

UN Biodiversity Conference Highlights: Thursday, 24 October 2024

Text-based negotiations continued in multiple settings. Working Group II continued consideration of conference room papers (CRPs). Several contact groups and informal groups deliberated throughout the day and into the night.

Working Group II

(NP) Implementation of the Protocol: Delegates approved a CRP ([CBD/NP/MOP/5/WGII/CRP.5](#)).

(NP) Capacity building: Chair Benítez introduced a CRP ([CBD/NP/MOP/5/WGII/CRP.3](#)).

On an invitation to parties and other governments to use the capacity-building and development action plan to assess their needs and priorities, delegates agreed to refer to respecting the rights of Indigenous Peoples and local communities (IPLCs) and to delete reference to “the broadest protection of human rights.”

On the introduction to the annexed draft action plan, delegates deleted a paragraph on the theory of change, as suggested by Brazil and Argentina. On guiding principles, they agreed to reformulate language in consistency with the Nagoya Protocol (NP), to state that “rights of IPLCs should be respected and protected when conducting capacity-building initiatives.”

Delegates then discussed the enclosure listing outputs and capacity-building activities under thematic key areas. On activities regarding monitoring access and benefit-sharing agreements, delegates debated whether to refer to monitoring “tools” or “mechanisms,” eventually retaining both references.

On activities relevant to identifying research opportunities, capacities, and needs, BRAZIL noted the importance of ensuring development of value chains to trigger innovation in various sectors. Delegates agreed to an EU proposal to support genetic resource assessments “to identify existing and potential non-commercial and commercial value with a view to developing their value chains.”

Lengthy debate ensued on an activity on promoting access to and transfer of technology to developing countries. The EU and the UK requested that this should be upon mutually agreed terms. BRAZIL, ARGENTINA, CÔTE D’IVOIRE, ZIMBABWE, and others opposed, saying that this requirement “does not promote but rather restricts” technology transfer. Delegates agreed to refer to promoting and encouraging access to and transfer of technology, as contained in CBD Article 16 (Access to and Transfer of technology) and NP Article 23 (Technology Transfer, Collaboration and Cooperation).

On an activity regarding development of commercial products arising from genetic resource utilization, contention arose regarding guidance on bioeconomy approaches. BOLIVIA noted that the definition of bioeconomy remains vague, preferring reference to sustainable approaches. BRAZIL and the EU preferred reference to bioeconomy approaches. Delegates agreed to refer to sustainable bioeconomy and other sustainable

approaches. BRAZIL and CÔTE D’IVOIRE proposed, and delegates agreed, to delete an activity on integrating bioethics into relevant education programmes to raise awareness of IPLCs’ rights, noting that interpretation of bioethics is unclear. Delegates approved the CRP as amended.

(NP) Assessment and Review of Effectiveness: Chair Benítez introduced a CRP ([CBD/NP/MOP/5/WGII/CRP.4](#)) containing the proposed methodology to conduct the second assessment and review of the NP effectiveness. BRAZIL and ARGENTINA requested deleting a preambular paragraph on synthetic biology. Delegates accepted the CRP with this and other minor amendments.

(CBD) Sustainable Wildlife Management: Delegates addressed a CRP ([CBD/COP/16/WGII/CRP.2](#)). On requests to the Secretariat to develop global guidance on sustainable wildlife management, ZIMBABWE suggested adding specific references to the Convention on Migratory Species (CMS) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The EU and the UK, opposed by ARGENTINA, BRAZIL, and ZAMBIA, supported adding a paragraph inviting regional and sub-regional organizations, in consultation with parties, to produce guidelines on the sustainable management of wildlife. JAPAN called for avoiding duplication with existing guidelines. The proposal was kept in brackets.

On addressing potential challenges for the sustainable use of wild species, ZIMBABWE, supported by CHINA and others, called to delete references to an “increase in demand” and “technological developments” that have negative impacts on wild species. Parties agreed to retain reference to “increase in demand,” while reference to “technological developments” was bracketed.

Regarding coordination efforts to halt illegal and unsustainable harvesting, use of, and trade in wild species, while promoting sustainable, safe, legal, and traceable trade, parties agreed to specify “all forms” of unsustainable harvesting and use; and delete reference to “traceable” trade. BRAZIL suggested deleting reference to “harvesting,” which was bracketed.

On promoting incentives to enhance biodiversity conservation and sustainable use of wildlife, parties agreed to: invite “subnational governments at all levels,” in addition to parties and others, to undertake actions; reference the need for consistency with relevant international obligations; add “youth” to a list of stakeholders; specify “innovative finance solutions”; and delete reference to “biodiversity credit schemes.” The CRP was approved with these and other amendments, and remaining brackets.

Contact Groups

DSI: Regarding potential institutional arrangements for the host of the DSI fund, the Co-Chairs highlighted that presentations from the Global Environment Facility (GEF) and the Multi-Partner Trust Fund Office would take place at lunchtime.

Discussions focused on data governance. Delegates decided to replace reference to public databases with reference to databases that make DSI publicly available/accessible. They expressed

diverging views on whether these databases “shall/will/should” or should “be invited to” perform a number of actions with regard to the multilateral benefit-sharing mechanism from DSI use. They further discussed whether provisions should be directed at all databases or solely large ones, and whether provisions directed at CBD parties should be distinguished from those focusing on other entities. Regarding making information on the multilateral mechanism available to those accessing the databases, discussions focused on whether to explicitly highlight the benefit-sharing implications of using these sequences for commercial purposes.

