

UN BIODIVERSITY CONFERENCE HIGHLIGHTS: TUESDAY, 6 DECEMBER 2016

WG I discussed: implementation of Aichi Target 16 on the Nagoya Protocol (NP); the third assessment and review of the Cartagena Protocol on Biosafety (CP); monitoring and reporting under the Cartagena Protocol; compliance under both Protocols; assessment and review under the Nagoya Protocol; and resource mobilization and the financial mechanism under the Convention and both its Protocols. WG II addressed: IAS; synthetic biology; pollinators; geoengineering; sustainable wildlife management; mainstreaming biodiversity; biodiversity and climate change; forest biodiversity; ecosystem restoration; progress towards Aichi Targets 11 (protected areas) and 12 (threatened species); and biodiversity and human health.

Contact groups on IAS, EBSAs and synthetic biology met throughout the day.

WORKING GROUP I

AICHI TARGET 16 (NP): The Secretariat introduced the relevant document (UNEP/CBD/NP/COP-MOP/2/2), noting the target addresses ratification and national implementation levels, and highlighting recent ratifications by Cameroon and Malta. Many delegates reported on their ratification processes and development of ABS frameworks. ARGENTINA indicated readiness to deposit the instrument of ratification. FIJI said it ensures compliance with Nagoya Protocol obligations across ministries without specific implementing legislation. KENYA reported on its digitized permitting system.

The LMMC, with many, stressed the need for financial resources and capacity building for implementation, with SAMOA specifying the need to develop a functional benefit-sharing system. NORWAY suggested language that new institutional structures for implementing the Protocol should be established “as appropriate.” The IIFB asked for reference that confidential TK be referred to the ABS Clearing-House only with the free PIC of IPLCs. IUCN recommended that parties regularly provide information to the Secretariat on institutional structures and legislation, to be shared through the ABS Clearing-House.

THIRD ASSESSMENT AND REVIEW (CP): The Secretariat introduced relevant documents (UNEP/CBD/CP/MOP/8/12 and Add.1-2).

South Africa for the AFRICAN GROUP highlighted challenges regarding access to financial resources for the third national reports, which led to the lower response rate, with FIJI suggesting language inviting GEF to increase related funding. NAMIBIA expressed

concern regarding the slow progress in developing guidance on identifying LMOs. MALAWI proposed that the reporting format address mainstreaming biosafety into NBSAPs. MEXICO said new indicators should be consistent with current ones.

JAPAN stressed that intersessional activities should focus on capacity building regarding establishment of measures to make the Protocol operational, as well as on further analyzing the low submission rate. JAMAICA requested specifying a request for the Secretariat to conduct a detailed assessment regarding the decrease in national reporting. COLOMBIA suggested that the Compliance Committee could perform the latter task. The AFRICAN GROUP, with the EU, CUBA, ECUADOR and YEMEN, supported encouraging capacity-building initiatives on climate change mitigation, which BRAZIL opposed.

The EU, COLOMBIA, CUBA, MALAYSIA, FIJI, INDIA, NEW ZEALAND and JAMAICA noted that establishment of a subsidiary body is not needed.

The PUBLIC RESEARCH AND REGULATION INITIATIVE stressed technology transfer. Explaining that it helps small farmers make informed decisions regarding biotechnology, the INTERNATIONAL SERVICE FOR THE ACQUISITION OF AGRI-BIOTECH APPLICATIONS (ISAAA) said that no negative health and environmental effects of LMOs have been reported.

MONITORING AND REPORTING (CP): The Secretariat introduced relevant documents (UNEP/CBD/BS/COP-MOP/8/12 and Add.1). The EU expressed concern about the low rate of submission of national reports, with the AFRICAN GROUP stressing the need for access to financial resources. ECUADOR emphasized their national report was finalized with domestic financial resources. The EU supported developing proposals for alignment of reporting among the Convention and its Protocols.

On a new reporting format developed by the Secretariat, NEW ZEALAND suggested a peer review by parties before COP-MOP consideration, with COLOMBIA noting that such peer review may be complex in practice.

COMPLIANCE (CP): Following introduction of the report in Monday’s plenary, the REPUBLIC OF KOREA highlighted the importance of regional collaboration to improve compliance. The EU called for stable, predictable and adequate GEF support to assist parties that struggle to comply. The IIFB called for IPLC full participation.

