COP 16 #5

IISD Earth Negotiations Bulletin

Earth Negotiations Bulletin

A Reporting Service for Environment and Development Negotiations

Vol. 9 No. 850 **Online at: enb.iisd.org/un-biodiversity-conference-cbd-cop16** Monday, 28 October 2024

UN Biodiversity Conference Highlights: Friday, 25 October 2024

Text-based negotiations continued. The two Working Groups addressed conference room papers (CRPs) on several items under the Convention on Biological Diversity (CBD), the Cartagena Protocol on Biosafety (CP), and the Nagoya Protocol (NP) on access and benefit-sharing (ABS). Several contact and informal groups deliberated throughout the day. An evening plenary took stock of progress, addressed organizational matters, and adopted a series of decisions.

Working Group I

Delegates heard progress reports from contact groups on: digital sequence information (DSI); mechanisms for planning, monitoring, reporting, and review; the financial mechanism; capacity building and development, technical and scientific cooperation, clearing-house mechanism and knowledge management; resource mobilization; and Article 8(j). The contact groups' Co-Chairs noted progress in the deliberations but emphasized that much work remains to be done.

(CBD) Liability and Redress: Delegates addressed a CRP (CBD/COP/16/WGI/CRP.2). They debated, without reaching consensus, a provision to review the topic of liability and redress at COP 18, with CANADA, ARGENTINA, and BRAZIL opposing, and UGANDA supporting the review.

(CP) Financial Mechanism and Resources: Delegates addressed a CRP (CBD/CP/MOP/11/WGI/CRP.1), and approved most elements of the draft decision with a minor amendment. On a request to the Global Environment Facility (GEF) to explore modalities to reform its operations, including through consideration of ring-fenced funding to support CP implementation, SWITZERLAND, BRAZIL, NORWAY, and the UK called to replace reference to "ring-fenced funding" with "increase support." ZIMBABWE, BURKINA FASO, MALAWI, TANZANIA, and SURINAME opposed, noting challenges in accessing funding for CP implementation. An informal group was established to enable further discussion. A proposal by BRAZIL to specify that the GEF operates as the Protocol's financial mechanism "on an interim basis" was bracketed.

(NP) Financial Mechanism and Resources: Delegates addressed a CRP (CBD/NP/MOP/5/WGI/CRP.1) and approved most elements of the draft decision. On a paragraph concerning requests to the GEF to examine options to support NP implementation, BRAZIL proposed, opposed by the EU, to specify that the GEF operates "on an interim basis." The paragraph was bracketed.

(CBD) Cooperation: Delegates resumed consideration of document CBD/COP/16/10/Rev.1 and the associated draft decision. The AFRICAN GROUP, GUATEMALA, and others supported adopting the draft decision. The UK and others proposed reference to the sixth joint work plan between the CBD and the Ramsar Convention (CBD/COP/16/INF/19). CAMEROON and AUSTRALIA supported the EU proposal to include reference to the Agreement on marine biodiversity beyond national jurisdiction (BBNJ Agreement), with AUSTRALIA also supporting reference to the first global stocktake of the Paris Agreement's implementation.

The AFRICAN GROUP welcomed an invitation for parties to the Rio Conventions to coordinate and strengthen coherence among national climate, biodiversity, and land restoration plans and strategies. ARGENTINA opposed establishing a joint work programme among Rio Convention secretariats, preferring improvement of existing dialogues. KYRGYZSTAN highlighted the potential of regional dialogues to serve as platforms for synergistic decisions between the Rio Conventions.

Many organizations and conventions highlighted ongoing collaboration and synergies with the CBD and support in implementing the Kunming-Montreal Global Biodiversity Framework (GBF). The INTERNATIONAL INDIGENOUS FORUM ON BIODIVERSITY (IIFB) emphasized the need for parties to respect governance structures of Indigenous Peoples and local communities (IPLCs) and to protect their rights when engaging in data sharing activities. A CRP will be prepared.

(CBD) Communication, Education, and Public Awareness: Noting the Subsidiary Body on Implementation (SBI) did not review the annex to the draft decision, Chair Sörqvist said a CRP will be prepared.

(CBD/CP/NP) Review of Effectiveness of Processes: Chair Sörqvist introduced the joint draft decision for the CBD and its Protocols, containing: options to further improve the effectiveness of processes; procedures for convening virtual and hybrid meetings; and procedures on conflicts of interest in expert groups. She noted a Friends of the Chair group will address unresolved issues regarding effectiveness of processes and procedures for virtual meetings, and a CRP will be prepared on conflicts of interest.

