

UN Biodiversity Conference Highlights: Wednesday, 30 October 2024

The Working Groups addressed conference room papers (CRPs) throughout the day. Contact groups convened on synthetic biology, mechanisms for planning, monitoring, reporting, and review (PMRR), resource mobilization, and digital sequence information (DSI). An evening plenary reviewed progress and adopted decisions under the Convention on Biological Diversity (CBD), the Cartagena Protocol on Biosafety (CP), and the Nagoya Protocol (NP) on access and benefit-sharing (ABS). The High-level Segment concluded deliberations.

Working Group I

Article 8(j): Chair Charlotta Sörqvist (Sweden) introduced a CRP containing two decisions on the work programme and on institutional arrangements ([CBD/COP/16/WGI/CRP.3](http://enb.iisd.org/un-biodiversity-conference-cbd-cop16/working-group-1/article-8-j)).

Work Programme: On a paragraph listing a number of tasks of the work programme as implementation priorities, delegates agreed to a proposal by the DEMOCRATIC REPUBLIC OF THE CONGO (DRC) to remove the list and to merely note a decision to implement the work programme. A proposed insertion by INDIA that implementation should be conducted according to “national legislation, circumstances, and priorities” was retained in brackets.

Delegates discussed references to “women and girls, children and youth, persons with disabilities, and environmental human rights defenders” alongside Indigenous Peoples and local communities (IPLCs) in two paragraphs of the draft decision, one referring to the engagement of IPLCs as partners in the implementation of the CBD, and the other urging parties to enable the full and effective participation of IPLCs in developing national reports and national biodiversity strategies and action plans (NBSAPs). CHILE and the EU wished to retain the list, with the DRC, TOGO, SOUTH AFRICA, and the RUSSIAN FEDERATION querying the appropriateness of these references in one or both paragraphs. Consultations are ongoing on these two paragraphs, as well as on the general principles of the work programme.

Regarding elements and tasks under the work programme, COLOMBIA supported adopting the work programme in its entirety. Delegates agreed to remove brackets around element 6 on full and effective participation of IPLCs, and the list of actors under element 8.1 on mobilization of financial resources. On element 7.1 on a human rights-based approach, delegates agreed to refer to enhancing the “contribution” of IPLCs to biodiversity conservation and sustainable use, rather than their “rights.” Delegates then approved the work programme as amended and with remaining brackets.

Institutional Arrangements: The DRC, PANAMA, GUATEMALA, MEXICO, and the INTERNATIONAL INDIGENOUS FORUM ON BIODIVERSITY (IIFB)

supported the establishment of a subsidiary body, with PANAMA emphasizing that it would signal a historic shift in inclusive decision-making with zero or minimal budget impact. GUATEMALA and MEXICO noted the importance of institutionalizing the Convention’s cooperation with IPLCs.

INDONESIA, JORDAN, and the RUSSIAN FEDERATION opposed, stressing that the Working Group has demonstrated its effectiveness. The RUSSIAN FEDERATION pointed to extensive associated costs not included in the Secretariat’s budget scenarios, as well as overlap with existing subsidiary bodies’ mandates. The issue remained in brackets for consideration by plenary.

People of African Descent: Several delegates expressed support for a CRP on the role of people of African descent ([CBD/COP/16/WGI/CRP.8](http://enb.iisd.org/un-biodiversity-conference-cbd-cop16/working-group-1/people-of-african-descent)). Delegates accepted a proposal by INDIA for a new preambular paragraph recognizing the roles of IPLCs in the CBD’s implementation. The DRC, opposed by COLOMBIA, noted a lack of evidence to substantiate recognition of Afro-descendants’ contributions at the global level and in implementing NBSAPs. The language was kept in brackets. INDIA suggested, and delegates agreed, to add reference to national legislation and circumstances to an encouragement to parties to communicate on the contributions of people of African descent through their national reports. On bracketed reference to people of African descent’s connection with “lands/territories,” PERU proposed, and delegates agreed, to maintain reference to “lands” only. On ensuring that recognition of contributions of Afro-descendants does not diminish Indigenous Peoples’ rights, the DRC requested, opposed by CANADA, reference to local communities. Regarding bracketed reference to Afro-descendants’ “collectives,” the EU preferred “communities,” which IIFB opposed. The CRP was forwarded to plenary with remaining brackets.