COMPLIANCE (NP): BRAZIL welcomed use of electronic communication for informal consultations but, with the EU, opposed its use for decision making. The AFRICAN GROUP noted the importance of lessons learned from the Compliance Committee of the Cartagena Protocol. The EU noted that rules

regarding conflict of interest should also apply to observers. INDIA underscored that the Committee should focus on supporting parties in implementing the Protocol.

ASSESSMENT AND REVIEW (NP): The Secretariat introduced the document (UNEP/CBD/NP/COP-MOP/2/11), indicating that the first Nagoya Protocol review is due in 2018.

The AFRICAN GROUP asked to include language that the GEF fund preparation of interim national reports, and said the review should include an assessment of measures to ensure benefit-sharing. The EU said that the baseline should be set before the NP, and suggested using additional sources of information. MOROCCO suggested the assessment be delayed to 2022 in view of lack of data. CANADA called for developing a framework of indicators. The UNPFII recalled that indigenous peoples are rights- and knowledge-holders under the Protocol, and should participate fully in the review.

RESOURCE MOBILIZATION: The Secretariat introduced the relevant document (UNEP/CBD/COP/13/11/Rev.1) and SBI recommendation. The EU stressed the importance of domestic resource mobilization in reaching global resource targets. SWITZERLAND cautioned against reopening the SBI recommendation. BANGLADESH proposed reference to the need for exponential increase of GEF resources and, with ETHIOPIA, for simplified guidance for accessing GEF funding. INDIA asked for a more flexible timeframe for parties to submit national financial plans.

NORWAY commended reaching the target to double biodiversity finance. BOLIVIA, with PAKISTAN, expressed concern about the methodology used by the Secretariat to conclude that the target was achieved, and proposed establishing an AHTEG to produce a balanced conclusion, in accordance with CBD Article 20 (Financial Resources) which refers to developed countries' contributions. Expressing disappointment regarding resource mobilization, COSTA RICA said that national funding commitments need to be set, but, supported by CUBA, added that this alone cannot meet the overall funding needs. INDONESIA pointed to public-private partnerships as a financing source. MOROCCO and the LMMC called for technical assistance and capacity building for drafting national resource mobilization strategies, and for identifying gaps and financing priorities.

Many welcomed the UNDP Biodiversity Finance Initiative (BIOFIN), noting it allows greater integration of biodiversity in development plans. MEXICO, with many, called for a second phase for BIOFIN to expand to more countries. The AFRICAN GROUP suggested inviting BIOFIN and other relevant initiatives to scale up technical support and capacity building. PAKISTAN and others underscored the importance of CBD-BIOFIN regional nodes to provide technical support to parties not part of BIOFIN. UGANDA suggested language inviting financial support for capacity building for implementation of national biodiversity financial plans and the BIOFIN methodology.

Noting the lack of financial reporting makes it harder to estimate the gap, the WWF called on donor countries to commit resources and phase out subsidies. The IIFB, supported by BOLIVIA, asked for a clear mechanism for IPLCs to access funds.

FINANCIAL MECHANISM (CBD, CP, NP): Delegates heard the GEF report and the report of the expert team on a full assessment of the funds needed for implementation of the Convention and its Protocols for the seventh GEF replenishment, including its methodology, scenarios, modelling and results (UNEP/CBD/COP/13/12/Add.1-2).

WORKING GROUP II

IAS: On risk assessment elements, UGANDA opposed reference to standards recognized by the WTO. UGANDA and the COOK ISLANDS favoured reference to considering social factors.

UGANDA supported participatory decision making regarding biological control programmes. On the precautionary approach and risk assessment elements, NORWAY, GUATEMALA, QATAR and CANADA supported Australia's proposal tabled on Monday. MOROCCO suggested deleting an element on the potential indirect non-target impacts. The IIFB expressed support for Australia's proposal, but suggested reference to IPLCs, rather than "stakeholders' cultural interests" in participatory decision-making processes on biological control programmes. IFAW recommended including sociocultural values in decision-making processes on biocontrol. The CBD ALLIANCE requested clarifying that "classical biological control" excludes gene drives.

CANADA suggested that information provided to impacted countries be restricted to the "first" release of biological control agents. COLOMBIA queried mechanisms to involve private sector in IAS management.

OTHER SCIENTIFIC AND TECHNICAL ISSUES: WG II approved without discussion draft decisions on climate-related geoengineering, and on bushmeat and sustainable wildlife management. CARNEGIE COUNCIL highlighted lack of international governance of geoengineering.

