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From: General Secretariat of the Council

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To: Delegations

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Subject: Convention on Biological Diversity (CBD):

- Preparation of the Sixteenth meeting of the Conference of the Parties (COP 16) to the CBD
- Preparation of the Eleventh meeting of the Conference of the Parties to the CBD serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP 11)
- Preparation of the Fifth meeting of the Conference of the Parties to the CBD serving as the Meeting of the Parties to the Nagoya Protocol on Access and Benefit Sharing (COP-MOP 5) (Cali, Colombia, 21 October – 1 November 2024)

= Council conclusions

Delegations will find in the Annex the Council conclusions on the abovementioned subject, as approved by the Council at its 4050th meeting held on 14 October 2024.

CONVENTION ON BIOLOGICAL DIVERSITY (CBD)

**Preparation of the Sixteenth meeting of the Conference of the Parties
(COP16) to the CBD**

**Preparation of the Eleventh meeting of the Conference of the Parties to the CBD serving as
the Meeting of the Parties to
the Cartagena Protocol on Biosafety (COP-MOP11)**

**Preparation of the Fifth meeting of the Conference of the Parties to the CBD serving as the
Meeting of the Parties to the Nagoya Protocol on
Access and Benefit Sharing (COP-MOP5)
(Cali, Colombia, 21 October - 1 November 2024)**

- Council conclusions -

THE COUNCIL OF THE EUROPEAN UNION,

RECALLING the Council conclusions on:

- Indigenous Peoples¹;
- Oceans and Seas²;
- A sustainable Bioeconomy for Europe: strengthening the connection between economy, society and the environment³;
- Stepping up Action to Protect and Restore the World's Forests⁴;

¹ Doc. 8814/17.

² Doc. 14249/19.

³ Doc. 14594/19.

⁴ Doc. 15151/19.

- Preparation of the post-2020 global biodiversity framework (GBF) Convention on Biological Diversity (CBD)⁵;
- The Farm to Fork strategy⁶;
- Biodiversity - the need for urgent action⁷;
- Making the recovery Circular and Green⁸;
- Sustainable Chemicals Strategy of the Union: Time to Deliver⁹;
- The EU’s priorities for the 2021 United Nations Food Systems Summit¹⁰;
- The New EU Forest Strategy for 2030¹¹;
- EU Climate Diplomacy: accelerating the implementation of Glasgow outcomes¹²;
- Convention on Biological Diversity (CBD): Preparation of the Fifteenth meeting of the Conference of the Parties (COP15) to the CBD; Preparation of the Tenth meeting of the Conference of the Parties to the CBD serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP10); Preparation of the Fourth meeting of the Conference of the Parties to the CBD serving as the Meeting of the Parties to the Nagoya Protocol on Access and Benefit Sharing (COP-MOP4) (Montreal, Canada, 7-19 December 2022)¹³;
- UN Framework Convention on Climate Change (UNFCCC) : Preparations for the 28th Conference of the Parties (COP28) of the United Nations Framework Convention on Climate Change (UNFCCC) (Dubai, 30 November – 12 December 2023)¹⁴;
- Opportunities of the bioeconomy in the light of current challenges with special emphasis on rural areas¹⁵;
- EU Green Diplomacy¹⁶

⁵ Doc. 15272/19 + COR 1.

⁶ Doc. 12099/20.

⁷ Doc. 12210/20.

⁸ Doc. 13852/20.

⁹ Doc. 6941/21.

¹⁰ Doc. 9335/21.

¹¹ Doc. 13537/21.

¹² Doc. 6120/22.

¹³ Doc. 13975/22.

¹⁴ Doc.14285/23.

¹⁵ Doc. 8406/23.

¹⁶ Doc.7865/24.

- The 8th Environment Action Programme Mid-Term Review – The way forward to a green, just and inclusive transition for a sustainable Europe¹⁷.