Working Group II

Delegates heard progress reports from contact groups on: scientific and technical needs; marine, coastal, and island biodiversity; synthetic biology; and climate change; as well as an informal group on compliance under the NP.

(CBD) Invasive Alien Species (IAS): Delegates addressed a CRP (CBD/COP/16/WGII/CRP.3). The RUSSIAN FEDERATION raised concern about welcoming the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Service (IPBES)

This issue of the *Earth Negotiations Bulletin (ENB)* © <enb@iisd.org> is written and edited by Elsa Tsioumani, Ph.D.; Katarina Hovden; Wanja Nyingi, Ph.D.; María Ovalle; Asterios Tsioumanis, Ph.D.; and Emma Vovk. The Digital Editor is Mike Muzurakis. The Editor is Pamela Chasek, Ph.D. <pam@iisd.org>. The ENB is published by the International Institute for Sustainable Development (IISD). The Sustaining Donor of the *Bulletin* is the European Union (EU). General support for ENB during 2024 is provided by the German Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection (BMUV), the Japanese Ministry of Environment (through the Institute for Global Environmental Strategies - IGES), the New Zealand Ministry of Foreign Affairs and Trade, the Government of Switzerland (Swiss Federal Office for the Environment - FOEN), and SWAN International. Specific funding for the coverage of this meeting has been provided by the German Federal Ministry for Economic Cooperation and Development (BMZ) and the Norwegian Agency for Development Cooperation (Norad). The contents of this report are the sole responsibility of the authors and can under no circumstances be regarded as reflecting the position of the donors or IISD. Generative AI was not used in the production of this report. Excerpts from ENB may be used in non-commercial publications with appropriate academic citation. For information on the *Bulletin*, including requests to provide reporting, contact the ENB Lead, Jessica Templeton, Ph.D. <jtempleton@iisd.org>. The ENB team at COP 16 can be contacted by e-mail at <elsa@iisd.net>.

assessment on IAS due to references to the Global Invasive Species Database (GISD), and the reference was kept in brackets.

The EU requested the reinsertion of a Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) recommendation that endorses key messages contained in the IAS IPBES summary for policymakers, which was kept in brackets. Delegates agreed to include language regarding the One Health approach. JAPAN proposed, and delegates agreed, to include a paragraph regarding the updated IAS toolkit. Delegates could not agree on references to CBD Articles 20 (Financial Resources) and 21 (Financial Mechanism) in a paragraph addressing access to adequate and sustained financial and other resources, which remained bracketed.

On annex III on IAS management for prevention of potential risks from climate change and other drivers of biodiversity loss, the RUSSIAN FEDERATION requested that reference to GISD be replaced with a database with universal access, which was kept in brackets. Delegates also agreed that decisions and risk analyses be based on "scientific evidence," rather than "science."

(CP) Biosafety Clearing-House (BCH): Delegates approved a CRP (CBD/CP/MOP/11/WGII/CRP.2) with minor amendments.

(CP) Socio-economic Considerations: Delegates approved a CRP (CBD/CP/MOP/11/WGII/CRP.3) without amendment.

(CP) Nagoya-Kuala Lumpur Supplementary Protocol: Delegates approved a CRP (CBD/CP/MOP/11/WGII/CRP.4) with a minor amendment.

(CP) Detection and Identification of Living Modified Organisms (LMOs): Delegates considered a CRP (CBD/CP/MOP/11/WGII/CRP.1), approving most elements of the draft decision. Agreement could not be reached on whether to specify detection and identification of "unauthorized" LMOs in several preambular and operative paragraphs, as supported by the EU and opposed by others.

Contact Groups

Synthetic Biology: The group addressed the first five operative paragraphs of a non-paper prepared by the Co-Chairs based on prior discussions. On developing a thematic action plan on capacity building, delegates debated: taking into account the outcomes of the multidisciplinary *Ad Hoc* Technical Expert Group (AHTEG), with some opposing; referring to synthetic biology "applications," "organisms, components, and products," or taking a wider approach to also cover techniques and methods; and covering areas related to "assessment" and "regulation" of synthetic biology, in addition to research and development. On capacity building for synthetic biology assessment, those opposing noted that assessments are covered by the CP capacity-building action plan, and called for avoiding duplication. The proponents highlighted the need for assessments to support the Convention's objectives beyond biosafety. Delegates also discussed specifying that assessments would cover both positive and negative impacts, with some calling for focus only on positive ones. References to capacity building for assessment and regulation remained bracketed.