Working Group II

(CBD) Mainstreaming of biodiversity: Delegates continued deliberations on the CRP ([CBD/COP/16/WGII/CRP.4](http://enb.iisd.org/un-biodiversity-conference-cbd-cop16/working-group-2/cbd-mainstreaming-of-biodiversity)). CANADA presented new text from a small group tasked to resolve language on a paragraph requesting the Secretariat to undertake a gap analysis on challenges of biodiversity mainstreaming, and another on activities to be carried out ahead of the 18th meeting of the Conference of the Parties (COP 18). Delegates agreed to the small group’s compromise text requesting additional activities ahead of COP 18, including on assessing the need for an analysis of challenges of biodiversity mainstreaming, and scientific, technical, technological, and institutional capacity gaps. Delegates approved the CRP as amended, with a placeholder on reporting, pending discussions on planning, monitoring, reporting, and review (PMRR).

(CBD) Biodiversity and health: Delegates continued deliberations on the CRP ([CBD/COP/16/WGII/CRP.6](http://enb.iisd.org/un-biodiversity-conference-cbd-cop16/working-group-2/cbd-biodiversity-and-health)). On the global action plan on biodiversity and health, they considered compromise text developed by a small group on actions to ensure

biodiversity and health co-benefits regarding GBF Target 13 (benefit-sharing). They agreed on a new paragraph to promote equitable access to tools and knowledge required to implement the One Health approach and other approaches for plant, animal, and human health. They also discussed an alternative paragraph on measures to ensure benefit-sharing from utilization of genetic resources, their derivatives, and traditional knowledge, related to biodiversity and health. CANADA, NORWAY, JAPAN, the UK, and the REPUBLIC OF KOREA objected to including derivatives, noting they are not covered under Target 13. TOGO, CHILE, INDIA, BRAZIL, and PERU supported including derivatives, noting their relevance to health. The reference remained in brackets. Delegates approved the CRP as amended, with remaining brackets.

(CBD) Marine and coastal biodiversity: *Ecologically or Biologically Significant Marine Areas (EBSAs)*: Delegates addressed a CRP ([CBD/COP/16/WGII/CRP.7](#)) regarding modalities for the modification of descriptions of EBSAs and the description of new areas. Following informal consultations, delegates resolved a bracketed paragraph addressing synergies with the Agreement on marine biodiversity beyond national jurisdiction (BBNJ Agreement), with reference to “potential” synergies and “future” implementation of the BBNJ Agreement, as requested by the Russian Federation. Chair Benítez commended this “landmark decision,” stressing it took over eight years of negotiations.

***Conservation and Sustainable Use*:** Delegates considered a CRP ([CBD/COP/16/WGII/CRP.8](#)). They agreed to delete a paragraph addressing work on goengineering under the London Convention on marine pollution; and to lift brackets on a reference to implementing the UN system-wide strategy for water and sanitation. PANAMA proposed new language on illegal, unreported, and unregulated fishing. Discussions were parked.

Contact Groups

Synthetic Biology: Delegates addressed a Co-Chairs’ proposal on future work and a thematic action plan on capacity building, developed on the basis of previous discussions. They agreed that an *Ad Hoc* Technical Expert Group (AHTEG) will convene intersessionally, deleting reference to its “multidisciplinary” character, as well as references to the inclusion of scientific, technical, interdisciplinary, and intercultural expertise. They further agreed on inputs for the AHTEG’s work, adding that the procedure for avoiding or managing conflicts of interest in expert groups applies. A lengthy debate ensued on the specific phrasing of the AHTEG’s focus on potential positive and negative impacts of recent technological developments; as well as on an additional proposed focus on the “current benefits” of synthetic biology. Delegates reached agreement on: inviting parties and others to submit information to inform the AHTEG’s work; invite parties and others to provide financial and technical support for capacity building, including for assessment, and research and development; and encouraging parties to submit their needs and priorities, including through the regional and subregional support centers of the technical and scientific cooperation mechanism. A CRP will be prepared, while consultations continue on outstanding matters.

Resource Mobilization: Delegates addressed a [non-paper](#) containing the revised resource mobilization strategy 2025-2030. On the draft decision, delegates agreed to: encourage parties and others to use the strategy as flexible guidance to implement the CBD and its Protocols, and to achieve the GBF’s goals and targets; and emphasize that the strategy is to be implemented coherently with GBF Section C (considerations for GBF implementation), taking into account national circumstances and priorities, and encouraging action without affecting existing obligations.

