTA 26 and SBI 4 will be available on Saturday, 1 June 2024 at bit.ly/SBSTTA26_SBI4