Climate Change: The group addressed a revised non-paper. Delegates debated between "achieving the goals of the Paris Agreement" or "limiting global average temperatures increase to below 1.5ºC" for avoiding further biodiversity loss and achieving the CBD 2050 Vision. Some said limiting temperature increase is a prerequisite for addressing biodiversity loss, and others remarked that the Paris Agreement's goals align to related decisions on ecosystem-based approaches and nature-based solutions. No agreement was reached.

Parties also addressed actions to achieve GBF Targets 8 (minimizing climate change impacts on biodiversity) and 11 (nature's contributions to people), and other related GBF targets. In a sub-paragraph on synergies between biodiversity and climate actions, contention arose regarding prioritization of protection and restoration of high integrity carbon-dense ecosystems and species, species important for carbon cycling, and ecosystems of high biodiversity importance. Delegates agreed to "prioritizing the protection, restoration, and management of ecosystems and species for the full carbon cycling and contributing to climate adaptation." Following lengthy discussion, delegates agreed to maintain a placeholder on the paragraph on financial resources to support GBF implementation, pending discussions on resource mobilization. One party requested the Co-Chairs to follow up on: sources and recipients of funding; relationship with CBD Article 20 and GBF Target 19 (biodiversity finance); avoiding double counting; and enhancing transparency.

Planning, Monitoring, Reporting, and Review: The group considered the draft decision and associated annexes on the GBF monitoring framework, co-facilitated by Ntakadzeni Tshidada (South Africa) and Anne Teller (EU). Delegates agreed on adding a new headline indicator 22.1, on land-use change and land tenure in the traditional territories of IPLCs, with an additional provision in the draft decision to request further intersessional work on developing a methodology to monitor this indicator. Lengthy deliberations reached no consensus on the title of indicator 7.2 addressing pesticide environment concentration/aggregated total applied toxicity. Delegates agreed to delay consideration of the binary indicator under Target 13 (benefit-sharing) until discussions on DSI are concluded.

The group also focused on a list of component indicators for headline indicators 18.1 and 18.2 (positive biodiversity incentives in place; and value of subsidies and incentives harmful to biodiversity). Some expressed concern that the list is biased toward positive incentives and does not sufficiently cover harmful subsidies. No consensus was reached on proposals to disaggregate these indicators by sector, or to add further component indicators.

Resource Mobilization: The Co-Chairs suggested addressing the operational part of the draft decision, expressing optimism that "this will allow us to go through the strategy on resource mobilization without having to repeat all the safeguards and operating principles in each paragraph." They tabled a proposal suggesting that the Conference of the Parties (COP) adopt the 2025-2030 resource mobilization strategy, as outlined in annex I, as guidance for all parties, actors, and stakeholders in mobilizing resources from all sources to implement the Convention and its Protocols, as well as to achieve the goals and targets of the GBF, taking into account national circumstances and priorities, while clarifying that its purpose is to encourage action without establishing new obligations.

In their discussions, delegates highlighted, among other things, the need to: mobilize new and additional resources; align the decision with Decision 15/7; align public and private financial flows; include both domestic and international finance; follow a needs-based approach; include social and environmental safeguards; refer to all sources; and be in line with CBD Article 20. Delegates then continued their negotiations on the strategy, deliberating on enabling actions and focusing on a paragraph addressing national central banks and/or other financial regulatory authorities.

Plenary

COP President Susana Muhamad (Colombia) opened the session, congratulating delegates on their hard work.

Organizational Matters: Plenary heard an interim report on credentials; elected Jean Bruno Mikissa (Gabon) and Clarissa Souza Della Nina (Brazil), as Chairs of SBSTTA and SBI, respectively; and heard progress reports on the deliberations of Working Groups and contact groups. Budget Committee Chair Daniel Ashie Kotey (Ghana) reported that the committee had considered requirements for the in-depth functional review of the Secretariat and reviewed other major budget items, noting that deliberations on the process for appointment of future Executive Secretaries will continue next week.

(CBD): Review of Implementation: Delegates addressed a CRP (CBD/COP/16/CRP.1). They approved a provision urging parties to implement their national biodiversity strategies and action plans (NBSAPs) according to national circumstances, priorities, and capabilities, recognizing the need for enhanced support, especially to developing countries, through adequate, timely, predictable, and easily accessible means of implementation, taking into account GBF section C (Considerations for GBF implementation). References to CBD Article 20 and to means of implementation "from all sources on a needs basis" remain bracketed.

