

UN Biodiversity Conference Highlights: Monday, 26 November 2018

On Monday, WG I addressed cooperation with other conventions, international organizations, and initiatives under the Convention and the Nagoya Protocol on access and benefit-sharing (ABS). WG II addressed: spatial planning, protected areas (PAs), and other effective area-based conservation measures (OECMs); biodiversity mainstreaming in the energy and mining, infrastructure, manufacturing, and processing sectors; the second work programme of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES); and biodiversity and climate change.

Contact groups and Friends of the Chair groups met throughout the day to address: the budget; biodiversity and climate change; marine and coastal biodiversity, including ecologically or biologically significant marine areas (EBSAs); liability and redress under the Convention; digital sequence information (DSI) under the Convention and the Nagoya Protocol on ABS; resource mobilization and the financial mechanism under the Convention and its Protocols; conflicts of interest under the Convention; risk assessment and risk management under the Cartagena Protocol on Biosafety; the post-2020 preparatory process under the Convention; and synthetic biology under the Convention.

Working Group I

Cooperation (CBD): Delegates considered a CRP. The EU proposed, and delegates agreed, to include reference to an open-ended working group (OEWG) that he said will likely be established in the post-2020 process contact group. References to the OEWG remain in brackets pending contact group discussions.

CANADA, opposed by many, suggested “taking note of” rather than “welcoming” an Egyptian initiative to promote a coherent approach for addressing biodiversity loss, climate change, and land and ecosystem degradation. The original paragraph was retained, including inviting relevant stakeholders to “support and promote” this initiative.

Regarding a paragraph on cooperation with FAO, MEXICO suggested reference to the indicator regarding the proportion of agricultural area under productive and sustainable agriculture. Following discussion, delegates decided to refer generally to FAO work on indicators.

On cooperation with inter-agency and coordination networks, SOUTH AFRICA proposed, and delegates eventually accepted, new language noting with appreciation the efforts of the Global

Partnership for Plant Conservation in reviewing the progress in implementing the Global Strategy on Plant Conservation and its contribution to the Strategic Plan. A reference to further engaging with the Partnership on its contribution to the post-2020 framework was bracketed pending discussions on the post-2020 framework.

On continued engagement with the Collaborative Partnership on Forests, following proposals by Bolivia and Uganda, delegates accepted a reference to “alternative approaches that contribute to mitigation and adaptation for restoration.” After a lengthy debate over revising language on inviting and mobilizing the executive bodies of initiatives established under the framework of the Strategic Plan to continuing building synergies, parties agreed to retain the original formulation. The CRP was approved as amended with bracketed references to the post-2020 framework.

Cooperation (NP): Delegates considered a CRP, debating references to DSI throughout the document. They decided to keep the references in brackets, and return to the CRP following the conclusion of deliberations on DSI.

VIET NAM suggested requesting the Secretariat to collaborate with relevant organizations on transfers of microorganisms for research purposes, especially with non-CBD parties. SWITZERLAND cautioned against text that is legally unclear. The proposal was withdrawn.

Working Group II

Reports from contact groups: Nathalie Campos-Reales Pineda (Mexico), Chair of the contact group on socio-economic considerations under the Cartagena Protocol, noted that agreement was reached on conducting an online forum and a moderated online discussion. She reiterated diverse opinions still exist on, among others, the need for a face-to-face meeting of the expert group, and noted that deliberations will continue.

Alain De Comarmond (Seychelles), Chair of the contact group on marine and coastal biodiversity, including EBSAs, said that discussions on the basis of a non-paper are ongoing.

Spatial planning, PAs and OECMs (CBD): Delegates addressed a CRP. PERU suggested a paragraph on specific regional PA management initiatives. WG II Chair Nina and EGYPT cautioned that adding details on regional initiatives could result in extensive text. After debate, a Friends of the Chair group was established to present text on regional OECM initiatives.

A lengthy debate took place on whether to re-open the annexed voluntary guidance on the integration of PAs and OECMs into wider land- and seascapes. Following agreement to re-open it,

delegates agreed to references on, *inter alia*: the lack of adequate human, financial, and administrative resources slowing the progress of PA integration and mainstreaming; species that may shift their range in response to climate change impacts, regarding a paragraph on key species for which fragmentation is a key issue; the multiple values of ecosystem functions and services rather than just their economic value; and the sectors of fisheries, forestry, mining, and tourism, in a paragraph on the sectors responsible for habitat fragmentation.

They further agreed to add references regarding: the promotion of financial models that advance the sustainability of long-term PA systems; the need for accordance with national legislation or harmony with national regulatory systems in different parts of the document; applicable international obligations throughout the document; and making a number of activities subject to the availability of resources.