Synthetic biology: Calling for including TK and alternative life sciences in the AHTEG, BOLIVIA urged establishing a moratorium, supported by VENEZUELA, FRIENDS OF THE EARTH, GYBN, the FEDERATION OF GERMAN SCIENTISTS and LA VIA CAMPESINA. Favoring a case-by-case approach, the WORLDWIDE ORGANIZATION OF RESEARCH ON SYNTHETIC BIOLOGY FOR THE COMMON GOOD opposed a moratorium, with TARGET MALARIA highlighting the importance of gene drives in malaria prevention.

Definition: ST. KITTS AND NEVIS, CUBA, MALAYSIA and GYBN supported the adoption of the working definition proposed by the AHTEG, with NORWAY underlining such definitions are not legally binding. The EU favored using the definition as a non-binding starting point for scientific and technical work under the Convention and its Protocols, and the continuation of the AHTEG. Mauritania for the AFRICAN GROUP, COSTA RICA, CANADA, NEW ZEALAND, INDIA, SWITZERLAND, JAPAN and others, opposed by BRAZIL, preferred further work on inclusion and exclusion criteria regarding what falls under the definition.

Socioeconomic, cultural and ethical considerations: MEXICO, the PHILIPPINES, the AFRICAN GROUP and others favored reference to such considerations, with COSTA RICA proposing including ecological considerations. CANADA preferred acknowledging different national approaches to risk assessment in this regard. BRAZIL argued that these considerations are already addressed under the Cartagena Protocol.

Digital sequence information: MEXICO, INDONESIA, ECUADOR, CUBA, EL SALVADOR, ARGENTINA, MALAYSIA, the AFRICAN GROUP and GYBN, opposed by CANADA, NEW ZEALAND and INDIA, supported inviting the NP COP/MOP to clarify whether and how the use of digital sequence information on genetic resources relate to ABS. SWITZERLAND, SOUTH AFRICA and GYBN favoured, and BRAZIL opposed, requesting the AHTEG to propose to the NP COP/MOP elements to facilitate the clarification of whether and how the use of digital sequence information relates to ABS. COSTA RICA stated that digital sequence information relates to ABS and is covered by the Nagoya Protocol. The PHILIPPINES proposed that the NP COP/MOP clarify "how," but not "if," the use of digital sequence information relates to ABS. NAMIBIA called for considering digital sequence information also under the CBD.

Pollinators: MEXICO, QATAR, SWITZERLAND, COLOMBIA, the PHILIPPINES, CANADA, URUGUAY, CHILE, SINGAPORE, GUATEMALA, EGYPT, UGANDA, NORWAY

and the EU supported language on risk assessment procedures for pesticides and living modified organisms (LMOs). BRAZIL argued that studies are inconclusive on LMOs' impacts on pollinators and, with ARGENTINA, requested removing reference to LMOs. SOUTH AFRICA, supported by the GYBN, called for the inclusion of a broader range of risk factors related to pesticides.

On enabling policies and activities including removing or reducing perverse incentives, MEXICO, ECUADOR, COLOMBIA, URUGUAY, CHILE, SINGAPORE, NORWAY and the EU favored reference to compliance with international obligations, rather than compliance with WTO rules. BRAZIL, supported by ARGENTINA, proposed "in accordance with international obligations and trade rules." SOUTH AFRICA suggested reference to internationally recognized scientific standards.

STRATEGIC ACTIONS TO ENHANCE

IMPLEMENTATION: Biodiversity mainstreaming: The Secretariat introduced the relevant document (UNEP/CBD/COP/13/10 and Add.1).

On collaboration with relevant organizations, NORWAY and MEXICO welcomed FAO's offer to serve as a hub for mainstreaming biodiversity in agriculture, forestry and fisheries. MEXICO suggested including cooperation with other relevant organizations, including the International Tropical Timber Organization (ITTO).

BIRDLIFE INTERNATIONAL, echoed by MEXICO, proposed parties commit to national roadmaps on sustainable agriculture, fisheries, forestry, tourism and other sectors. BOLIVIA recommended reference to living in harmony with nature and to the Chennai Declaration for the integration of biodiversity and poverty eradication. The IIFB highlighted the role of indigenous women in policy implementation.

