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## UN BIODIVERSITY CONFERENCE HIGHLIGHTS: FRIDAY, 9 DECEMBER 2016

On Friday, WG I approved without, or with minor discussion, conference room papers on the SBI modus operandi and mechanisms to support review of implementation under the Convention and its Protocols. WG I further addressed: unintentional transboundary movements, and transit and contained use of LMOs; and review of implementation of the Strategic Plan. WG II addressed pollinators, forest biodiversity, biodiversity and climate change, ecosystem restoration, and progress towards Aichi Targets 11 (protected areas) and 12 (threatened species). Contact groups on resource mobilization, the financial mechanism, and risk assessment of LMOs met throughout the day. An evening plenary reviewed progress, adopted decisions and addressed organizational issues.

### WORKING GROUP I

**UNINTENTIONAL TRANSBoundary MOVEMENTS (CP):** The Secretariat introduced the relevant document (UNEP/CBD/BS/COP-8/9/Rev.1). GUATEMALA and MEXICO welcomed the definitions of “unintentional” and “illegal” transboundary movement. The EU welcomed the definition and explanatory note. INDIA and SOUTH AFRICA agreed with the definitions, but not with the explanatory note, with HONDURAS adding that the latter is broader than the Protocol language. COSTA RICA and KENYA, supported by JAPAN and PERU, suggested limiting the explanatory note to LMOs that are likely to have an adverse effect on biodiversity, including a risk to human health. The THIRD WORLD NETWORK said the explanatory note provides useful guidance for parties.

PARAGUAY, BRAZIL, UGANDA, ARGENTINA, ECUADOR, URUGUAY, IRAN and CANADA opposed the definitions, noting that they are significantly broader than the Protocol provisions; and proposed to “take note,” rather than “welcome,” the draft training manual for detection and identification of LMOs. The EU and BRAZIL opposed a request for a study on gaps and the need for elaboration of standards on emergency measures. Chair Damsgaard requested informal consultations.

**TRANSIT AND CONTAINED USE (CP):** The Secretariat introduced the relevant document (UNEP/CBD/BS/COP-MOP-8/10). Many supported the draft decision. MEXICO, INDIA, the EU, the REPUBLIC OF KOREA and KENYA supported the request to the Compliance Committee to provide guidance about the type of information to be submitted to the Biosafety Clearing-House (BCH) when a final decision is taken regarding the import of LMOs destined for contained use, while BRAZIL and ARGENTINA

opposed it. INDIA opposed sharing information on the BCH regarding research activities as they may be confidential and have intellectual property rights (IPR) implications; and opposed monitoring and assessing gaps in existing tools and practical guidance.

**IPLC TERMINOLOGY (CP):** Delegates agreed to consistent use of the “indigenous peoples and local communities” terminology under the Cartagena Protocol, as proposed by the SBI (UNEP/CBD/COP/13/6).

**STRATEGIC PLAN IMPLEMENTATION:** On a draft decision, the EU asked and delegates agreed to: encourage parties to “update and implement” their NBSAPs, and review them periodically; and take into account the targets of “other relevant conventions,” rather than “biodiversity-related conventions.”

The EU opposed a reference to convening regional and subregional meetings on progress towards implementing the Strategic Plan. Delegates agreed to convening workshops subject to requests by parties, as proposed by Canada; in collaboration with relevant regional and subregional organizations, as proposed by Namibia and New Zealand; and adding a reference to exchange of information on activities to implement the Strategic Plan, as suggested by the EU. On encouraging parties to undertake evaluations of the effectiveness of measures to implement the Strategic Plan, delegates agreed to use the Clearing-House Mechanism.

Delegates debated a reference to “increase and expedite” financial support. Many supported it, while the EU preferred reference to the need to “continue to provide support in a timely manner based on expressed needs of parties.” Delegates also debated proposals, without reaching consensus, on the preparatory process for the follow-up to the Strategic Plan; and a proposal by Namibia that the CGRFA ABS elements for different subsectors of genetic resources for food and agriculture are not intended to be a specialized ABS instrument. Informal consultations are pending on these issues.

### WORKING GROUP II

**SYNTHETIC BIOLOGY:** The EU reported that contact group discussions focused on bracketed text regarding digital genetic information, with delegates being unable to reach consensus on compromise text proposed by the Co-Chairs.

**ARTICLE 8(j):** CANADA reported that the contact group agreed on clean text on the glossary. On the voluntary guidelines on PIC and benefit-sharing from the use of TK, she reported that many agreed on compromise text to lift the brackets around “free PIC or approval and involvement,” with seven countries still consulting with capitals.

**POLLINATORS:** After consultations, delegates agreed to prioritize efforts in addressing data gaps and monitoring capacity with regard to the status and trends of pollinators and pollination in developing countries in Latin America, Asia and Oceania, in addition to Africa. Delegates discussed again whether to “welcome,” which was supported by PAKISTAN, the EU, PERU and others, or “take note of” the establishment of the Coalition of Willing on Pollinators, which was preferred by EGYPT, CAMEROON and others. Delegates eventually agreed to take note of it “in the context of the Cancun Declaration and Commitments” and to encourage other parties to consider joining the Coalition. After lengthy discussions, BRAZIL conceded to retain reference to improving risk assessment procedures for LMOs.

