

CBD COP 12 HIGHLIGHTS: FRIDAY, 10 OCTOBER 2014

WG I considered CRPs on implementation of the Strategic Plan, and support for its implementation. WG II finalized a CRP on Article 8(j). Contact groups addressed compliance under the Nagoya Protocol (NP), synthetic biology, and resource mobilization and the financial mechanism. Friends of the Chair groups convened on the “indigenous peoples” terminology, EBSAs and the voluntary peer-review of NBSAPs. An afternoon plenary addressed organizational issues, adopted decisions, and addressed ABS and biodiversity mainstreaming.

WORKING GROUP I

SUPPORT FOR STRATEGIC PLAN

IMPLEMENTATION: Chair Solhaug reported that informal discussions on unresolved issues regarding the voluntary peer-review of NBSAPs and capacity building are ongoing.

On technical and scientific cooperation and technology transfer, ETHIOPIA raised concerns over continued reference to pilot programmes, saying the Convention should move beyond experimentation. Parties deliberated a request to the Secretariat to report on ways that allow monitoring and evaluation of technology transfer. The EU proposed, and delegates agreed, to request the Secretariat to report on ways that “will assist evaluation of progress” in technology transfer and scientific cooperation, including through the national reports. The EU noted that a paragraph on inviting donors and parties to provide timely, sufficient and stable financial, technical and human resources to enable technical and scientific cooperation is linked to discussions on resource mobilization. MEXICO suggested, and delegates accepted, the inclusion of an additional paragraph welcoming the Bio-Bridge Initiative as a contribution to the Pyeongchang roadmap.

On establishing a process to grant an award at COP 13 to parties making significant progress on their national CHMs, NIGER suggested extending the process to COPs 14 and 15, and delegates agreed, subject to the availability of funds.

CANADA, with TURKEY and the EU, opposed by BOLIVIA and COSTA RICA, suggested deleting a request to the Secretariat to develop an interactive dialogue on living in harmony with Mother Earth at each of the future COPs until COP 15. ETHIOPIA suggested, and delegates agreed to, inviting the Secretariat to facilitate the organization of a dialogue at COP 13, subject to the availability of resources.

On actions to promote public awareness of biodiversity values, CANADA, with TURKEY, opposed by BOLIVIA, favored deletion of references to promote: the International Day of Mother Earth; better harmony between people and

nature; and the non-commodification and non-financialization of environmental functions. Delegates agreed to retain the reference to events, such as the International Day of Mother Earth, which promote better harmony between people and nature. A revised CRP will be produced.

STRATEGIC PLAN IMPLEMENTATION: Delegates differed on whether to retain, make a reference to, or negotiate, the annex containing key potential actions drafted by the Secretariat on the basis of GBO-4. ARGENTINA, BOLIVIA and URUGUAY called for deletion of the annex, stressing, with CHINA, that it lacks refined potential actions, including on contributions from ILCs. BOLIVIA suggested requesting the Secretariat to draft a complementary report on ILC actions contributing to biodiversity conservation. COSTA RICA, ETHIOPIA, PERU, CANADA, JAPAN, BRAZIL and the GAMBIA sought to keep the annex, with MEXICO and the EU calling for also retaining the annex on key scientific and technical needs. Parties continued informal consultations. The EU, opposed by BOLIVIA, questioned the relevance of the UN Declaration on the Rights of Indigenous Peoples to the implementation of the Strategic Plan.

WORKING GROUP II

ARTICLE 8(J): CANADA, opposed by BRAZIL, BOLIVIA, EL SALVADOR, ECUADOR, MEXICO and others, favored “noting” over “welcoming” the outcome document of the World Conference on Indigenous Peoples. BRAZIL suggested “noting with appreciation” as a compromise. COLOMBIA proposed adding a footnote noting reservations by parties. Following discussions, CANADA accepted “welcoming” the document, accompanied by the footnote proposed by Colombia.

Delegates agreed to invite IPBES members to consider the inclusion of ILC representatives when making nominations to the Multidisciplinary Expert Panel and other IPBES processes. They also agreed on the topic of the in-depth dialogue to be held at the ninth meeting of the Working Group on Article 8(j), namely “Challenges and opportunities for international and regional cooperation in the protection of shared TK across borders for the strengthening of TK and fulfillment of the Convention’s three objectives, in harmony with Nature/Mother Earth.”

Delegates bracketed an invitation to the GEF to provide funds for the implementation of projects that promote customary sustainable use, in view of parallel negotiations on the financial mechanism.

On the draft plan of action on customary sustainable use, the EU proposed reverting to the original text agreed by the Working Group on Article 8(j), which delegates approved as a package.



On the development of best-practice guidelines for the repatriation of TK, delegates agreed to include a footnote explaining that the “seven” observers mentioned correspond to UNPFII’s seven socio-cultural regions.

On how tasks 7, 10 and 12 of the work programme on Article 8(j) could best contribute to work under the Convention and the NP, delegates agreed to maintain Protocol language regarding the “PIC, or approval and involvement” of ILCs. Delegates approved the CRP with these and other amendments.

CONTACT GROUPS

COMPLIANCE UNDER THE NP: The group discussed procedures, participation in the compliance committee, and its functions. Noting that the committee should deal with compliance with the Protocol, not domestic law, delegates agreed that text specifying that the committee shall not consider questions related to mutually agreed terms, or characterization and documentation of plant genetic resources are unnecessary. They also agreed that the committee may decide not to consider any *de minimis* or manifestly ill-founded submission.