Delegates discussed the strategy’s guiding elements, expressing diverging opinions on references to CBD Article 20 (Financial Resources). On enabling actions, further discussions are required on: the need for access to all financing sources by all parties, as well as IPLCs and others; and ensuring timely access to financial resources and capacity building for all parties, IPLCs, women, youth, and other stakeholders. Additional proposals attracted support but remain in brackets, including on: encouraging financial institutions to identify and assess biodiversity-related opportunities and challenges; considering, as appropriate, developing and applying finance-related biodiversity taxonomies; and ensuring the full, equitable, effective, and gender-responsive representation and participation in decision making of IPLCs, women, and youth.

DSI: The Co-Chairs highlighted work over the ten meetings of the contact group and introduced a revised [non-paper](#), inviting general comments and noting that negotiations will also take place at the ministerial level. Some delegates stressed that the non-paper constitutes a good basis for further discussion. Several emphasized, however, that many issues will require extensive discussions, including:

- the options for contributions, with some parties calling for the development of hybrid options, stressing that there is no one-size-fits-all approach, and others cautioning introducing additional complexity and supporting a single trigger;
- the relationship with national ABS systems, with some stressing the need to align the multilateral mechanism with existing, national ABS systems;
- the establishment of a new database, with some parties expressing support and others urging against institutional and functional complexity;
- the choice of introductory verbs, denoting the extent to which the envisaged multilateral system will be voluntary or establish binding obligations; and
- incentives for DSI users, including issuance of relevant certificates.

A party tabled a proposal for a hybrid approach to contributions, with companies being able to opt for payments based on total revenue or product revenue, according to the specific circumstances.

PMRR: *Mechanisms*: On a draft decision and associated annexes on mechanisms for PMRR contained in a [non-paper](#), delegates focused on bracketed text concerning commitments by non-state actors and design of the global review. Delegates agreed to: specify that commitments communicated by non-state actors do not have any implications regarding the recognition of territorial sovereignty or the legal status of a state, territory, area, or their authorities; and delete reference to subnational governments throughout the decision. Divergence ensued, among other things, on whether to include in a list of elements forming the basis of the global review, references to the outcomes of the informal technical dialogue, and of the advisory committee. Consultations continue, also at the ministerial level.

GBF Monitoring Framework: The contact group completed its consideration of the [non-paper](#) containing a draft decision. Delegates agreed that further work is needed to develop component indicators on subsidies harmful to biodiversity and resolved bracketed text on several binary indicator questions and response options. They further streamlined decision text, including on: reviewing the needs of parties in implementing the monitoring framework and addressing gaps; prioritizing the updating of metadata for certain indicators at lower levels of development; and ensuring that guidance on the monitoring framework is easily accessible. A CRP will be prepared, while consultations continue on outstanding matters.

Evening Plenary

COP President Susana Muhamad (Colombia) presented outcomes of the High-level Segment, which received messages from 135 parties and 16 international organizations, highlighting that “we are on the right path to achieve our collective goals.”

COP 17 Venue: President Muhamad noted that the Secretariat has received two offers to host COP 17 from parties in the Central and Eastern Europe regional group, Armenia and Azerbaijan. Noting no agreement was reached within the regional group, President Muhamad indicated that the matter will be put to a vote by secret ballot on Thursday. Armenia and Azerbaijan presented their respective offers. The Secretariat detailed the rules of procedure for voting.

Organizational Matters: Plenary heard a report on credentials; elected members for the new Bureau; and heard reports from the Working Groups and the budget committee.

Adoption of Decisions: The following decisions were adopted by the CP Meeting of the Parties with no or minor amendments:

- **compliance** ([CBD/CP/MOP/11/L.7](#));
- **risk assessment and risk management** ([CBD/CP/MOP/11/L.6](#)); and
- **detection and identification of living modified organisms** ([CBD/CP/MOP/11/L.5](#)).

The NP Meeting of the Parties addressed a decision on the **ABS Clearing-House and information sharing** ([CBD/NP/MOP/5/L.3](#)). ARGENTINA reported consensus reached in a small group and presented amendments to the paragraph inviting the UN Environment Programme to develop a global capacity-building project to enhance the ability of developing countries to use and contribute to the global operations of the ABS Clearing-House. He also presented agreed text inviting the Global Environment Facility to provide financial support to projects related to the ABS Clearing-House. Plenary adopted the decision as amended.

The CBD COP adopted the decision on **EBSAs** ([CBD/COP/16/L.8](#)) without amendment. The EU and GREECE recorded in the report of the meeting that the EBSA process does not involve interference in any territorial or sovereign dispute or claim.

