

UN Biodiversity Conference Highlights: Sunday, 25 November 2018

On Sunday, WG I approved CRPs on communication and information sharing, among other items. WG II addressed, among other issues, the Rutzolijirisaxik voluntary guidelines for repatriation of traditional knowledge (TK), and biodiversity and climate change. In the afternoon, plenary heard reports, adopted numerous decisions, and witnessed a ceremony for the Clearing-House Mechanism (CHM) awards.

Contact groups and Friends of the Chair groups met throughout the day to address: the budget; liability and redress under the Convention; Nagoya Protocol on access and benefit-sharing (ABS) Article 10 (global multilateral benefit-sharing mechanism); ecologically or biologically significant marine areas (EBSAs); resource mobilization and the financial mechanism; and socio-economic considerations under the Cartagena Protocol on Biosafety.

Working Group I

Knowledge management (CBD): Delegates addressed a CRP, which was approved with a minor amendment.

ABS Clearing-House and information sharing (NP): On providing information on procedures for access to genetic resources and TK, the EU proposed, and after debate parties agreed, to make reference to “national” procedures and “urge” rather than “encourage” parties to provide this information through a “voluntary” common format. On convening the meetings of the Informal Advisory Committee, the EU, supported by MEXICO, INDIA, and JAPAN, noted the meeting should be covered by the core budget. On the annexed goals and priorities for the ABS Clearing-House, the EU proposed revised language exploring how the Bioland Tool for National CHMs could be used to facilitate exchange of information related to ABS. The CRP was approved with these and other minor amendments.

Operations and activities of the Biosafety Clearing-House (BCH) (CP): Delegates approved a CRP with minor amendments, further noting that the joint modalities for the clearing houses of the Convention and the Protocols will be reproduced in the COP decision only.

Communication (CBD): With regard to cooperation with others for the development of communication material, delegates accepted a proposal by Canada to add reference to the IUCN and its Nature for All initiative, and a suggestion by the EU to involve the Informal Advisory Committee on Communication, Education, and Public Awareness (CEPA). The CRP was approved as amended.

Review mechanisms (CBD): Delegates considered a CRP, with the EU, supported by NORWAY, proposing national reports be “a core element” rather than “the primary mechanism,” for review, and that they form part of “the multidimensional review approach.” Delegates agreed, and with other minor amendments, approved the CRP.

Compliance (CP): Delegates approved a CRP without amendment.

Review of experience in holding concurrent meetings (CBD, CP, NP): Delegates approved three CRPs without amendment.

Capacity building (CP): Delegates approved a CRP without amendment.

Working Group II

Reports from contact groups: Horst Korn (Germany), Chair of the contact groups on synthetic biology under the Convention, and risk assessment and risk management under the Cartagena Protocol, summarized progress in their deliberations. He stressed that two non-papers have been drafted portraying the delicate balance of interests among parties, and urged delegates to address them as a package rather than paragraph by paragraph.

Natalhie Campos-Reales Pineda (Mexico), Chair of the contact group on socio-economic considerations under the Cartagena Protocol, said no agreement has yet been reached on: the need for extending the *Ad Hoc* Technical Expert Group’s mandate; and the need for a face-to-face meeting. She noted that deliberations will continue on the basis of a revised non-paper.

Alain De Comarmond (Seychelles), Chair of the contact group on marine and coastal biodiversity under the Convention, stressed that discussions focused on modalities for: modifying the description of EBSAs; describing new areas; and strengthening the scientific credibility and transparency of the process. Delegates also discussed the terms of reference of the informal advisory group. Deliberations will continue on the basis of a non-paper.

Transit and contained use of living modified organisms (LMOs) (CP): Delegates discussed a CRP. In a paragraph on the implementation of specific measures for contained use that effectively limit the contact of LMOs with, and their impact on, the external environment, PANAMA and HONDURAS, opposed by BOLIVIA and SWITZERLAND, asked to refer to their “potential” impact. Pointing out that the original language was taken from the Cartagena Protocol, delegates agreed to add instead “in accordance with Protocol Article 3(b),” and approved the CRP.

Rutzolijirisaxik voluntary guidelines for TK repatriation (CBD): Delegates discussed a CRP. Regarding a provision on the use of the guidelines, including to facilitate benefit-sharing, delegates agreed to facilitate “equitable” benefit-sharing. IRAQ

proposed, and delegates agreed, to add a request to engage in resource mobilization to share experiences on the use of the guidelines. The CRP was approved as amended.

Biodiversity and climate change (CBD): Delegates discussed a CRP. A lengthy discussion took place on a preambular paragraph expressing deep concern that failing to hold the increase in the global average temperature to well below 2°C above pre-industrial levels would place many species and ecosystems, as well as the people that depend on their functions and services, especially indigenous peoples and local communities (IPLCs) and rural women, under very high risk. Some delegations preferred: expressing “concern” rather than “deep concern”; referring to “IPLCs, women and rural youth, as well as other vulnerable groups”; and referring to “affected” rather than “vulnerable” groups. The original paragraph was retained.

Following clarifications from the legal officer, delegates approved “adopting,” rather than “endorsing,” the voluntary guidelines for the design and effective implementation of ecosystem-based approaches to climate change adaptation and disaster risk reduction.

