

UN Biodiversity Conference Highlights: Monday, 28 October 2024

Text-based negotiations continued. Working Group II addressed conference room papers (CRPs) on several items under the Convention on Biological Diversity (CBD) and the Cartagena Protocol on Biosafety (CP). Several contact and informal groups deliberated throughout the day and into the night.

Working Group II

(CP) Compliance: Delegates approved a CRP ([CBD/CP/MOP/11/WGII/CRP.6](#)) without amendment.

(CP) Risk Assessment and Risk Management: Delegates approved a CRP ([CBD/CP/MOP/11/WGII/CRP.5](#)) without amendment.

(CP) Detection and Identification of Living Modified Organisms (LMOs): Delegates addressed a CRP ([CBD/CP/MOP/11/WGII/CRP.1](#)). The EU reported consensus reached over the weekend in a Friends of the Chair group mandated to resolve divergence in references to detecting and identifying unauthorized LMOs. RWANDA reiterated that “unauthorized LMOs” remains unclear. The EU pointed to insertion of a reference “in accordance with national legislation” in an invitation to parties to submit their experiences in new detection techniques, such as those for detecting newly developed and unauthorized LMOs. Delegates agreed, following lengthy discussions, on where this insertion should be placed, and approved the CRP as amended.

(CBD) Invasive Alien Species (IAS): Delegates resumed discussion on a CRP ([CBD/COP/16/WGII/CRP.3](#)). On a reference to CBD Articles 20 (Financial Resources) and 21 (Financial Mechanism) in a paragraph addressing access to adequate and sustained financial and other resources, delegates agreed to include reference only to Article 20. In annex III on the management of IAS as it relates to preventing potential risks arising from climate change and other drivers of biodiversity loss, delegates agreed to remove the references to the Global Invasive Species Database. The RUSSIAN FEDERATION requested the meeting report reflect that any international databases to be used must provide open access. In the afternoon, delegates approved the draft decision, with brackets on whether to “welcome,” or “note” the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services’ (IPBES) assessment, as well as on a footnote requested by the Russian Federation regarding their lack of access to the Global Invasive Species Database due to sanctions.

(CBD) Biodiversity Mainstreaming: Delegates addressed a CRP ([CBD/COP/16/WGII/CRP.4](#)), approving most elements of the draft decision with minor amendments.

On a paragraph urging parties and others to enable mainstreaming at all levels of government and society, within and across all sectors, divergence ensued on whether to list sectors covered in decisions [XIII/3](#) and [14/3](#) in a footnote. JAPAN, BRAZIL, the RUSSIAN FEDERATION, and PAKISTAN called to delete the footnote, noting mainstreaming should be carried out

across all sectors. The EU, MEXICO, TOGO, ETHIOPIA, and others supported retaining the footnote, with MEXICO noting that the text constituted a compromise discussed at the fourth meeting of the Subsidiary Body on Implementation (SBI 4). Following informal consultations, parties agreed to retain the footnote with minor amendments and the addition of a reference to “respecting self-determined national priorities.”

Regarding a list of actors to be invited to mainstream biodiversity in all relevant processes, delegates agreed to add: subnational and local governments; secretariats of multilateral environmental agreements (MEAs); philanthropic organizations; and academia.

Divergence ensued on a list of requests to the Secretariat for the intersessional period leading to the 18th meeting of the Conference of the Parties (COP 18), particularly regarding a gap analysis on challenges related to mainstreaming and action on integrating mainstreaming into resource mobilization commitments, decisions, and plans. The EU, supported by others, proposed to delete the list of actions, and to replace it with a call to “undertake the necessary activities” ahead of COP 18. BANGLADESH and ETHIOPIA wished to retain the request regarding the undertaking of a gap analysis. Discussions will continue.

(CBD) Biodiversity and Health: Delegates addressed a CRP ([CBD/COP/16/WGII/CRP.6](#)). They agreed to include a reference to Article 20 in a paragraph encouraging parties and others to provide support for capacity building and development for implementation of biodiversity and health interlinkages and of the global action plan. On a request to the Secretariat regarding the development of integrated science-based indicators, metrics, and progress measurement tools on biodiversity and health, delegates agreed to delete the request to prepare a note on how those indicators and tools could be used to monitor the global action plan implementation.

Regarding annex III on the global action plan on biodiversity and health, delegates could not reach agreement on the actions to ensure biodiversity and health co-benefits regarding Kunming-Montreal Global Biodiversity Framework (GBF) Target 13 (benefit-sharing). A Friends of the Chair group was established.

Contact Groups

Capacity Building: The group finalized its considerations of two draft decisions and associated annexes. On a [non-paper](#) on capacity building and development, the group made headway in resolving brackets. Delegates deliberated on whether to issue a second call for additional centers, with some noting that time must be given to allow the first round of approved regional and/or subregional technical support centers to begin operations before deciding on a second round. Others stressed that the current selection is insufficiently representative of certain regions and ecosystems, and discussions were parked.

On a [non-paper](#) on the Clearing-house Mechanism (CHM) and knowledge management, delegates added language to encourage

North-South, South-South, and triangular cooperation, and agreed to language regarding adoption of the annexed knowledge management strategy.

Financial Mechanism: Delegates resumed negotiations on a [revised non-paper](#), focusing on a list of requests to the Global Environment Facility (GEF) under the section on the review of effectiveness of the financial mechanism. They agreed to request the GEF to continue to enhance country and local ownership, including through addressing the capacity support available to operational focal points and reviewing the role of the implementing agencies while considering broadening the base of implementing agencies, with a view to promoting more direct engagement of national entities.