UNDERLINING that continued loss of biodiversity is a global and existential threat to humanity, and STRESSING the need for transformative change to address this challenge;

DEEPLY ALARMED about the gravity and urgency arising from the interdependent global crises of biodiversity loss, ecosystem, land, water and ocean degradation, climate change and pollution, as well as about the consequences of the ongoing loss of biodiversity for the provision of ecosystem services and human well-being;

STRESSING the urgent need for the full and effective implementation of the CBD and its Protocols;

REAFFIRMING the commitments made under the Kunming-Montreal Global Biodiversity Framework (K-M GBF), which sets ambitious goals and targets for the conservation and sustainable use of biodiversity and provides a comprehensive roadmap for halting and reversing biodiversity loss by 2030 to put nature on a path to recovery for the benefit of people and planet, UNDERSCORES the need for all Parties, other governments and stakeholders to enhance their actions at global, regional, national and subnational levels to achieve the goals and targets of the K-M GBF;

REITERATING the commitment of the European Union, made also by its Member States, to implement the K-M GBF and to urgently and effectively address the direct and indirect drivers of biodiversity loss, for which the adoption and implementation of updated or revised National Biodiversity Strategies and Action Plans (NBSAPs) and other relevant instruments are of utmost importance;

STRESSES that Regulation (EU) 2024/1991 on Nature Restoration, which entered into force on 18 August 2024, is a critical contribution of the EU and its Member States to the implementation of the K-M GBF and an important step towards reversing the loss of nature and increasing Europe's resilience to the effects of climate change;

¹⁷ Doc.11326/24.

RECOGNISING that all of society as well as the economy are highly dependent on biodiversity and ecosystem services and have responsibility to realize the Vision and Mission of the K-M GBF;

RECOGNISING the interdependence between biodiversity loss, climate change, pollution and land degradation; AFFIRMS its commitment to addressing these emergencies in a comprehensive, integrated and coherent way that comprises mutually beneficial strategies, with strong social and environmental safeguards, including through nature-based solutions; HIGHLIGHTS the need for addressing the biodiversity, climate, land, water and ocean, food, health nexus in a strong, effective and holistic manner; STRESSES the need for a coherent approach to the multiple interlinked drivers of biodiversity loss in order to avoid or minimise trade-offs that could be counterproductive to the implementation of the K-M GBF;

CONSCIOUS OF the fact that the 16th meeting of the Conference of the Parties to the CBD, the 29th meeting of the Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC) and the 16th meeting of the Conference of the Parties to the United Nations Convention to Combat Desertification (UNCCD) are taking place back-to-back with each other, which provides a unique opportunity for the Rio Conventions to mutually support each other as well as strengthen the implementation of the K-M GBF, the United Nations 2030 Agenda for Sustainable Development and the achievement of its Sustainable Development Goals;

WELCOMING the ambition of Colombia to ensure that COP16 is a “COP for the people”; and RECOGNISING that a human-rights based approach, equity and gender equality are central for the implementation of the K-M GBF;

UNDERLINES that for the purpose of these Council conclusions, the terminology of ‘Indigenous Peoples and local communities’ is applied without prejudice to the continued use in CBD documents of the agreed terminology contained in CBD COP Decision XII/12, pending negotiations on this issue;

CHAPTER I – CONVENTION ON BIOLOGICAL DIVERSITY

Supporting the implementation of the Kunming-Montreal Global Biodiversity Framework

1. WELCOMES the enhanced multidimensional approach to planning, monitoring, reporting and review, of the K-M GBF and COP decision 15/6; IS COMMITTED to adopt at COP16 a solid, efficient, transparent and clear process for the global review of collective progress in the implementation of the K-M GBF in order to strengthen implementation and incentivise additional commitments;
2. IS ALSO COMMITTED to adopt the updates to the monitoring framework to be able to measure progress towards the achievement of the goals and targets of the K-M GBF; URGES all Parties to use the monitoring framework, in particular the headline and binary indicators in the seventh and eighth national reports; and INVITES stakeholders and relevant Multilateral Environmental Agreements to contribute to the implementation of the K-M GBF by using the monitoring framework in their reporting;
3. STRESSES that the K-M GBF should be used to better align, prioritize and direct the work of the various bodies of the Convention and its Protocols, its Secretariat and budget in an efficient manner;