Planning, Monitoring, Reporting, and Review (PMRR):

Co-chaired by Gillian Guthrie (Jamaica) and Carolina Caceres (Canada), the contact group was tasked with addressing outstanding matters in the monitoring framework of the Kunming-Montreal Global Biodiversity Framework (GBF) and the draft decision on PMRR. The session focused on the PMRR decision, particularly regarding procedures for the global review of collective progress in implementing the GBF, and the content and sources of information for both the global review and report. Discussions highlighted the need for potential revision of the global review process between its first and second iteration.

Delegates agreed language on certain sources of information for the global report, including on information from other biodiversity-related conventions, and relevant organizations and processes. No consensus was reached on whether to include “databases, scenarios, and models” reviewed by the Convention’s subsidiary bodies, with some participants stressing that such large sources of raw data place excessive burden on reviewing bodies.

Resource Mobilization: Following deliberations on the revised resource mobilization strategy, the contact group focused on the proposal for a new, dedicated global instrument for biodiversity finance, aiming to mobilize resources from all sources. The Co-Chairs outlined existing options, including: establishing a new instrument under the authority of the Conference of the Parties (COP); deferring the decision to COP 17; deciding that the GEF continue to operate the financial mechanism; and exploring different ways forward on the basis of the work of the Advisory Committee on Resource Mobilization.

Deliberations focused on elements for discussion on a possible dedicated global instrument for biodiversity finance, contained in an annex. Some delegates preferred discussing “the need for and feasibility of” a possible instrument. Others underscored the necessity for a dedicated instrument to close the biodiversity finance gap, urging concrete discussions toward its establishment and operationalization. Some delegates suggested restructuring the annex to: cluster criteria for a dedicated global instrument; assess relevant financial mechanisms; and address elements to close the biodiversity finance gap. A non-paper will be developed.

Financial Mechanism: Co-Chairs Laura Bermúdez Wilches (Colombia) and Ladislav Miko (Czechia) introduced a non-paper containing the draft decision. They invited delegates to focus on the review of effectiveness of the financial mechanism, stressing that the relevant provisions had not been addressed by the fourth meeting of the Subsidiary Body on Implementation (SBI), and highlighting the participation of a GEF representative and the independent evaluator to provide clarifications. Delegates delved into a list of requests to the GEF and exchanged views on the appropriateness of establishing a standing committee on the financial mechanism at COP 17.

Scientific and Technical Needs: Co-chaired by Wataru Suzuki (Japan) and Senka Barudanović (Bosnia and Herzegovina), the group met to discuss scientific and technical needs to support GBF implementation, and matters related to the work programme of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES). Discussions on IPBES focused on narrowing down COP 16 requests for IPBES future assessments. Delegates based their discussions on the list proposed by the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA): pollution and biodiversity;

cities and biodiversity; biodiversity and poverty; biodiversity and climate change; and assessment of rights-based approaches to conservation and sustainable use. The topics attracted varying degrees of interest, reaching no agreement on prioritization or deletion. Some noted that the assessment of rights-based approaches may not be suited for IPBES.

Marine and Coastal Biodiversity: Delegates resolved all pending issues regarding the modalities for the modification of descriptions of ecologically or biologically significant marine areas (EBSAs) and the description of new ones. The paragraph regarding synergies between the EBSA description process and implementation of the Agreement on marine biodiversity beyond national jurisdiction (BBNJ Agreement) remained bracketed. Then, the group resumed its deliberations regarding the conservation and sustainable use of marine and coastal biodiversity and of island biodiversity on the basis of an updated non-paper, focusing on the annex on gaps and areas in need of additional focus to support GBF implementation.

Article 8(j): The group made progress on the draft decision for the new work programme. Delegates agreed to request parties to mobilize financial and provide non-financial resources to enhance IPLCs’ collective actions to implement national biodiversity strategies and action plans. Delegates further agreed to retain an operational paragraph on “establishing” rather than “strengthening” a global network of national focal points on Article 8(j).

Participants also addressed a streamlined proposal by Brazil and Colombia to include people of African descent in CBD processes and implementation. Some delegates opined that agreed terminology under the Convention on “local communities embodying traditional lifestyles” already includes this group. Others recalled discussions in previous contact group sessions on reviewing the Glossary of terms, stressing the importance of clear terminology. Many participants noted appreciation for the compromise embodied in the proposal, and further discussions were directed to a Friends of the Co-Chairs’ group.

Turning to institutional arrangements for future work, many voiced their support for establishing a permanent subsidiary body on Article 8(j). A few delegates opposed, stressing that establishing a dedicated subsidiary body would lead to IPLC issues being siloed, and emphasized the need to fully integrate IPLC issues and participation throughout the Convention. Convergence was found on the need to avoid duplication of work and additional budgetary burdens.

In the evening, delegates resumed lengthy deliberations on institutional arrangements, with common ground found on the need to ensure that future work of Article 8(j) is not isolated but incorporated throughout the Convention.

In The Corridors

“What time does the last bus leave?” queried delegates jokingly during the evening session of the Article 8(j) contact group. Afro-descendants came to the forefront of the day’s agenda, as the group addressed the proposal to recognize communities and people of African descent in CBD processes and implementation, while the International Afro-descendant Forum met in the neighboring tent. “Afro-descendants are often subject to racial discrimination, while their knowledge and practices are valuable for biodiversity conservation and sustainable use,” Latin American participants stressed, drawing attention to the work of the UN Working Group of Experts on People of African Descent, established in the human rights realm. Others were more skeptical. “Aren’t Afro-descendants already included in the Convention’s agreed-upon term, ‘local communities embodying traditional lifestyles relevant for biodiversity conservation and sustainable use’?” a European delegate queried. Yet another participant commented that the issue highlights the complex interlinkages between abstract terms used at the international level and diverse national and local realities.