

## CBD WG2020 Highlights: Saturday, 3 December 2022

The fifth meeting of the Open-ended Working Group (WG2020) on the post-2020 global biodiversity framework (GBF) of the Convention on Biological Diversity (CBD) opened in Montreal, Canada. A morning plenary addressed organizational matters, heard reports, and opened discussions on the GBF and digital sequence information (DSI). Contact groups met for the rest of the day to address various sections of the GBF and DSI.

### Plenary

**Opening:** WG2020 Co-Chair Basile van Havre (Canada) noted that WG2020 has come a long way since its first meeting and has now reached the homestretch. WG2020 Co-Chair Francis Ogwal (Uganda) urged cooperation and compromise in the final efforts towards a GBF that supports transformative change.

**Organization of work:** Delegates approved the meeting's agenda, scenario note, and organization of work (CBD/WG2020/5/1, Add.1, and Add.2); and elected Eugenia Montezuma (Costa Rica) as Rapporteur.

**Reports:** Participants then heard updates on intersessional work. Co-Chair van Havre summarized the outcome of the small, regionally-balanced informal group, which prepared a streamlined draft text of the GBF about 25% shorter and with about 50% less square brackets. Hesiquio Benítez Díaz (Mexico), Chair of the Subsidiary Body on Scientific, Technical and Technological Advice, summarized work on the monitoring framework for GBF's implementation focusing on headline, component, and complementary indicators. Charlotta Sörqvist (Sweden), Chair of the Subsidiary Body on Implementation, highlighted convergence on options to enhance planning, reporting, and review mechanisms, and on resource mobilization, with a number of elements yet to be resolved by the upcoming fifteenth meeting of the Conference of the Parties (COP 15).

**GBF:** Co-Chair van Havre proposed proceeding on the basis of the streamlined text produced by the informal group (CBD/WG2020/5/2, Annex II), suggesting it provides the only realistic chance to finalize negotiations. He clarified this does not prejudice the right of parties to make text proposals.

A lengthy discussion ensued. Several delegates agreed to use the informal group's text as a basis for negotiations. They pointed out that this text would only be the starting point and language could be reintroduced. Others expressed concerns about elements and omissions of this text, including relating to ocean protection. BOLIVIA said they can only agree to work on the informal group's text if references to the rights of Mother Earth

are reinstated. ESWATINI noted that the text of the informal group has not been negotiated by parties and can only serve towards informing discussions. The RUSSIAN FEDERATION requested that negotiations be based on the official text that was the outcome of the fourth meeting of the WG2020 (WG2020-4). He added that the informal group's text contains useful elements to be considered.

Following brief informal consultations, Co-Chair van Havre announced that the contact groups will discuss the WG2020-4 outcome alongside the informal group's streamlined text. SWITZERLAND questioned whether this modality had been agreed on, and noted the risk of losing momentum on progress achieved by the informal group.

Noting that the GBF is at different stages of development, Co-Chair van Havre proposed that the contact groups focus on the sections that were not fully negotiated at previous meetings and on the new targets proposed at WG2020-4.

**DSI:** Lactitia Tshitwamulomoni (South Africa) reported on the work of the informal advisory group (IAG) on DSI, noting the IAG worked on policy options under pre-agreed criteria, and identified enhanced technological and scientific collaboration, and capacity building as a central part of any solution on DSI.

Namibia, for the AFRICAN GROUP, reiterated that a solution on DSI needs to be integrated in the GBF. Argentina, for GRULAC, enumerated essential elements for a solution on DSI, including multilateral benefit-sharing, promotion of innovation, and international cooperation. The UK underlined its readiness to explore a multilateral solution under an adaptive approach supporting scientific progression. COLOMBIA called for a clear and implementable roadmap to establish a mechanism for access to and benefit-sharing from DSI. NORWAY and the EU reported on recent informal events which led to a deeper understanding of DSI. The DEMOCRATIC REPUBLIC OF THE CONGO highlighted that the GBF must include a solution for DSI based on open and free access to public databases, and with Indigenous Peoples and local communities (IPLCs) as direct beneficiaries of shared benefits.

GUATEMALA urged including mechanisms to trace the origin of genetic resources. The EU noted that the policy options addressed by the IAG are too general, and urged focusing on multilateral benefit-sharing options, adding that benefits should primarily go to IPLCs and be used for biodiversity protection.

TÜRKIYE stressed the need to channel benefits to countries of origin through an international system. Expressing concern that DSI was considered in the IAG, JAPAN urged a rational, science-based process to consider various options, and the views of industry and all stakeholders.

### Contact Groups

**DSI:** Guided by contact group co-lead Gaute Voigt-Hanssen (Norway), delegates discussed the key elements for a solution on DSI, expressing appreciation for the work of the IAG and noting that its report, including the policy options, can constitute a good basis for further discussion.

Delegates stressed, among other issues, the importance of building a fair and equitable system for DSI-related benefit-sharing, including relevant scientific cooperation, capacity building, and technology transfer. Some underscored the need for a clear definition on DSI, while others emphasized that the lack of such definition should not be an obstacle for negotiations.

