

CBD WG2020 Highlights: Sunday, 4 December 2022

Contact and informal groups met throughout the day to continue deliberations on the draft global biodiversity framework (GBF). Protracted text-based negotiations on various sections, and on targets 1 (spatial planning) and 4 (species conservation) of the draft GBF had several participants commenting on the limited progress achieved, one day before the end of the Working Group meeting.

In the evening, friends of the co-leads groups continued negotiations on digital sequence information (DSI) and target 1 (spatial planning). A contact group, co-led by Anne Teller (EU) and Jorge Murillo (Colombia), resumed consideration of targets related to tools and solutions for implementation and mainstreaming. The group addressed targets 14 (integrating biodiversity in policies), 15 (practices of business and financial institutions), and 16 (sustainable consumption). Participants further heard a progress report from a friends of the co-leads group on target 17 (biotechnology), noting that, despite progress, disagreements remain. The co-leads developed a revised proposal to be forwarded to plenary upon parties' approval. Discussions continued into the night.

Contact Groups

Sections: Guided by co-leads Marie-May Muzungaile (Seychelles) and Carolina Caceres (Canada), delegates continued negotiations on sections of the draft GBF, including B bis (fundamental premises, or principles, and approaches for implementation), H (implementation and support mechanism), and K (communication, education, awareness, and uptake).

Section B bis (Fundamental Premises): Delegates discussed a proposal to structure the section into principles, approaches, and enabling provisions (currently in Section I) and to take into account important elements of COP Decision 14/34 (process for the preparation of the GBF). One party opposed references to Decision 14/34, noting that the decision was mainly aimed at the GBF development process. Others pointed out that it contained important principles such as transparency, efficiency, flexibility, and the need for results-oriented action. Co-lead Caceres suggested having an initial discussion about the structure and elements that should be reflected, and then establishing a friends of the co-leads group to work on text. A number of parties welcomed the proposal.

One party called for reviewing the text from the fourth meeting of the WG2020 (WG2020-4) alongside the informal group's text, noting that the informal group's text omits references, such as to the rights of Mother Earth.

Deliberations continued in the friends of the co-leads group, which produced a table categorizing different provisions under principles/premises, approaches, and enabling conditions. Many appreciated the exercise, and the co-leads decided to proceed with consideration of provisions under principles/premises.

In the afternoon, delegates debated at length a subsection on the role of Indigenous Peoples and local communities (IPLCs), including whether to refer to their rights as part of international human rights law, with some suggesting to refer to the UN Declaration on the Rights of Indigenous Peoples separately; limit references to IPLC rights by referring to "traditional" rights, and to lands traditionally "inhabited" rather than "occupied"; and refer to "access and utilization of" rather than "respecting, preserving and maintaining" traditional knowledge associated with genetic resources. Some delegates asked to include references to IPLC worldviews, and that the framework shall not be construed to diminish or suppress any rights that Indigenous Peoples currently have or may acquire in the future. A few delegates asked to include a reference to the UN Declaration on Rights of Peasants, while others felt it did not fit in this context and should be separate.

In the subsection on national circumstances, priorities, and capabilities for implementation, some delegates called for reference to the principle of common but differentiated responsibilities, while others noted that it is not recognized under the Convention. Some said that biodiversity mainstreaming is already adequately covered in other targets. One group suggested adding reference to a well-functioning judicial and enforcement system to support national implementation. Several objected, noting this was prescriptive. Discussions will continue.

Section H (Implementation and Support Mechanism): Negotiations were based on the informal group's text. Delegates agreed to split the paragraph on support mechanisms and strategies under the Convention, to address the financial mechanism separately. They proceeded by first identifying elements requiring alignment with matters undergoing negotiation in other contact groups, including DSI, financial resources, and Article 8(j) (traditional knowledge).

Delegates opposed a request to delete reference to gender-responsive implementation, noting that wording on the target

on gender had been agreed in a contact group. Some requested referencing the gender plan of action.

One group opposed reference to a global technical and scientific cooperation support center to support implementation, noting that the Convention has no mechanism to reinforce education, and suggesting reference to the Clearing-house Mechanism instead.