Another lengthy debate took place on language expressing deep concern that escalating destruction, degradation, and fragmentation of ecosystems would increase greenhouse gas emissions, reduce the resilience and stability of land and forest carbon stocks, and make the climate crisis ever more challenging. Following discussions in a Friends of a Chair group, delegates agreed to note that ecosystem destruction, degradation, and fragmentation would “reduce their capacity to store carbon and lead to increases in greenhouse gas emissions, reduce the resilience and stability of ecosystems, and make climate change increasingly challenging.”

Plenary

Reports and other matters: Plenary heard reports of meetings convened in parallel to the UN Biodiversity Conference, including: the Nature and Culture Summit; the second Wildlife Forum; the sixth Global Biodiversity Summit of Local and Subnational Governments; the fourth Science Forum; and the Biodiversity Law and Governance Day.

Delegates then heard progress reports from WG Chairs; and budget group Chair Spencer Thomas (Grenada), who stressed the need for further work on participation costs, scale of assessments, and staff level and costs, expressing hope that budget deliberations will not result in delaying the closing of the meeting. Francis Ogwal (Uganda), Co-Chair of the contact group on the preparatory process for the post-2020 global biodiversity framework, reported that progress has been made and discussions will continue on the basis of a revised non-paper. NORWAY announced financial support to facilitate the process for the post-2020 framework, including a pledge of USD 350,000 for regional workshops in Africa, Latin America and the Caribbean, and Asia and the Pacific. Plenary observed a moment of silence in memory of Olivier de Munck, CBD Secretariat.

Election of officers: Following nomination by the EU, plenary elected Charlotta Sörqvist (Sweden) as SBI Chair.

Discussion on CRPs: On a CRP on scenarios for the 2050 vision for biodiversity, delegates debated text regarding: whether to take note, welcome, or endorse SBSTTA’s conclusions regarding scenarios for the 2050 vision for biodiversity; whether to analyze the potential of benefit-sharing to “promote” or “contribute to” biodiversity conservation and sustainable use; and reference to technology developments relating to digital sequence information, synthetic biology, and LMOs. Informal consultations continue.

On a CRP on the fifth edition of the Global Biodiversity Outlook (GBO-5), SOUTH AFRICA suggested, and delegates agreed, to acknowledge the contribution made by the Global Partnership for Plant Conservation in implementing and reviewing progress in the implementation of the Global Strategy for Plant Conservation, and request the Secretariat to consider the report and other assessments on plant conservation among the sources of information for the compilation of GBO-5. Regarding an invitation for financial contributions for GBO-5, the EU proposed, and delegates agreed, to include an assessment of the implementation of the Global Strategy for Plant Conservation. The CRP was approved as amended.

Adoption of decisions: Plenary adopted, without amendment, decisions on: methodological guidance concerning the contributions of IPLCs; the process for aligning national reporting, assessment and review under the Convention; tools to evaluate the effectiveness of policy instruments for Strategic Plan implementation; other matters related to Article 8(j); monitoring and reporting, and assessment and review, under the Cartagena Protocol; and specialized international ABS instruments, raising awareness of the importance of genetic resources and associated TK, and monitoring and reporting, under the Nagoya Protocol.

On a draft decision on safeguards in biodiversity financing mechanisms, BRAZIL raised concerns regarding a reference to the importance of IPLCs’ tenure over traditional territories, and adoption was postponed to allow for consultations.

Regarding a draft decision on the glossary of key terms and concepts within the context of Article 8(j), BRAZIL raised concerns regarding the entry on TK, suggesting it should refer to TK related to genetic resources. The Secretariat clarified that the term was drawn from CBD Article 8(j) and not the Nagoya Protocol. CANADA and the EU noted that the glossary had been under consideration since COP 5. Adoption was postponed to allow for consultations.

Regarding a draft decision on unintentional transboundary movements and emergency measures, delegates agreed to a proposal by Paraguay, that the Secretariat be requested to review and finalize the manual on detection and definition of LMOs “in the context of Cartagena Protocol Article 17.” The decision was adopted as amended.

CHM awards ceremony: CBD Executive Secretary Cristiana Paşca Palmer presented awards in recognition of parties’ achievements on their national clearing-houses.

In the Corridors

As the Biodiversity Conference entered its second and final week, many expected negotiations to switch gear. Indeed, Working Group I moved swiftly through the adoption of a series of CRPs on non-controversial items, while contact groups continued their work on the more challenging ones. In the words of a Working Group II participant, however, “things have shifted to a lower gear.” Delegates devoted a considerable amount of time debating whether the COP should be “deeply concerned” or simply “concerned” about the effects on biodiversity of failing to limit the rise of global temperature to well below 2° C. A participant attending her first COP, unfamiliar with similar deliberations, expressed her outright astonishment, wondering about whether there are any legal or policy implications of one formulation over the other. A veteran delegate pointed out that “this is not an efficient way to proceed: all the highly controversial items are still under heavy negotiation in the contact groups.” Most agreed that, as things stand, “some late nights might be on the cards before the final gavel.”