Mainstreaming biodiversity within and across sectors

4. REITERATES the critical importance of mainstreaming biodiversity within and across all levels of government and society, and across all policies and sectors, for the successful implementation of the objectives of the CBD and the K-M GBF; CALLS for an agreement at COP16 on the CBD's organization of work on biodiversity mainstreaming until 2030, including a realistic yet ambitious timeline with concrete elements;
5. WELCOMES the UN Common Approach to Biodiversity as a cohesive, systematic, and collaborative effort to implement the K-M GBF by facilitating biodiversity mainstreaming across the United Nations (UN) system and INVITES UN organizations to continue to actively implement, within their respective mandates, the Common Approach to Biodiversity;

Capacity-building and development, and technical and scientific cooperation

6. SUPPORTS the decision on the selection of the regional and subregional technical and scientific cooperation support centres, as key tools for enabling Parties and relevant organizations, the private sector, women, youth, Indigenous Peoples and local communities, and other stakeholders to effectively use scientific knowledge, technology and innovation in support of the implementation of the K-M GBF;
7. CALLS for a decision on the host of the global coordination entity of the technical and scientific cooperation mechanism; and EMPHASIZES that adequate capacity is needed for its proper functioning with the assistance of the Global Knowledge Support Service for Biodiversity, and meaningful interaction with the regional and sub-regional technical and scientific cooperation support centres on technical aspects;
8. EMPHASIZES the role and importance of a solid evidence base for policy-making, comprised of both scientific as well as traditional knowledge and UNDERLINES the importance of the deliverables of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystems Services (IPBES) and the Intergovernmental Panel on Climate Change (IPCC); and CALLS for further strengthening collaboration between IPBES and the CBD; WELCOMES the ongoing negotiations preparing the establishment of a science-policy panel to contribute further to the sound management of chemicals and waste and to prevent pollution according to UNEA resolution 5/8;

Knowledge management and the Clearing-House Mechanism

9. SUPPORTS the adoption of the Knowledge Management Strategy to support the implementation of the K-M GBF and the monitoring of the impact of activities on biodiversity;
10. WELCOMES the programme of work for the Clearing-House Mechanism and in particular the role of national clearing houses in supporting Parties and stakeholders with sharing experiences, best practices and promoting technical and scientific cooperation;

Cooperation with other Conventions and organizations

11. IS STRONGLY COMMITTED to tackle biodiversity loss, ecosystem, land, water and ocean degradation, climate change and pollution in an effective and integrated way and therefore CALLS for closer and enhanced cooperation and strengthening of synergies among the three Rio Conventions and other multilateral agreements and initiatives at all levels, other relevant UN initiatives and international processes, such as through the Bern Process, as well as with relevant stakeholders, including financial institutions;
12. CALLS for improved collaboration among the CBD, the UNFCCC, and the UNCCD at all levels for the implementation of the K-M GBF, and the Paris Agreement, respectively, as well as the Land Degradation Neutrality Target Setting Programme, including through making better use of the Joint Liaison Group of the Rio Conventions, through enhancing cooperation and synergies between their COPs in 2024 and beyond, also with a view to explore the potential for joint work between the Conventions, and through increased collaboration at national level, especially in the development, revision and implementation of NBSAPs, Nationally Determined Contributions, and National Adaptation Plans, National Action Programmes, Voluntary National Land Degradation Neutrality Targets and National Drought Plans;
13. ENCOURAGES Parties to accelerate and scale up the implementation of nature-based solutions as defined by resolution 5 of the 5th session of the United Nations Environmental Assembly;
14. WELCOMES the COP28 Joint Statement on Climate, Nature and People by UNFCCC COP28 Presidency and the Global Stocktake decision emphasising protecting terrestrial and marine ecosystems acting as sinks and reservoirs of greenhouse gases by conserving biodiversity, including by halting and reversing deforestation and forest degradation by 2030;
15. ENCOURAGES the further strengthening of the cooperation between IPBES and IPCC during the seventh assessment period as called for at IPBES10, as well as of the activities related to the establishment of the science-policy panel (SPP) on chemicals, waste and pollution prevention;