A heated discussion ensued as a result of a group's proposal to reintroduce two paragraphs from the WG2020-4 outcome on capacity building and mobilization of resources from all sources. In turn, another party proposed text noting that the effective implementation of the GBF by developing countries will depend on the implementation of commitments related to financial resources and technology transfer by developed countries. The group then accepted that negotiations proceed on the basis of the informal group's text, subject to deletion of references to a global biodiversity fund and a global mechanism for sharing benefits from the use of genetic resources and DSI. Several delegates raised concerns with the suggestion. Following a break, the group proposed wording on: aligning public and private resource flows with biodiversity objectives; eliminating or redirecting resources harmful to biodiversity to nature-positive activities; and enhancing the effectiveness and efficiency of resource use. A party then called for a reference to agriculture and fisheries subsidies in line with the rules of the World Trade Organization, and that GBF implementation will address the financial, technical, and technological constraints faced by developing countries, in line with CBD Article 20.4 (financial resources).

Section K (Communication): Co-lead Caceres noted that this section had not been previously negotiated.

Delegates debated a reference on the need to achieve behavioral change, with some supporting deletion, arguing that it does not apply to groups such as IPLCs, and others calling for reference to promoting sustainable lifestyles instead.

Regarding increasing awareness, understanding, and appreciation of knowledge systems and associated approaches, delegates discussed a proposal to use the term "cosmobiocentric" worldviews, as applied by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, instead of "cosmovisions" of IPLCs. Several noted the need for clarity on the term and requested bracketing it, with one suggesting to include it in the glossary.

Delegates addressed a paragraph on the need to adapt the language used, level of complexity, and thematic content to specific groups of actors, including a proposal that communication should be "targeted" to specific groups of actors, and others suggesting mention of socio-economic and cultural contexts.

Targets: A contact group co-led by Teona Karchava (Georgia) and Rosemary Paterson (New Zealand) focused on GBF targets on reducing threats to biodiversity.

Target 1 (Spatial Planning): Co-lead Karchava introduced the target and delegates agreed to work on the basis of the informal group's text. Following lengthy discussions, delegates generally agreed on the need to ensure participatory integrated biodiversity-inclusive spatial planning and/or other effective management processes addressing land and sea use change. They further made progress towards recognizing the need to maintain ecosystem

functions and services, and enhancing ecological connectivity and integrity, while respecting the rights of IPLCs.

Disagreements remain on whether to subject "all" areas under spatial planning and/or effective management requirement, and whether to "retain all" or "minimize the loss of" intact ecosystems, or "critical" intact ecosystems. Discussions will continue.

Target 4 (Species Conservation): Delegates worked on the basis of the informal group's text. A lengthy discussion took place on whether the target should focus on all species or threatened species. While delegates ended up compromising on "species, in particular threatened species," they could not agree whether to refer to "sustainable" and/or "sustained" management actions. References to the prevention of human induced extinctions and reduction of extinction risk as well as to maintaining species' adaptive potential remained bracketed, as a group noted that their inclusion depends on the finalization of negotiations on GBF Goal A. The contact group agreed "to maintain and restore the genetic diversity of native wild and domestic species" and "to effectively manage human-wildlife interactions to minimize human-wildlife conflict for coexistence." Discussions will continue.

Target 5 (Species Overexploitation): Delegates worked on the basis of the informal group's text. They agreed to a compromise on the first part of the target, which aims to "ensure that the exploitation and/or harvesting, trade and use of wild species is sustainable, safe, and legal, preventing overexploitation and minimizing impacts on non-target species and ecosystems." One delegate suggested specifically mentioning fisheries in the scope of this target. Discussions will continue.

In The Corridors

"No light at the end of the tunnel," a delegate exclaimed after a long contact group session on the very first target of the draft GBF concerning spatial planning. "We don't have the luxury to spend four hours on a single target, especially on relatively uncontroversial issues," commented another.

In an effort to put frustration aside, some resilient delegates held on to threads of optimism and exchanged ideas on ways forward. Many noted the need to reinstate faith in the process and restore trust among parties. Indeed, several noted that significant progress could be achieved by focusing on technical issues, while leaving political matters to be resolved by the COP. One delegate remarked on the need for firm, yet persuasive, contact group guidance to overcome the rising frustration. Another delegate, questioning the nature of the targets under discussion, provided more drastic perspectives, wondering if what we need is less technical but more aspirational targets. The flip side, one noted, is that aspirational targets are often more abstract, leaving the question, "how to implement international guidance that gets more and more vague."

The discussion of fundamental principles similarly did not get off to a good start when delegates engaged in a lengthy discussion of a provision on the role of IPLCs, and their rights and traditional knowledge. An observer noted that certain parties bracketed long-standing CBD language while attempting to lower standards for long-fought IPLC rights. "Rather than making progress we risk witnessing a race to the bottom," one seasoned participant cautioned, while expressing the hope that a strong GBF was still within reach.