RESOURCE MOBILIZATION AND THE FINANCIAL MECHANISM: Delegates addressed pending issues, including the GEF report and its utilization, and the determination of funding requirements for the implementation of the Convention and its protocols. In the evening, delegates initiated discussions on targets for resource mobilization.

PLENARY

Plenary heard a report on credentials and progress reports from WG Chairs; and elected Andrew Bignell (New Zealand) as SBSTTA Chair. Plenary also elected the new Bureau members, noting that two nominations from the EU and GRULAC are pending: Tia Stevens (Australia); Randolph Edmead (Saint Kitts and Nevis); Skumsa Mancotywa (South Africa); Mike Ipanga Mwakw (DRC); Natalya Minchenko (Belarus); Senka Barudanovic (Bosnia and Herzegovina); Naohisa Okuda (Japan); and Yousef Al-Hafedh (Saudi Arabia).

Plenary also heard reports from Spencer Thomas (Grenada), Chair of the budget group; and David Hafashimana (Uganda), Co-Chair of the contact group on compliance. Noting that “this is not a typical budget group deliberation,” Thomas highlighted, as new challenges, the entry into force of the NP and the plan to hold concurrent meetings. Following Hafashimana’s recommendation, plenary forwarded the outcome of the compliance contact group to COP/MOP 1.

Plenary adopted, without discussion, decisions on: liability and redress (UNEP/CBD/COP/12/L.2); the GSPC (UNEP/CBD/COP/12/L.3); and review of work on IAS and considerations for future work (UNEP/CBD/COP/12/L.4). On management of risks associated with introduction of alien species as pets, aquarium and terrarium species, and as live bait and live food (UNEP/CBD/COP/12/L.5), NORWAY requested that measures under the voluntary guidance be undertaken in a manner that is consistent “and mutually supportive” with applicable international obligations, and the decision was adopted with this amendment.

ABS: The Secretariat introduced a draft decision, noting the need to maintain coherence of work on ABS-related issues and an integrated approach with the NP. Many countries welcomed the Protocol’s entry into force. SWITZERLAND preferred not to have a CBD COP decision, given that the Protocol has been negotiated “over years.”

Namibia, for the AFRICAN GROUP, said that parties who do not join the NP are still accountable regarding their ABS obligations under the CBD. She proposed text requesting that CBD parties that are non-parties to the Protocol report to COP 13, and at each subsequent meeting, on their regulatory and policy actions to implement their ABS obligations, and share such information through the ABS Clearing-house. She

also called for submission of information on the utilization of genetic resources and TK, and associated benefit-sharing occurring outside the ambit of the NP. The EU stressed the importance of an integrated approach to promote a common vision for the Convention and the NP, noting the need for work on cross-cutting issues, including the CHM and capacity building. ETHIOPIA noted benefit-sharing has been neglected in many decisions. CANADA noted that not all elements of CBD Article 15 (access to genetic resources) were fully covered under the NP.

DIALOGUE ON MAINSTREAMING BIODIVERSITY:

Moderator Tim Hirsch, GBIF, emphasized the need to bring biodiversity to everyone’s attention. Carlos Manuel Rodriguez, Costa Rica, described his experience of framing biodiversity values in terms of economic benefits and integrating these into national investment policies. On Uganda’s approach to “democratize” biodiversity, Ronald Kiragga Kaggwa, Uganda, proposed linking the objectives of different sectors with biodiversity. Angel Daneris Santana Santana, Dominican Republic, described his country’s strategy of integrating biodiversity through institutional changes, including: creating appropriate ministries; and integrating the environment and natural resource use into the constitutional reform process. Marina von Weissenberg, Finland, cited her country’s national biodiversity committee, which is represented by all ministries and government departments. Telling the story of captured dolphins released into the wild through the actions of a citizens’ committee, acting COP 12 President Jae Choe, Republic of Korea, stressed the importance of stakeholder engagement in raising awareness of, and mainstreaming, biodiversity.

Delegates discussed “areas of need” regarding mainstreaming biodiversity, with SAUDI ARABIA prioritizing advocacy and participation. EGYPT underscored the need for political will, visionary leadership, and convincing policymakers of the economic value of biodiversity. CHINA suggested involving Heads of State to get finance ministers on board. INDIA, BURKINA FASO and the DRC called for improved communication of the economic value of biodiversity and its contribution to the national economy. ETHIOPIA prioritized an easy-to-understand communications package for policymakers and the public. YEMEN supported education, and financial resources from relevant national sectors for awareness raising. JAPAN said the best way to raise national awareness of biodiversity is through hosting a COP. Delegates considered ways of reversing biodiversity loss, highlighting the need for, *inter alia*: political will; synergies among biodiversity-related conventions; diversified funding for biodiversity protection; achieving political coherence in governments; and addressing perverse incentives. Concluding the session, the WORLD RESOURCES INSTITUTE presented the online monitoring tool “Global Forest Watch.”

IN THE CORRIDORS

Mid-way through the meeting, issues related to the rights of indigenous peoples and local communities, along with financing, took center stage. WG II plodded along extremely slowly as it went over a draft decision on Article 8(j), making what many thought were “unnecessary amendments”; according to a participant, the session’s main achievement was that it agreed to “welcome” the UN Declaration on the Rights of Indigenous Peoples. Meanwhile, views clashed in WG I when one delegate said, in the heat of the moment, that indigenous rights have “absolutely nothing” to do with the implementation of the Strategic Plan. On her way from WG II to the contact group on financing, one participant hummed *Midnight Oil*, “The time has come, to say fair’s fair, to pay the rent, to pay our share ...” “Next week we’ll see whether we’ll be fair to ILCs, and whether those who must, will pay their share,” she explained.