Digital sequence information on genetic resources (DSI)

16. STRESSES the importance of the criteria and principles contained in COP decision 15/9 and REAFFIRMS its willingness to contribute to identifying and adopting at COP 16 the operational modalities of the multilateral mechanism for benefit-sharing from the use of DSI on genetic resources, including a global fund; STRESSES that any solution must preserve open access to DSI and avoid tracking and tracing of DSI sequences, while being fully in line with the criteria established in COP decision 15/9;
17. FURTHER STRESSES that the modalities to make the multilateral mechanism for benefit-sharing from the use of DSI operational should be adaptable to and mutually supportive of other access and benefit-sharing instruments;
18. UNDERLINES that the global fund for DSI should rely primarily on direct contributions from the private sector from all countries; and REITERATES its preference to avoid a proliferation of funds and to minimise the costs of management and implementation;
19. STRESSES the importance to ensure that the multilateral mechanism for benefit-sharing from the use of DSI provides certainty and legal clarity for all providers and users of DSI and creates a level playing field for all users;
20. STRESSES that all Parties and Indigenous Peoples and local communities in all countries should be eligible to receive funding and UNDERLINES that the disbursement of the monetary benefits should support conservation and sustainable use of biodiversity, be predictable and be based on multiple weighted criteria;
21. REMAINS open to consider and assess the possibility for Parties to voluntarily extend the multilateral mechanism to genetic resources in the future, while the focus of the COP 16 should remain on DSI; STRESSES that in that context, it is important to ensure that the multilateral mechanism establishes a meaningful, fair and predictable disbursement of funds for all Parties, based on the principle that all Parties are providers and users of genetic resources;

Resource mobilization and the financial mechanism

22. REITERATES its commitment to mobilizing resources from all sources, and progressively aligning all relevant financial and fiscal flows with the goals and targets of the K-M GBF;
23. SUPPORTS the role of the Global Environmental Facility (GEF) as the financial mechanism of the Convention as well as the Global Biodiversity Framework Fund and WELCOMES the mid-term results of the GEF which, having already reached 69% of its biodiversity finance target, contributes to successfully providing and mobilizing significant financial resources for the CBD and the implementation of the K-M GBF;
24. WELCOMES the establishment and quick operationalisation of, as well as contributions made to, the Global Biodiversity Framework Fund, and ENCOURAGES further contributions from all sources in order to reinforce the implementation of the K-M GBF; NOTES that work carried out to date has not identified elements that would support the need for a dedicated global instrument for biodiversity finance outside of the existing funding structures;
25. EMPHASISES that efforts should focus on the implementation of the K-M GBF, including its goals and targets related to resource mobilization, and on working with and optimizing existing funding structures;
26. ENCOURAGES the GEF to continue to enhance the effectiveness, efficiency and transparency of resource provision, leverage private finance, promote blended finance, and implement strategies for raising new and additional resources;
27. WELCOMES also the positive trends as stated by the latest OECD reports for 2022 biodiversity finance statistics identified in total biodiversity related international financial resources to developing countries, while NOTING the remaining challenges for closing the biodiversity finance gap; CALLS UPON all countries in a position to do so to contribute to international biodiversity finance, reflecting the dynamic and evolving nature of their respective capabilities, and INVITES stakeholders, including the private and financial sectors, to step up their contribution to the implementation of the K-M GBF and to align their financial flows with the K-M GBF;

