

UN Biodiversity Conference Highlights: Wednesday, 23 October 2024

Text-based negotiations continued in multiple settings. Working Group II concluded the first reading of all its 26 agenda items for the Convention on Biological Diversity (CBD), the Cartagena Protocol on Biosafety (CP), and the Nagoya Protocol (NP) on access and benefit-sharing (ABS), and began consideration of conference room papers (CRPs). Multiple contact groups continued their work throughout the day.

Working Group II

Delegates heard progress reports from contact groups on synthetic biology; marine, coastal, and island biodiversity; biodiversity and health; and biodiversity and climate change.

(CP) Socio-economic Considerations: The Secretariat introduced relevant documents and draft decision ([CBD/CP/MOP/11/2](#) and [CBD/CP/MOP/11/10](#)). The EU and the AFRICAN GROUP remarked on the low level of experiences shared regarding the use of voluntary guidance on the assessment of socio-economic considerations. INDIA underscored the need to distinguish assessment of socio-economic considerations from biosafety risk assessment.

The AFRICAN GROUP, MALAWI, and MOLDOVA said that, while the guidance is useful, there is need for capacity-building and awareness-raising activities to increase its use. A CRP will be prepared.

(CP) Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress: The Secretariat introduced the document ([CBD/CP/MOP/11/11](#)) and draft decision. Delegates encouraged CP parties who have not done so to ratify the Supplementary Protocol. The AFRICAN GROUP proposed requesting the Secretariat to facilitate capacity-building initiatives to support parties putting in place measures to enhance implementation. The EU proposed, supported by the CENTRAL AFRICAN REPUBLIC and MOLDOVA, additional language on taking the polluter pays principle into account when developing financial security mechanisms. INDIA emphasized that implementation measures should be aligned with national priorities. A CRP will be prepared.

(NP) Compliance: Delegates approved a CRP on the report of the NP Compliance Committee ([CBD/NP/MOP/5/WGII/CRP.1](#)) with no amendments.

(CBD) Plant Conservation: Chair Benítez introduced a CRP ([CBD/COP/16/WGII/CRP.1](#)). Some delegates called for reopening the document for negotiation, noting inadequate time at the 26th meeting of the Subsidiary Body on Scientific, Technical and Technological Advice.

The RUSSIAN FEDERATION suggested inviting support by other governments, businesses, and other relevant organizations to support botanical garden initiatives.

On the development of indicators for each complementary action related to plant conservation to support the Kunming Montreal Global Biodiversity Framework (GBF) implementation, the AFRICAN GROUP proposed adding language to ensure that such indicators are aligned with the GBF monitoring framework. BRAZIL suggested specifying “consistent with indicators developed under other multilateral processes.”

Delegates could not reach agreement on a paragraph on providing financial and technical support for enabling the implementation of the Global Strategy for Plant Conservation. BRAZIL and ARGENTINA supported references to CBD Articles 20 (Financial Resources) and 21 (Financial Mechanism). The EU opposed. The AFRICAN GROUP suggested reference to the submission of national reports and progress achieved. These additions and the paragraph remained bracketed.

The annex on voluntary complementary actions related to plant conservation to support GBF implementation was approved with some amendments, and with bracketed text in a footnote on an action for Target 6 on invasive alien species (IAS), concerning a note that measures taken to manage pathways of IAS introduction should comply with relevant CBD decisions. The EU proposed alternative formulation for the action for Target 17 (biosafety), to align the language to the GBF, which remained bracketed alongside the original text. The CRP was approved with remaining brackets.

(NP) ABS Clearing-House: Chair Benítez introduced a CRP ([CBD/NP/MOP/5/WGII/CRP.2](#)). The AFRICAN GROUP, supported by SAUDI ARABIA, proposed three new paragraphs, the first acknowledging constraints in accessing, managing, and utilizing the ABS Clearing-House; the second inviting the UN Environment Programme (UNEP) to develop a global capacity-building project to enhance capacity of developing countries; and the third requesting the Global Environment Facility (GEF) to financially support the global capacity-building project.

Following a procedural discussion, delegates agreed to retain the first paragraph acknowledging the capacity needs of developing countries, without amendment. They decided to “invite,” rather than “request” UNEP to develop a capacity-building project, as proposed by Brazil. On the request for the GEF to provide financial support, BRAZIL suggested inviting the GEF to provide, upon request, financial support to projects that enhance developing countries’ capacities. Delegates approved the CRP with the two additional paragraphs in brackets.

Contact Groups

(CBD) Resource Mobilization: Delegates began textual negotiations on the revised resource mobilization strategy. They discussed the strategy’s guiding elements, agreeing to refer to:

- CBD Articles 20 and 21, with brackets remaining around reference to Article 39 (Financial Interim Arrangements);
- the GBF, with reference to specific goals and targets remaining bracketed;

- the need to increase financial resources from all sources, with two alternative options remaining on whether to reference Article 20.2 or explicitly highlight the responsibility of developed countries in the provision of financial resources; and
- the need for comprehensive, fair, timely, inclusive, simplified, and equitable access to financing resources, including non-market-based approaches, with brackets remaining around reference to “affordable” access.

Delegates then focused on enabling actions, agreeing on, among other things, optimizing inclusive multi-stakeholder partnerships and referring to technology transfer in line with CBD Article 16 (Access to and Transfer of Technology).

Article 8(j): The group met over the course of the day to continue deliberations on tasks in the new work programme. Diverging views remained for many tasks, including on language regarding access to funding for IPLCs, with debate on issues of sovereignty, scope of resource mobilization efforts, and the importance of direct access to funding for IPLCs’ work. Progress was made on streamlining certain tasks under the element on benefit-sharing, with relevant provisions remaining bracketed.