A few interventions highlighted further work needed, including on assessing and evaluating the policy options, with some suggesting considering hybrid ones. Others noted that hybrid approaches can increase complexities and administrative burden.

Interventions also highlighted the importance of involving IPLCs, the benefits of mutual supportiveness between international processes, and the need for providing certainty and practicability for businesses and research.

In the evening, the contact group discussed a non-paper produced by the co-leads, outlining elements to be included in a draft decision on DSI for consideration by COP 15.

**Sections:** Co-leads Marie-May Muzunguile (Seychelles) and Carolina Caceres (Canada) guided discussions on the draft GBF sections.

**Section A (Background):** Delegates agreed to base negotiations on the informal group's text. On the paragraph on the fundamental role of biodiversity, many supported retaining text noting that biodiversity "underpins virtually every part of our lives, supports all systems of life on earth." Delegates discussed the concept of Mother Earth, with some suggesting referring to "multiple worldviews" instead. A party noted that the concept of Mother Earth is recognized in the conceptual framework and assessments of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES).

Many welcomed a restructured paragraph including direct wording from the IPBES Global Assessment on Biodiversity and Ecosystem Services. Some also proposed including a longer quote referring to the direct drivers of change in nature in order of impact. Delegates agreed to refer to the GBF's plan for transformation of the relationship of "our societies" with nature.

**Section B (Purpose):** Delegates agreed to use the informal group's text. Delegates discussed, among other issues: whether to "halt and reverse" or "address the trend" of biodiversity loss, with some noting that reversing biodiversity loss is not achievable by 2030; whether implementation of the three CBD objectives should be "full and synergistic" or "in a balanced manner"; and whether the text should address "all of society" or include a list of stakeholders, with co-lead Caceres suggesting discussion in a friends of the co-leads group. In the evening, the group reported agreement to refer to "all of society."

One party proposed a streamlined paragraph that the framework aims to guide and facilitate the development and implementation of national, subnational, and regional goals and targets, monitoring and review of progress to increase transparency and mutual responsibility. Many expressed readiness to work on the basis of this proposal, while some said that monitoring could be dealt with elsewhere. In the evening, discussions continued on the basis of a proposal by the friends of the co-leads group.

**Targets:** Co-leads Anne Teller (EU) and Jorge Murillo (Colombia) opened the session of a contact group focusing on draft targets 17 (biotechnology), 20 (availability of information and knowledge), 21 (participation in decision making), and 22 (gender).

**Target 17 (Biotechnology):** Using the text produced by the informal group, parties discussed contentious points, including whether to refer to potential "adverse" impacts of biotechnology, to living modified organisms resulting from biotechnology, and to synthetic biology and other genetic techniques, and their products and processes. Further disagreements arose regarding references to the precautionary approach and to "science-based" measures. Language on the potential benefits of applications of modern biotechnology towards achieving the CBD objectives also generated disagreement, with some opining that the target should focus on adverse impacts. With the contact group unable to make progress on the text, co-lead Teller called for informal discussions among interested parties, focusing on compromise solutions suggested during the session.

**Target 20 (Availability of Information and Knowledge):** Following some discussion on the quality of the data necessary for decision making, the contact group agreed on adopting the clean text produced by the informal group with a minor addition. Dismissed proposals include to remove the footnote relating to the terminology of free, prior and informed consent of IPLCs and to delete the reference to "in accordance with national legislation."

**Target 21 (Participation in Decision Making):** The contact group agreed to clean text produced by the informal group. Delegates reached consensus after agreeing to retain the concepts of access to justice and full protection of environmental human rights defenders. Parties also agreed to potentially reintroduce a reference to the UN Declaration on the Rights of Indigenous Peoples in this target, should this instrument not be included in Section B bis (fundamental premises for implementation), as proposed.

**Target 22 (Gender):** Delegates agreed to language calling for ensuring gender equality in the GBF's implementation through a gender-responsive approach where all women and girls have equal opportunity and capacity to contribute to the three CBD objectives. The only remaining brackets refer to the recognition of women's and girls' equal rights and access to land, as one party requested further time for consultations.

### In The Corridors

"The eyes of the world are upon us," the Co-Chairs impressed upon delegates at the opening of the fifth meeting of the WG2020, the last chance to conclude negotiations before COP 15, to convene in four days. With such a tight schedule and a draft GBF full of options and brackets, many expressed the hope that the necessary sense of urgency will prevail. "Hopefully, the winds of change will soon start blowing to make a last-minute agreement possible," an optimist commented.

By the end of the first day, there were mixed feelings on whether the pace is sufficient to enable a successful outcome. Expectations appeared dimmed at first when plenary held an expected but lengthy debate on which draft to use as the basis for negotiations: the convoluted "official text" resulting from WG2020-4, or the shorter, streamlined, but not negotiated, text proposed by an informal group. In the contact groups, most delegates recognized the hard work achieved by the informal group, appreciating the concise nature of the text. However, on some occasions, participants kept adding to the text, mirroring the slow tempo of past meetings. Would "only a miracle" save us, as a participant was heard sighing? Or should we all be more optimistic, like some observers who noted that "contact group participants managed to pull themselves together" by cleaning up the text for certain GBF targets?