(CBD) Sustainable Wildlife Management: Delegates addressed a decision (CBD/COP/16/L.2). Regarding a bracketed reference to challenges to sustainable use, including from "technological developments," delegates agreed on a compromise solution proposed by the UK to refer to "technological developments that result in unsustainable practices." On a bracketed reference to halt unsustainable harvesting and use of and trade in wild species, delegates agreed to address unsustainable harvesting, as proposed by Brazil. Delegates also agreed to delete a bracketed paragraph inviting regional and subregional organizations to produce guidance on sustainable wildlife management. Plenary adopted the decision as amended. ARGENTINA and BRAZIL recorded their reservation regarding reference to "technological developments that result in unsustainable practices" in the report of the meeting.

(CBD) Plant Conservation: Delegates addressed a decision (CBD/COP/16/L.3). Following an intervention by Bangladesh, parties agreed to add language specifying support "especially for developing countries, in particular least developed countries and small island developing states, as well as countries with economies in transition."

On Brazil's proposal, parties agreed to delete bracketed text noting the need of compliance with COP decisions in a footnote of the annex on voluntary complementary actions related to plant conservation, concerning an action on monitoring invasive species related to GBF Target 6 (IAS). Delegates debated alternate wording for actions related to GBF Target 17 (biosafety). Divergence focused on "enhancing the benefits arising from the use of safe biotechnologies," versus "the safe use of biotechnologies," and on a reference to access to biotechnologies "on mutually agreed terms." Agreement could not be reached and the decision was parked.

(NP) ABS Clearing-House: Delegates addressed a decision (CBD/NP/MOP/5/L.3). EGYPT, the DRC, CÔTE D'IVOIRE, and CAMEROON supported removing brackets around three paragraphs inviting the UN Environment Programme and the GEF to, among other things, develop capacity building and provide financial support to enhance parties' ability to use and benefit from the ABS Clearing-House. The EU opposed, noting capacity-building activities are included in other provisions. Many parties outlined their capacity-building needs regarding the ABS Clearing-House and stressed the importance of ensuring these needs are met. Agreement could not be reached, and an informal group was tasked with addressing the issue. Plenary approved the remainder of the decision.

Other Decisions: The CP Meeting of the Parties adopted the following decisions without amendment: BCH (CBD/CP/MOP/11/L.2); socio-economic considerations (CBD/CP/MOP/11/L.3); and Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress (CBD/CP/MOP/11/L.4).

The NP Meeting of the Parties adopted the following decisions with no or minor amendments: compliance (CBD/NP/MOP/5/L.2); and development of the methodology for the second assessment and review of NP effectiveness (CBD/NP/MOP/5/L.5).

Statements: Taking stock of progress, COP 16 President Muhamad highlighted remarkable progress in discussions on Article 8(j) and the multilateral benefit-sharing mechanism from DSI, which, she said, when put in practice, "will be a victory for justice and equity." She drew attention to the upcoming High-level Segment, which will be attended by six Heads of States, 110 Ministers, 23 Vice Ministers, and over 70 leaders of international organizations. She urged delegates to engage in activities outside the negotiations, noting that the green zone has attracted around 40,000 people daily, materializing the whole-of-government and whole-of-society approaches of the GBF. She further highlighted other outcomes of the week, including declarations from Afro-descendants, IPLCs, women, and youth.

The RUSSIAN FEDERATION, speaking for BRICS countries, stressed that the level of financial resources made available from developed country parties to developing ones needs to be urgently and substantially enhanced, matching the ambition of the GBF and in line with the principle of common but differentiated responsibilities. They underlined that measures taken to tackle biodiversity loss and mitigate climate change must not create unnecessary obstacles to international trade.

Lao PDR, for the ASSOCIATION OF SOUTHEST ASIAN NATIONS, highlighted the development and adoption of their subregional NBSAP. Fiji, for PACIFIC SMALL ISLAND DEVELOPING STATES, expressed concern on the slow process across agenda items critical "for the survival of Mother Earth," the lack of ambition, and the bracketing of language regarding IPLCs' rights. They called for synergies across multilateral environmental agreements, stressing the inadequacy of the current financial system.

In The Corridors

As the stocktake plenary loomed over Friday's activities, the pressure to wrap up discussions in contact and working groups became more palpable with every passing hour. In the contact groups on synthetic biology and on climate change, the determination of Co-Chairs to complete their mandates was met with equal preparedness by parties to defend their national positions on every single paragraph of the draft decisions. In spite of lengthy deliberations, clean text was not forthcoming, due to both entrenched differences between parties and interlinkages between agenda items. While frustration increased, an optimist was heard commenting that "once delegates reach consensus on certain high-stake items, all remaining pieces of the puzzle will fall into place."

The strenuous nature of co-chairing negotiations is often underappreciated, and losing one's patience is a frequent occurrence. However, when a Co-Chair loses their voice, as seen in the contact group on planning, monitoring, reporting, and review, the longing for a day off becomes a goal on its own.

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