Afternoon deliberations addressed the remaining “high priority” tasks of the work programme. “Low priority” tasks for which no consensus was found were deleted. Many participants expressed concern about procedural issues and the pace of deliberations, and voiced disagreement on the categorization and prioritization of tasks. Several delegates suggested adding chapeau language to indicate that certain tasks in the work programme will require review, revision, and updating following its adoption.

On the work programme’s general principles, delegates bracketed a provision aiming to ensure that IPLC representation is appropriate and regionally balanced. The group then reached its first consideration of the draft decision and heard an amended proposal to add provisions on the role of communities and peoples of African descent in the implementation of the Convention. An additional session is scheduled for Thursday morning.

DSI: In an afternoon session, the contact group focused on provisions dealing with disbursements from the DSI fund with two potential approaches: project-based allocations through a country-driven or community-driven process or direct ones. The Co-Chairs noted that under each scenario, a formula will need to be calculated.

Delegates discussed an indicative list of elements for an initial allocation formula, such as biodiversity richness and contribution, and conservation needs, agreeing that the list is useful and needs to account for biodiversity. They debated potential hurdles in accessing necessary data, and redundancies and overlaps in the indicative list of elements. The Co-Chairs said they will develop a non-paper with different options, addressing the list of elements as: a list of useful criteria; a list of criteria/factors to be considered for the development of a precise formula by COP 17; and the basis for the development of an initial formula at COP 16 to be revised by COP 17. Delegates also discussed whether a specific percentage of the DSI fund should be set aside for IPLCs’ self-identified needs, and to support technology transfer and technical development. They agreed that a percentage should support IPLCs but the exact percentage and modalities will require further discussions.

In the evening, delegates focused on the two disbursement options, discussing their merits and shortcomings. Regarding direct allocations, they exchanged views on why an entity would not operate according to accepted fiduciary standards and whether auditing is necessary.

Biodiversity and Health: The group finalized discussions on the draft decision. On the preambular paragraphs, delegates decided to delete references to the interlinkages of the draft global action plan on biodiversity and health with the outcomes of the multidisciplinary *Ad Hoc* Technical Expert Group (AHTEG) on Synthetic Biology. They also agreed to replace the

reference to achieve a global approach to biodiversity and health with “to support the mainstreaming of biodiversity and health interlinkages.”

On the global action plan on biodiversity and health, delegates agreed on language stating that emerging infectious diseases can be exacerbated “by human activities such as unsustainable land-use change practices and habitat fragmentation.”

The outcome of the group, to be forwarded to Working Group II, includes bracketed language on actions to ensure biodiversity and health co-benefits regarding GBF Targets 20 (capacity building, technology transfer, and scientific and technical cooperation), and 13 (benefit-sharing).

Climate Change: The group addressed the draft decision. On an invitation to use the Voluntary Guidelines on ecosystem-based approaches to climate adaptation and disaster risk reduction, delegates agreed to integrate biodiversity and “social” safeguards in mitigation and adaptation measures. On an invitation to the Secretariat to develop supplementary guidelines for nature-based solutions and ecosystem-based approaches, delegates debated references to Mother Earth-centric actions and the principle of common but differentiated responsibilities, without reaching agreement.

An informal group was tasked with resolving outstanding issues regarding a request to the Secretariat to facilitate capacity building and increase awareness on climate change impacts, including whether to retain reference to Mother Earth-centric actions and to integrated approaches to “land and ocean degradation.” Many supported collaborative activities to address the ocean-climate-biodiversity nexus in an integrated manner.

Risk Assessment and Risk Management: Co-chaired by Martha Kandawa-Schulz (Namibia) and Marja Ruohonen-Lehto (Finland), the group addressed a non-paper. Co-Chair Ruohonen-Lehto explained that the proposed AHTEG, previously tasked with developing guidance materials on risk assessment of living modified fish, would now evaluate needs and priorities for further guidance material on specific topics, as identified by parties. The group accepted the new formulation and began addressing the AHTEG’s terms of reference.

Marine, Coastal, and Island Biodiversity: The contact group discussed a non-paper containing a streamlined version of the annex to the draft decision on conservation and sustainable use of marine and coastal biodiversity, focusing on a list of areas of work in need of additional focus to support GBF implementation. Delegates agreed on clarifying that further work should be “in accordance with national priorities and circumstances.” A compromise was reached on referring to a need for improved understanding and effective implementation of “marine protected areas and other effective area-based conservation measures,” with discussions continuing on the remainder of the list.

Capacity building: Delegates considered text proposals from informal consultations on requests to the Kunming Biodiversity Fund, and agreed to remove reference to “supporting regional centres” in an invitation to the Fund to support technical and scientific cooperation, technology transfer, and capacity building in developing countries. Delegates then discussed the programme of work for the Clearing-house Mechanism for 2024-2030.

In The Corridors

With a series of items related to TK and IPLCs high on the agenda, participants lined up for the full-day meeting of the contact group on Article 8(j). Many, however, were surprised to see that the group remained caught up in reviewing details within specific tasks of the new work programme, rather than diving into the most controversial matters. “We are losing sight of the bigger picture,” one delegate sighed, pointing to the need to agree on institutional arrangements for future work rather than discuss already agreed-upon GBF language. IPLC representatives, on the other hand, awaited the deliberations on including Afro-descendants in the Convention’s work, which never came.