Following informal consultations on a proposal from indigenous peoples and local communities (IPLCs), delegates agreed to state that in accordance with national legislation and circumstances, management approaches should consider: any destabilization of relationships between IPLCs and wildlife in PAs; existing IPLC governance and equity systems with respect to transboundary PAs and conservation corridors; and any conflict of overlapping OECMs with existing indigenous and community conserved areas and IPLC governance systems, taking into account free prior and informed consent (FPIC). The CRP was approved as amended.

Biodiversity mainstreaming in the energy and mining, infrastructure, manufacturing, and processing sectors (CBD): Delegates addressed a CRP. In addition to minor amendments, Chair Nina convened a Friends of the Chair group to work on language regarding reviewing and updating legal frameworks, policies, and practices to promote biodiversity mainstreaming, including through consultations to obtain the FPIC of IPLCs, in accordance with applicable international agreements. The EU offered compromise language regarding mainstreaming biodiversity into the relevant sectors, subject to the FPIC of IPLCs, as appropriate, and consistent with national policies, regulations, and national circumstances. Negotiations are ongoing.

Second Work Programme of IPBES (CBD): Delegates addressed a CRP and approved the operative paragraphs with a minor amendment. A lengthy discussion took place regarding the annexed requests for consideration by IPBES in the context of its strategic framework and work programme towards 2030. The EU suggested, and delegates agreed, to remove reference to the fair and equitable sharing of benefits arising from the utilization of genetic resources with regard to the characterization and quantification of successful approaches and cases of the conservation and sustainable use of biodiversity.

VENEZUELA, supported by BOLIVIA and BRAZIL, and opposed by COLOMBIA, the EU, GABON, and MEXICO, requested assessing topics related to technological development, which could have positive or negative impacts on achieving the three CBD objectives and the livelihoods and traditional knowledge of IPLCs, including synthetic biology and the use of DSI on genetic resources. The proposal was eventually withdrawn. The CRP was approved as amended.

Biodiversity and climate change: Contact group Chair Gilles Seutin (Canada) reported on agreement to add references to, *inter alia*: strengthening ecosystem integrity for the conservation of natural ecosystems, with regard to the list of ecosystem-based approaches; showing how the achievement of the Sustainable Development Goals, the Strategic Plan, and the Paris Agreement depend on the environment in all its diversity and complexity, with regard to the provision welcoming the IPBES assessment on land degradation and restoration; and facilitating access to technology when appropriate to the provision on capacity building. They also agreed to consistently refer to “climate change mitigation, adaptation, and disaster risk reduction” throughout the document. TURKEY asked to “note with concern” the special report of the Intergovernmental Panel on Climate Change (IPCC) on the impacts of global warming of 1.5°C. Delegates agreed, and further asked for “consultation” with the IPCC when the Secretariat reviews new relevant scientific and technical information. Delegates approved the CRP with these and other minor amendments.

Contact Groups

DSI: The contact group continued deliberations on a revised non-paper, including a decision on DSI uses, potential linkages with the objectives of the Convention, and an intersessional process. Participants addressed, among other issues, language on: mutually agreed terms covering benefits arising from DSI use; references to benefits from commercial and non-commercial use of DSI; an invitation to parties, IPLCs, and stakeholders to submit views and information on DSI; an invitation for information on capacity-building needs regarding the use, generation, and analysis of DSI; and a proposal for submission of information on benefit-sharing arrangements regarding commercial and non-commercial use of DSI.

Resource mobilization and the financial mechanism: The contact group continued deliberations on a non-paper regarding the financial mechanism, focusing on the terms of reference for the assessment of the funds needed for the implementation of the Convention and its Protocols during the upcoming cycles of the Global Environment Facility.

In the Corridors

Monday’s discussions saw numerous contact groups and Friends of the Chair groups scheduled throughout the day, totaling more than 20 hours of work. This left many participants, particularly from small delegations, weary and wondering how to be in multiple places at once. “Hermione Granger’s time-turner would have been handy today,” one youth delegate joked. Meanwhile, others were heard commenting on what they perceived as lack of urgency in many discussions, which “seem a world apart from the ambitious declarations and opening statements of last week.” Indeed, a participant pondered how to “keep morale up” when one walks from a side-event demonstrating the urgent need for action into an informal consultation that spends three hours negotiating a single paragraph on a technical detail generally perceived as non-controversial. Desperately looking for ideas on how to bring some fresh air and sense of urgency into the negotiations, one participant noted: “if necessary, go take a dip in a local EBSA. There is nothing better than diving into a diverse and abundant coral reef to remind us what we are really here for.”