

UN Biodiversity Conference Highlights: Sunday, 18 December 2022

A late night plenary adopted a compromise package of six decisions on the Kunming-Montreal global biodiversity framework (GBF) and related matters, including resource mobilization and digital sequence information (DSI). Procedural concerns were raised over adoption after reservations were expressed by the Democratic Republic of the Congo.

The penultimate day of the meeting opened with the circulation of the President's non-papers on the main items under negotiation: the GBF; the monitoring framework for the GBF; resource mobilization; DSI; capacity building and development and technical and scientific cooperation; and mechanisms for planning, monitoring, reporting, and review.

A closed meeting of heads of delegations addressed the President's non-papers throughout the day, followed by hours of informal consultations. Meanwhile, the contact group on the financial mechanism and the budget committee continued their work. Most participants spent the day waiting for the evening plenary, which eventually opened at 2:54 am on Monday morning.

Plenary

Following a report on credentials, COP President Huang Runqiu summarized the steps taken since the plenary session held on Thursday, 15 December. He stressed that, following the ministerial consultations, six non-papers were circulated by the presidency on a package deal for a successful outcome. He highlighted years of difficult negotiations, emphasizing that there is "no magic formula that allows us to all be happy," and noting that the package is balanced and addresses interlinkages between different elements. He added that, following further deliberations during the day, textual improvements had been made, including editorials ones, resulting in six draft decisions on: the GBF; its monitoring framework; mechanisms for planning, monitoring, reporting, and review; capacity building and development, and technical and scientific cooperation; resource mobilization; and DSI (CBD/COP/15/L.25-L.30). Indicating that "we have reached the end of our journey," he suggested proceeding by approving each document and adopting them as a package. He introduced

the draft decision on capacity building and development, and technical and scientific cooperation (CBD/COP/15/L.28).

The DEMOCRATIC REPUBLIC OF THE CONGO highlighted the need to conserve biodiversity and respect the rights of Indigenous Peoples and local communities, and expressed concerns regarding the financial mechanism and resource mobilization, stressing he is "unable to support the adoption of the GBF in its current state." MEXICO made an appeal for common sense and flexibility to adopt all documents as a package. Stressing that the package is consistent with the priority needs and concerns of the countries that hold most of the world's biodiversity, she urged for its adoption, followed by applause. Following a small recess, President Huang Runqiu announced that the six documents would be approved as a whole and, by lack of immediate objection, signaled adoption by gavel.

The DEMOCRATIC REPUBLIC OF THE CONGO, CAMEROON, and UGANDA, made reservations about the procedure of adoption of the package "by force of hand," with the latter requesting a reflection of his statement in the report. The Secretariat explained that the rules of procedure under the Convention had been observed, since some comments, but no formal objection had been raised.

NAMIBIA stated that an equal unhappiness by parties was a sign for a finely balanced deal, and that a more holistic solution than the GBF was needed to repair the bond between humans and nature. CANADA lauded the adopted package as a uniting choice and a bold step forward to protect nature and, together with RWANDA, GABON, and EGYPT, thanked the Presidency and Secretariat for their leadership. COP President Huang Runqiu adjourned the meeting at 4 am.

Contact Group on the Financial Mechanism

The contact group on the financial mechanism first reviewed an annex containing additional guidance to the financial mechanism, which the Secretariat had pulled from decisions on: biodiversity and agriculture; biodiversity and health; the gender plan of action; engagement with subnational authorities; and matters related to the financial mechanism and resources under both Protocols. Delegates agreed to this guidance following input from the Global

Environment Facility (GEF) confirming its feasibility. They then addressed the annex on the four-year outcome-oriented framework of programme priorities of the CBD for the eighth replenishment period of the Global Environment Facility Trust Fund (GEF 8). Following lengthy discussions, references to options that benefit biodiversity and are nature positive, and that promote the ecosystem approach and/or nature-based solutions remained bracketed, alongside references to Indigenous Peoples and local communities (IPLCs) and the human right to a clean, healthy, and sustainable environment. Delegates agreed to state that the GEF 8 indicators and monitoring should include measuring the co-benefits for biodiversity across all relevant GEF activities. However, they did not reach consensus whether and how to specifically mention certain groups or categories of developing countries when it comes to GEF 8 exploring ways to improve the access to funding. The latter aspect was also left unresolved in the annex on the terms of reference for the sixth review of the effectiveness of the financial mechanism.

In The Corridors

The penultimate day of COP 15 was marked by contradictions, predictions, and anticipation. The expected package deal was made available in the early morning, following extensive consultations at the ministerial level, mostly behind closed doors. It consisted of President's texts on the GBF, its monitoring framework, resource mobilization, DSI, capacity building, and planning, monitoring, reporting, and review. This package, suggesting a compromise on the most controversial items on the agenda, which are at the same time the key building blocks of the GBF, aims to leave all negotiating parties equally happy, or equally unhappy.

Participants at COP 15 spent the day waiting for the evening plenary, studying the documents, and exchanging ideas on their content as well as on the way forward. Divergent opinions were flying about; few argued that the compromise text on the GBF offers a strong framework that will initiate the necessary transformative change, halting and reversing biodiversity loss; others opined that the search for middle-ground solutions weakened the document, affecting the level of ambition. Many expressed satisfaction about language on human rights and Indigenous Peoples' rights. Others shared concern about the unclear language in several targets, wondering how effectively it can guide national-level implementation. Some experienced delegates suggested caution in drawing hasty conclusions with one of them saying "First things first. Let us adopt the framework and then, there is so much more to say and analyze on the road to implementation."

Adoption indeed came early on Monday morning; celebrations however were accompanied by procedural controversy, as the COP President gavelled adoption of the compromise package despite reservations raised by a party. While most participants applauded what they considered a "historic moment," some parties put on record their concerns regarding the process followed. Others expressed the hope that the circumstances of adoption will not cast a shadow over an otherwise impressive compromise reached on the GBF and relevant items.

The *Earth Negotiations Bulletin* summary and analysis of COP 15 will be available on Thursday, 22 December 2022, at enb.iisd.org/un-biodiversity-conference-owg5-cbd-cop15



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