Cross-sectoral mainstreaming: JAPAN favoured, while NORWAY, EGYPT, VENEZUELA and EL SALVADOR opposed, inviting governments to make use of voluntary certification schemes for sustainably produced goods and services. CHILE proposed supporting the use of certification schemes. BRAZIL stressed that sustainability criteria are nationally defined. INDIA suggested language reflecting "nationally-driven certification." INDONESIA proposed reference to the need to respect national law. The RUSSIAN FEDERATION recommended recognizing the importance of TK and IPLC approaches. VENEZUELA opposed inviting governments to use environmental economic accounting. ARGENTINA preferred reference to natural resource accounting than natural capital accounting.

Business engagement: The EU called for addressing impacts on biodiversity from extractive, energy and manufacturing sectors, and mainstreaming biodiversity also in the health sector and in urban and regional planning. With NORWAY, she favored a reference to natural capital protocols, which was opposed by MALAWI and UGANDA. The AFRICAN GROUP proposed developing indicators for measuring gains achieved through mainstreaming.

Agriculture: EL SALVADOR, the RUSSIAN FEDERATION and the PHILIPPINES, opposed by EGYPT, supported encouraging parties to develop clear legal and policy frameworks for land use, as well as promote and support the sustainable and ecological intensification and diversification of agriculture and agro-ecological approaches. CANADA preferred encouraging parties to develop policy, but not legal, frameworks for land use. SWITZERLAND, with GYBN, preferred reference to "sustainable agriculture," instead of "diversification of agriculture." BRAZIL suggested encouraging governments to promote the development and transfer of safe and alternative technologies beneficial to biodiversity. MALAYSIA proposed eliminating reference to enforcing legal

frameworks for land use. FIJI recommended recognition of IPLC rights to their lands and resources. MOROCCO opposed reference to diversification of production.

Forest biodiversity: WG II approved the draft decision, without discussion.

Biodiversity and climate change: MOROCCO suggested establishing a fund to compensate biodiversity loss.

Progress towards Aichi Targets 11 and 12: Considering the peculiarities regarding terrestrial and marine environments, CANADA offered to host a workshop on other effective area-based conservation measures (OECM) regarding the marine environment. BOLIVIA suggested reference to poverty eradication in the context of protected areas. COLOMBIA suggested language on efforts to mobilize technical and financial resources on PAs. NORWAY suggested reference to FAO work on vulnerable marine ecosystems and the International Maritime Organization (IMO) on particular sensitive sea areas.

Biodiversity and human health: CANADA suggested preambular language recognizing the linkages between climate change, biodiversity and human health.

Ecosystem restoration: NAMIBIA underscored the need for assessing opportunities, knowledge and best practice, including of how to prevent ecosystem degradation.

CONTACT GROUPS

SYNTHETIC BIOLOGY: The contact group met in the evening and addressed: issues around the definition of synthetic biology; socioeconomic, cultural and ethical considerations; and the relationship with the Convention's Protocols.

On the definition, discussions focused on whether the draft decision should: simply acknowledge the definition developed by the AHTEG or include a specific reference to use it as a starting point for the purpose of facilitating scientific and technical deliberations under the Convention and its Protocols; include reference to the non-legally binding nature of the definition; and include reference to whether additional work is required on the definition, including inclusion and exclusion criteria.

EBSAs: The contact group discussed options for describing new EBSAs and revising existing EBSAs in marine areas within and beyond national jurisdiction. Discussions focused on a proposal to exclude the description of areas that no longer meet the EBSA criteria due to, for instance, major environmental change or an accident. Some noted the unlikelihood of all EBSA features been affected by one such event, calling attention also to temporal and spatial considerations. The contact group also discussed the need to base all EBSA-related decisions on best scientific and technical information, and the need and trigger for additional regional and/or global EBSA workshops.

IN THE CORRIDORS

"Simplicity does not precede complexity, but follows it" one participant quoted, as the UN Biodiversity Conference dove deeper into its tripartite agenda. With WG I jumping back and forth from the Convention to one Protocol and then the other, and WG II addressing simultaneously a sequence of science-related issues, including synthetic biology, simplicity was not the word of the day.

Still, linkages started to emerge. In WG I, the need for predictable access to financial resources was repeatedly stressed, especially in relation to promoting compliance. In the evening, participants rushed towards the inaugural session of a contact group on synthetic biology, with many wondering whether they would be able to unravel the threads and draw the connections across the Convention's framework.



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