**FOREST BIODIVERSITY:** On a draft decision, CANADA opposed reference to “forest-related commitments under the Paris Agreement.” BRAZIL favored reference to forest-related “provisions.” Delegates also debated reference to the Paris Agreement and agreed to insert a footnote that it was adopted under the UNFCCC. On developing and implementing forest policy, TANZANIA recommended taking into account also livestock, SOUTH AFRICA tourism, YEMEN the impacts from non-sustainable use of forests, and SAINT LUCIA urban areas.

**BIODIVERSITY AND CLIMATE CHANGE:** On a draft decision, on encouraging governments to fully take into account the importance of ensuring the integrity of all ecosystems when developing their nationally determined contributions (NDCs), CANADA proposed referring to implementation of domestic measures to reduce greenhouse gas emissions, including those consistent with their NDCs. Following informal consultations, the original language was retained.

BRAZIL proposed, and delegates agreed to, adding reference to “positive incentives” for activities relating to reducing emissions from deforestation and forest degradation. NICARAGUA, opposed by ZAMBIA, NORWAY, SWITZERLAND and others, proposed language around “loss and damage” related to climate impacts on biodiversity. The EU favored reference to “degradation, loss of, and impacts on biodiversity,” which was accepted. Delegates decided to eliminate language on integrating non-market approaches under options to be considered for integration into ecosystem-based approaches to climate change adaptation and disaster risk reduction; and agreed to “promote” integration of climate change adaptation best practices into conservation planning frameworks.

**ECOSYSTEM RESTORATION:** On a draft decision, on improving the institutional enabling environment for ecosystem restoration, GUATEMALA proposed language promoting and strengthening education systems and awareness raising on implications to the economy and societal well-being. On the indicative timeline for short-term actions, EL SALVADOR proposed considering the drivers of climate change to identify the relevant activities and methods for restoration. NAMIBIA recommended also consolidating lessons learned from previous ecosystem restoration activities. The draft decision was approved as amended.

**PROGRESS TOWARDS AICHI TARGETS 11 AND 12:** Regarding giving due consideration to specific areas when establishing or expanding PAs, MAURITANIA, supported by FIJI and PAKISTAN, suggested “promoting integration” of areas managed under collective action by IPLCs into the wider landscapes and seascapes. Discussions will continue on Monday.

#### **PLENARY**

Plenary elected Francis Ogwale (Uganda) as SBI Chair; and heard: reports on credentials; progress in WG I and II; and regions’ nominations for the COP Bureau, and the Protocols’ Compliance Committees.

COP President Pacchiano proposed that Egypt host COP 14 and Turkey COP 16, to be decided by plenary on Tuesday, 13 December. Plenary approved that China will host COP 15 in 2020, with Peru hosting the intersessional meetings.

Plenary adopted decisions on the SBI modus operandi (UNEP/CBD/COP/13/L.5, CP/COP-MOP/8/L.2 and NP/COP-MOP/2/L.2); recommendations from the UNPFII (UNEP/CBD/COP/13/L.3); sustainable use, bushmeat and sustainable wildlife management (UNEP/CBD/COP/13/L.2); climate-related geoengineering (UNEP/CBD/COP/13/L.4); marine spatial planning and training initiatives (UNEP/CBD/COP/13/L.6); and implications of the IPBES assessment on pollinators, pollination and food production (UNEP/CBD/COP/13/L.7). NAMIBIA said it is premature to adopt any decisions prior to resolving critical issues related to synthetic biology and genetic information.

#### **CONTACT GROUPS**

**RESOURCE MOBILIZATION:** The contact group discussed a non-paper addressing issues on the milestones for the full implementation of Aichi Target 3 on resource mobilization. Following a first reading of the non-paper, participants debated preambular language and agreed to: recognize the impact of financial gaps on parties’ progress in achieving the Aichi Targets; recall the resource mobilization targets; and stress the need for continued efforts for effective mobilization and utilization of resources from all sources.

**FINANCIAL MECHANISM:** The contact group addressed a non-paper, and discussed language on: including GEF direct access modality; receiving developing countries’ views on performance and conditions for GEF resources in a disaggregated manner; and procedures for GEF projects’ reviews and reports. Delegates established a drafting group to consider the four-year framework of programme priorities for GEF-7 and elements received from biodiversity-related conventions.

**RISK ASSESSMENT:** Participants debated compromise language on “taking note of” the draft guidance and using it as a reference document, with some participants requesting withdrawal of the Secretariat’s publication containing it. Delegates further debated whether: work of the AHTEG should continue on living modified fish and synthetic biology; and language on capacity building and financing in the decision should remain linked to the guidance or be decoupled.

#### **IN THE CORRIDORS**

The ghost of the previous night’s contact group discussions on the PIC guidelines kept hovering over WG II on Friday. Several participants wondered whether the compromise text “free PIC or approval and involvement, as appropriate” represents a step forward or only muddies the waters. While some celebrated likely progress on a complex issue, one negotiator suggested that a free-standing reference to PIC might have been better than paying the price for free PIC by leaving the option of “approval and involvement.” While consultations with seven capitals on this new terminology are ongoing, debates continue on financial issues, synthetic biology, risk assessment for LMOs, and a global multilateral benefit-sharing mechanism. Following a torrential downpour in the evening, most delegates left the Moon Palace for the weekend hoping to recharge their batteries in the sun for the week ahead, although some will have to continue the hard work in contact groups over the weekend.