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INFORMATION NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Convention on Biological Diversity (CBD): Third meeting of the Open-Ended Working Group on Post-2020 Global Biodiversity Framework (Part 1) (Online, 23 August - 3 September 2021)
– Report by the Presidency and the Commission

Delegations will find in annex, for information, a report by the Presidency and the Commission on the outcome of the abovementioned meeting.

Convention on Biological Diversity (CBD)

Third meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework (Part 1) (online, 23 August - 3 September 2021)

- Report by the Presidency and the Commission -

The first part of the third meeting of the Open-ended Working Group (OEWG) on the Post-2020 Global Biodiversity Framework (GBF) was held virtually from 23 August 2021 to 3 September 2021. Representatives of all levels of government and different stakeholders shared views and recommendations on the First Draft of the Post-2020 Global Biodiversity Framework and on the issue of digital sequence information on genetic resources. Following ambiguous messages before the meeting, detailed text proposals were finally exchanged and compiled in a ‘composite text’. The meeting was not adjourned but suspended and its outcomes will be further considered by part two of OEWG-3, which will be held in-person in January 2022.

Over 2000 participants attended OEWG-3, representing 137 Parties to the Convention as well as UN agencies, international and non-governmental organisations, indigenous peoples and local communities (IPLCs), academia, among others. 24 EU Member States¹ took part in the meeting together with the European Commission. The Slovenian Presidency organised European Union (EU) coordination meetings and prepared the necessary documentation, with the support of the EU Commission, the Trio Presidency (Germany, Portugal and Slovenia) as well as the Member States' delegates.

Following a slow start, the use of the Interaction platform went relatively smooth. Participation for several Parties, in particular from East Asia, was somewhat limited due to time-zone differences.

¹ Austria, Belgium, Bulgaria, Croatia, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, (Cyprus, Ireland and Lithuania did not attend).

Agenda Item 4 - Post-2020 Global Biodiversity Framework (GBF)

Instead of negotiations, the process focused on collecting all views and amendments on the First Draft, with a view to having a final version of the post-2020 GBF adopted at the Second part of the 15th meeting of the Conference of the Parties (COP15.2), planned for April 2022.

OEWG established four contact groups on the GBF and one on Digital Sequence Information (DSI). The contents of the GBF were handled by the four contact group as follows: CG1 focused on the goals, milestones and mission and also on the overall structure and sections A to E of the draft framework; CG2 focused on targets 1 to 8 concerning the reduction of “threats for biodiversity”; CG3 focused on targets 9 to 13 regarding “nature’s contributions to people”; and CG4 focussed on targets 14 to 21 related to “tools and solutions” and on sections H to K of the draft framework.

Working modalities evolved significantly among contact groups. In order to advance work more rapidly, the contact group’s co-leads on the GBF encouraged parties to submit their proposed text amendments, either in advance or directly into the chat function during the meeting. The EU and its Member States adapted flexibly to this change in the way of working by agreeing text proposals to be submitted. These written submissions can be found in the Annex of the document containing the Statements and Submissions of the EU and its Member States at OEWG-3.

As outcome of the meetings, the co-leads of the contact groups on the GBF provided reports, including: the original text noted in the first draft; a composite of all the interventions and a compilation of individual submissions from which the composite had been drawn; and, in some cases, a summary of general observations on the elements considered by the contact groups. The co-leads’ summaries of contact group discussions, revised in line with the views expressed in the plenary, were included in an annex to the report of the meeting together with the amendments from Parties. Proposals from stakeholders were incorporated if they were supported by Parties.

The compilation of the textual suggestions from Parties in the co-leads reports shows areas of convergence and divergence. While there is significant agreement on the issues and key elements to be addressed, Parties’ positions are widely divergent on the desired level of ambition.

A difficult challenge acknowledged by the Parties in relation to the structure of the GBF is how to make the goals, milestones, and targets unambiguous, scientifically accurate and addressing precise elements important for Parties, while at the same time, have them short, measurable and written in a simple and clear language. Several parties believe that the framework should be more streamlined or simplified. Many parties criticised a lack of clarity in the relationship between goals, milestones and targets. Several parties argued for goals to be only aspirational, and for the deletion of milestones, or for merging milestones with targets. Balance between how the three objectives of the Convention are covered in the GBF was also raised as an important issue. The discussions demonstrated progress in Parties' reflections, but there is still a lot of work ahead.

OEWG-3 also considered the “draft elements of a possible decision operationalising the post-2020 global biodiversity framework”.

The outcome of the work of the contact groups on the GBF is available in three documents annexed to the report of OEWG-3: (a) a text setting out potential elements of a draft recommendation to the Conference of the Parties, which contains, in brackets, textual proposals, to serve as the starting point for discussions at the resumed meeting in January 2022; (b) a co-leads' summary of the discussion regarding areas of potential convergence and apparent divergence on digital sequence information on genetic resources; and (c) the co-leads' summary of the discussion on linkages between digital sequence information on genetic resources and the post-2020 GBF.

At the closing plenary session, the co-chairs (with the support of the Secretariat) were tasked with the preparation of further analysis and reflection to support the negotiations. Future documents will complement, and not replace, the First Draft of the GBF and outcomes of the first part of OEWG-3.

Agenda Item 5 – Digital Sequence Information (DSI)

Besides the abovementioned contact groups on the GBF, a contact group on DSI also met during OEWG-3. Just like in the case of the GBF, there were no drafting negotiations and the DSI contact group collected text proposals on the draft recommendation on DSI that will be annexed to the report of the meeting. Based on the textual contributions of the participants, the co-leads also drafted a summary of their reflections on possible areas of convergence and divergence that has been annexed to the report.

On DSI, the initial submissions of Parties and observers largely confirm existing positions. These ranged from Parties stressing that DSI is equivalent to Genetic Resources to claims that DSI does not even fall within the scope of the CBD. African countries added their proposal for a global mechanism coupled with a global fund. Different understanding of open access emerged, which confirmed that additional work on this as well as on the different modalities to address benefit sharing from DSI is needed. This exchange provided a good starting point for further discussions.

The co-chairs decided to establish an informal advisory group to support the intersessional work and to request new views from Parties, observers and stakeholders on the existing proposals, options, and modalities for DSI.