28. RECALLS the financial commitments made by the European Commission to double external funding for biodiversity, in particular for the most vulnerable countries, and the financial commitments of a number of EU Member States; UNDERLINES that the EU and its Member States together are by far the biggest providers of biodiversity-related Official Development Assistance worldwide;
29. UNDERSCORES the need to explore ways to accelerate international financing for biodiversity; IS COMMITTED to further progress on main approaches for the EU's international financing for the implementation of the K-M GBF towards COP17 and invites the Commission to make concrete proposals for the EU positions on this matter;
30. STRESSES the importance of a whole-of-government and whole-of-society approach, in particular through the establishment of enabling conditions and investment environments to mainstream biodiversity action into macro-economic and fiscal policies, including budgeting, public investment, and procurement processes;
31. CALLS UPON to the further implementation of approaches at all levels and by all relevant actors both public and private to undertake action towards achieving the goals and targets of the K-M GBF related to resource mobilization, and of the strategy for resource mobilization for the K-M GBF; STRESSES the importance of adopting at COP16 a revised strategy for resource mobilization;
32. HIGHLIGHTS the effectiveness of the biodiversity target of the 2021-2027 EU Multiannual Financial Framework to incentivize investments in biodiversity;
33. STRESSES the need for identifying and progressively eliminating or redirecting subsidies harmful to biodiversity, starting with the most harmful subsidies, and scaling up positive incentives and economic instruments;
34. WELCOMES the growing number of National Biodiversity Finance Plans and similar instruments and the financial support of the GEF and the EU Technical Support Instrument;
35. REAFFIRMS its commitment to develop strong alliances with developing countries to support the implementation of the national biodiversity finance plans, including capacity building efforts in support thereof;

Marine and Coastal Biodiversity

36. RECALLING that United Nations General Assembly resolution 78/69 reaffirms that the United Nations Convention on the Law of the Sea (UNCLOS) sets out the legal framework within which all activities in the ocean and seas must be carried out; WELCOMES the adoption of the Agreement under UNCLOS on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ Agreement) and CALLS for the ratification of the agreement, ahead of the Third UN Ocean Conference to allow for its rapid entry into force as a key opportunity to foster the swift implementation of K-M GBF goals and targets related to marine and coastal biodiversity; STRESSES the importance of future cooperation and collaboration between the CBD and the BBNJ Agreement to support the effective implementation of the K-M GBF, in particular its Target 3;
37. STRESSES the importance of adopting revised modalities for the modification of descriptions of ecologically or biologically significant marine areas (EBSAs) and the description of new areas, to ensure that the EBSA process continues to provide a valuable scientific contribution to the implementation of the K-M GBF and the BBNJ Agreement; UNDERLINES that the outcome of EBSA process should fully respect the sovereignty, sovereign rights or jurisdiction of coastal states as provided by UNCLOS;
38. FURTHER STRESSES the importance of continuing the work on the programmes of work for marine and coastal biodiversity and island biodiversity, including accelerating the implementation of the priority actions, in particular the ones on coral reefs with reference to the current mass bleaching, and finalizing the identification of relevant gaps and areas in need of additional focus supporting the implementation of the K-M GBF;

Other matters related to COP16

39. FURTHER CALLS for meaningful COP16 results on other key thematic issues such as biodiversity and health, including the adoption of a Global Action Plan on Biodiversity and Health in line with the One Health Approach, biodiversity and climate change, invasive alien species, and plant conservation;

Issues related to Indigenous Peoples and local communities

40. ACKNOWLEDGES the important role and contributions of Indigenous Peoples and local communities (IPLCs) as custodians of biodiversity and guardians of traditional knowledge, innovations and practices relevant for the conservation and sustainable use of biological diversity; is COMMITTED to support their rights, knowledge, and practices through inclusive and participatory approaches in accordance with international instruments, including the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and international human-rights law;
41. STRESSES the critical importance to work towards the adoption of a new programme of work on Article 8(j) and related provisions and to find an adequate solution for future institutional arrangements for full and effective participation of Indigenous Peoples and local communities in the CBD processes; and SUPPORTS the establishment of a new permanent body to reflect the political importance and the need for continuity, provided that it is cost-efficient and responds in an effective and efficient way to the needs identified;
42. REITERATES its support to the UN Declaration on the Rights of Indigenous Peoples (UNGA Resolution 61/295) and the commitment to achieving the ends set forth therein;
43. TAKES NOTE that the recommendations from the Permanent Forum on Indigenous Issues will be addressed at COP16; when the terminology currently used in the context of the CBD, as agreed in COP decision XII/12, is discussed, stresses it should be revisited with a view to referring to *Indigenous Peoples and local communities*, while maintaining the integrity and objectives of the Convention and without diminishing or extinguishing the rights that Indigenous Peoples and local communities currently have or may acquire in the future;