They also reached consensus on requests to the GEF to: ensure that reporting to the COP includes data regarding Indigenous Peoples and local communities (IPLCs); explore alternative programming modalities, procedures, and processes for facilitating and expediting access to increased financial resources for enabling activities; and ensure the engagement and explore ways for the meaningful participation of IPLCs, women, and youth in decision-making. Discussions further focused on requesting the GEF to explore ways to enhance equitable geographical representation within and between its constituencies and consider reforms of its governance structure.

Planning, Monitoring, Reporting, and Review (PMRR): On the GBF monitoring framework, delegates resumed debate regarding a reference to the IUCN Global Ecosystem Typology levels 2 and 3. Following proposals to allow for another “equivalent methodology,” and to specify that it is an invitation to “cross reference” national ecosystem data to facilitate global comparisons, further discussion was parked. The group deliberated on the guidance on indicators ([CBD/COP/16/INF/3](#)), requesting the Secretariat to revise it.

Delegates agreed to, among others: streamline several operative provisions pertaining to coherence among MEAs’ monitoring initiatives; note with appreciation the monitoring framework’s scope; and urge parties and other governments to take GBF Section C (Considerations for GBF implementation) into account when implementing the monitoring framework. A non-paper will be prepared.

On the mechanisms for PMRR, an informal group was tasked with reaching compromise on the format and modalities for parties to exchange views regarding the global review. Delegates engaged in lengthy deliberation on the process for receiving the voluntary reports/commitments of non-state actors. A non-paper will be prepared.

Digital Sequence Information (DSI): Deliberations continued on the basis of a [non-paper](#). The Co-Chairs noted fruitful discussions over the weekend on: options for monetary contributions; the governance of the multilateral mechanism; and funding allocations and disbursements.

Delegates then focused on database governance, including provisions on: entities operating databases making information available to users; compliance by users with national and international ABS obligations; providing information on the country of origin; the principles of findability, accessibility, interoperability, and reusability (FAIR) and of collective benefits, authority to control, responsibility, and ethics (CARE); and requirement for a document indicating permission for publication from the national authorities of the country of origin of genetic resources.

Delegates focused on, among others, information on the country of origin, and biocultural metadata *vis-à-vis* traditional knowledge. Discussion addressed whether the CBD COP has a mandate over databases, with many highlighting CBD parties’ responsibility to take measures to ensure that databases in their jurisdiction comply with any CBD COP decision. Delegates further discussed: whether to distinguish between databases located in CBD parties’ jurisdictions and those that are not, as well as between public and private databases; potential additional

requirements for databases’ operations; and whether to include a requirement for a document indicating permission for publication from the national authorities of the country of origin. Observers urged addressing digital biopiracy, highlighting, among other things, the lack of accountability of databases to parties, and emphasizing the need to urgently address this shortcoming.

Climate Change: The group addressed a [revised non-paper](#). On geoengineering, delegates discussed an invitation to parties and others to report on measures undertaken according to Decision [X/33](#), which seeks to ensure that no climate-related geoengineering activities that may affect biodiversity take place, or according to Decision [IX/16](#) (C) on ocean fertilization, for a compilation to be prepared and made available through the CHM.

Synthetic Biology: The contact group resumed discussions on a [non-paper](#), focusing on elements to be taken into account when developing a thematic action plan on capacity building. Delegates agreed to reference “strategies” rather than “proposals” to promote benefit-sharing from synthetic biology. Discussions then focused on text referencing mechanisms for technology transfer, knowledge-sharing, and international cooperation, with some preferring to keep a concise text, and others proposing additions.

Article 8(j): Delegates heard a report from a Friends of the Co-Chairs group indicating that the proposal for a draft decision on the role of people of African descent will be issued as a separate decision, further noting that only two issues remain, namely references to “collectivities,” and wording concerning reference to and context of Article 8(j).

Finalizing their consideration of tasks in the new work programme, delegates agreed on a provision to indicate which tasks will be prioritized, thereby removing the low/high priority categorization of tasks in the relevant annex. Delegates further agreed to streamline the programme by merging tasks on: identifying gaps and promoting good practices under element 8 (access to funding for IPLCs); and undertaking studies on the experiences of IPLCs on access and benefit-sharing under element 3 (benefit-sharing). Discussions continued on a bracketed provision indicating that the work programme is aimed at addressing the specific challenges faced by developing countries alongside the appropriate and regionally balanced representation of IPLCs.

Resource Mobilization: The GEF Secretariat reported that during the pledging session earlier in the day, eight governments pledged an additional USD 163 million to the GBF Fund. The Co-Chairs invited delegates to discuss options for an intersessional process, namely: establishing an expert advisory committee on resource mobilization; mandating the SBI to lead intersessional work; or establishing an intersessional working group. They drew attention to a [non-paper](#) on elements for a comprehensive solution to close the biodiversity finance gap (annex III). The non-paper contains three clusters, focusing on: closing the biodiversity finance gap by tapping all sources and instruments; assessing the financial mechanism and benchmarking against those of other relevant MEAs; and criteria for the design of a dedicated global instrument for biodiversity finance.

In The Corridors

Delegates gathered for the second and final week of the UN Biodiversity Conference, following a weekend devoted to resolving divergences in contact and informal groups on high-stake items. Progress was reported on many issues regarding DSI, resource mobilization, and Article 8(j) (IPLCs and traditional knowledge), although disagreements remain on several fronts.

Delegates continued to show unhurried devotion to negotiations. With consensus still out of sight on most agenda items, many participants wondered when and how compromises will be built. “It’s a marathon, not a sprint, we are in for the long haul,” one experienced delegate commented, calling for resilience and commitment, and signaling that even though COP 16 concludes this week, parties should prepare for the ultramarathon - implementation.