Plenary then addressed decisions related to Article 8(j). On a decision on the **Article 8(j) work programme** ([CBD/COP/16/L.5](#)), parties agreed, following interventions by Brazil and the Russian Federation, to a compromise proposal on two provisions in the general principles of the work programme, acknowledging its aims are to address the specific challenges faced by all IPLCs, while recognizing the particular challenges of IPLCs from developing countries in the work of the CBD, as well as the challenges faced by developing country parties in promoting implementation of Article 8(j). On further tasks of the work programme, delegates agreed to support efforts for the mobilization of financial resources for IPLCs, in line with and including within the scope of the revised resource mobilization strategy.

Regarding a provision of the decision on implementation of the work programme “taking national legislation, circumstances, and priorities into account,” INDIA, the RUSSIAN FEDERATION, and INDONESIA, opposed by NORWAY, the EU, and NEW ZEALAND, suggested retaining the reference to national circumstances. Delegates decided to retain the reference “as appropriate.”

On provisions encouraging parties to engage with IPLCs in CBD implementation and urging them to enable their full and effective participation in the preparation of national reports and NBSAPs, delegates decided to remove explicit reference to

women and girls, children and youth, persons with disabilities, and environmental human rights defenders.

The decision and work programme were adopted as amended, pending a decision on institutional arrangements, including establishment of a subsidiary body on Article 8(j).

On a decision regarding the **role of people of African descent**, comprising collectives embodying traditional lifestyles in CBD implementation ([CBD/COP/16/L.7](#)), delegates agreed to remove brackets around the word “collectives” in the title of and throughout the decision, amending a footnote on the term, upon an EU proposal to state that “the term collectives in this decision refers to a form of organization of these groups to convey their shared cultural identity.” Delegates also agreed to “recognize” the contributions of people of African descent in CBD and GBF implementation; and approved the decision text as amended.

A procedural discussion ensued. The EU, with NORWAY and FIJI, requested considering the decision on institutional arrangements and adopting the two decisions as a package. COLOMBIA, with BRAZIL, CHILE, MEXICO, PANAMA, TOGO, URUGUAY, and SOUTH AFRICA, called for adopting the decisions separately. Following consultations, delegates agreed to consider the text of both decisions before moving to adoption.

On the decision on **institutional arrangements** ([CBD/COP/16/L.6](#)), INDONESIA and the RUSSIAN FEDERATION proposed postponing discussions on the *modus operandi* for establishing a permanent subsidiary body on Article 8(j) to an intersessional meeting prior to COP 17, stressing the complexity of creating such a body and the need for further consultations with relevant stakeholders.

GUATEMALA, TOGO, COLOMBIA, the EU, IIFB, PERU, SOUTH AFRICA, BOLIVIA, ZIMBABWE, AUSTRALIA, SUDAN, CANADA, NEW ZEALAND, GABON, PANAMA, BRAZIL, NORWAY, MEXICO, and Fiji for the eight present PACIFIC SMALL ISLAND DEVELOPING STATES expressed strong support for the establishment of the subsidiary body without delay, emphasizing, among other things, that the annexed *modus operandi* has been discussed extensively, and that the arrangement is an effective way to formally recognize the crucial role and contributions of IPLCs to the work of the CBD and to biodiversity conservation and sustainable use more generally. Discussions will continue.

BOLIVIA, speaking on behalf of a group of like-minded mega-diverse developing countries, called for the establishment of a dedicated global biodiversity fund at COP 16, alongside an inclusive process to operationalize its institutional arrangements, as well as for developed countries to fully meet their financial commitments under the CBD and the GBF.

In The Corridors

“After this success, everything will fall into place,” one relieved participant commented, following the late evening adoption of modalities for the modification of descriptions of EBSAs and the description of new ones. Elation and applause was also heard earlier in the day at Working Group II, as those invested in the eight-year process of negotiations celebrated the moment. Less optimistic participants, however, noted that the picture is not so appealing on other fronts, pointing in particular to DSI and resource mobilization. While many welcomed behind-the-scenes work to facilitate consensus at the ministerial level, others pointed to a “more realistic” approach: adopting framework decisions while allowing for further intersessional work. Well after midnight, with a bat flitting above plenary, delegates heard passionate calls to establish both a subsidiary body on Article 8(j) and a dedicated global biodiversity fund.