Sustainable and circular bioeconomy

44. ACKNOWLEDGES that the bioeconomy is highly dependent on healthy and resilient ecosystems, and synergies between the bioeconomy and biodiversity should be promoted in the development and deployment of a sustainable and circular bioeconomy;

Synthetic biology

45. RECONFIRMS its commitment to COP decision 14/19 on the need for broad and regular horizon scanning, monitoring and assessment of the most recent technological developments on synthetic biology, WELCOMES the outcomes of the process, and SUPPORTS an efficient continuation of the work building on past experience, focusing on potential positive and potential negative impacts vis-à-vis the three objectives of the Convention, preferably by a multidisciplinary Ad Hoc Technical Expert Group, while also RECOGNIZING the need to promote capacity-building and development, access to and transfer of technology on mutually agreed terms and knowledge-sharing on synthetic biology;

CHAPTER II – CARTAGENA PROTOCOL ON BIOSAFETY

46. RECOGNIZING the important role of the Cartagena Protocol on Biosafety and the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to achieve the goals and relevant targets of the K-M GBF, EMPHASIZES the need for full implementation of the Protocol by strengthening national biosafety frameworks, adopting robust science-based risk assessment and risk management procedures, enhancing capacity-building and technical support utilizing the Biosafety Clearing-House for information sharing and promoting public awareness and stakeholder engagement;
47. REITERATES that the ability to detect and identify living modified organisms is an important element in the implementation of the Cartagena Protocol on Biosafety and ENCOURAGES Parties to share reference publications, detection methods and training materials in the Biosafety Clearing-House;
48. NOTES the recommendations and concerns raised by members of the Compliance Committee under the Cartagena Protocol on Biosafety in the report of its nineteenth meeting, and ACKNOWLEDGES the need for their further consideration;
49. WELCOMES the work of the Ad Hoc Technical Expert Group on Risk Assessment and Risk Management on the additional voluntary guidance materials to support the case-by-case risk assessment of living modified organisms containing engineered gene drives; and STRESSES the importance of its use and assessing its applicability and usefulness;

50. REITERATES the importance of the precautionary approach as contained in Principle 15 of the Rio Declaration on Environment and Development and the science-based environmental risk assessment in decisions related to living modified organisms, EXPRESSES support to continue the structured and Party-driven process to identify and prioritize specific issues of risk assessment that may warrant consideration, and EMPHASIZES the need to develop further voluntary guidance materials on risk assessment of these specific issues identified;

CHAPTER III – NAGOYA PROTOCOL ON ACCESS AND BENEFIT SHARING

51. UNDERLINES the importance of fully implementing the Nagoya Protocol to achieve the objectives of the K-M GBF, particularly in ensuring that benefits arising from the utilization of genetic resources are shared fairly and equitably, thereby contributing to biodiversity conservation and sustainable use;
52. EMPHASIZES the need for all Parties to strengthen their legal, administrative, and policy measures to facilitate access to genetic resources and ensure that the benefits arising from their utilization are shared in a fair and equitable manner, in accordance with the provisions of the Nagoya Protocol;
53. STRESSES the importance of raising awareness and building capacity among stakeholders, including Indigenous Peoples and local communities, women and youth, regarding their rights and obligations under the Nagoya Protocol, and is COMMITTED to adopt the capacity-building and development action plan for the Nagoya Protocol.