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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Outcome of the UN Biodiversity Conference 2022 (CBD COP 15, CP COP-MOP 10, NP COP-MOP 4) (7–19 December 2022, Montreal, Canada) – Statements by the EU and its Member States

Delegations will find in the Annex, for information, a compilation of statements delivered on behalf of the European Union and its Member States at the abovementioned meeting.

**Outcome of the UN Biodiversity Conference 2022
(CBD COP 15, CP COP-MOP 10, NP COP-MOP 4)
7–19 December 2022, Montreal, Canada**

– Statements by the EU and its Member States –

Agenda item 1: Opening Statement

Madame President,
Distinguished colleagues,
Ladies and gentlemen,

I have the honour to address this plenary on behalf of the European Union and its twenty-seven Member States.

We would like to begin by acknowledging that the land on which we gather is the traditional and unceded territory of the Kanien'keha:ka (Mohawk), a place which has long served as a site of meeting and exchange amongst nations.

We express our appreciation to the Government of the People's Republic of China as Presidency of the fifteenth UN Biodiversity conference and thank the Governments of Canada and Quebec and the City of Montréal for warmly welcoming us to the second part of the conference.

We would also like to offer heartfelt thanks the Co-Chairs of the Open-Ended Working Group for their untiring efforts and guidance, and the Secretariat of the CBD, the co-leads of the Contact Groups, and the members of the Informal Group for their hard work.

Ladies and gentlemen, thanks to our collective efforts, we now have a Party-owned draft post-2020 global biodiversity framework. This draft provides a good basis for the final stage of our negotiations aiming for an ambitious GBF.

Now it is our job to change gear and bring an ambitious GBF over the finish line.

This means ambition both in goals and targets, as well as in implementation.

Effectively addressing both the direct and indirect drivers of biodiversity loss worldwide requires measurable and time-bound goals and targets, intertwined with strong implementation mechanisms, including planning, monitoring, reporting, and review framework and the mobilization of resources.

It is crucial that biodiversity is mainstreamed and the GBF implemented at all levels, galvanizing action by Governments and throughout the UN system, within and across all levels and sectors and all of society - including the private sector - aligning its activities to the GBF.

The EU and its Member States are ready to do their share to ensure that we will be successful.

An ambitious GBF will require resources from all sources, commensurate with the challenge we face.

We have collectively delivered on existing commitments, successfully doubling our international public biodiversity finance and thereby surpassing the Hyderabad targets. We have contributed to a significant replenishment of the Global Environment Facility that will help implement the framework. These commitments will catalyse other sources of funding that will be required to reach our common ambition. We will continue to work on mobilizing international financial flows from all sources for developing countries.

We remain committed to the implementation of the Nagoya Protocol and look forward to fruitful discussions at COP-MOP 4, which could contribute to greater effectiveness and improvements in the implementation of the Protocol.

We stress our willingness to continue discussions on relevant ABS related topics, such as digital sequence information on genetic resources, and contribute to identifying a good way forward to address those pending issues.

As regards the Cartagena Protocol, we continue to be committed to the effective implementation of the Protocol. We also welcome the new Parties to the Nagoya-Kuala Lumpur Supplementary Protocol and we look forward to continued cooperation with all Parties concerning the effective implementation of both instruments.

As we call for halting and reversing biodiversity loss, we are deeply concerned that human conflicts are causing new and additional damage to the environment.

We condemn in the strongest possible terms the Russian Federation's war of aggression against Ukraine, which grossly violates international law and is causing massive loss of life and injury, including to civilians. We remain in full solidarity with Ukraine and the Ukrainian people. The war brings about pollution and long-term environmental degradation, destroying protected areas and natural habitats. While the war rages on, it blocks much-needed action on nature conservation and restoration.

The EU and its Member States reiterates its demand that the Russian Federation immediately ceases its military actions and is held to account.

Ladies and gentlemen, now it is time to accelerate: the European Union and its Members States stand ready to work with all Parties, IPLCs, women, youth, and other stakeholders to adopt an ambitious post-2020 GBF for the benefit of the planet and people.

Thank you.

15th meeting of the Conference of the Parties to the Convention on Biological Diversity

Agenda item 8A: Informing the scientific and technical evidence base for the post-2020 global biodiversity framework

The EU and its Member States welcome the continuing efforts in establishing a strong evidence base for the GBF, although there is a need to also couple this with an adequate monitoring system in order to give the CBD parties sufficient feedback about their progress via GBF indicators. This includes specifically the GBO-5 which the EU+MS wish to “welcome”.

The EU and its Member States suggest to delete the bracketed text in paragraph 8 that refers to Art. 20 of the CBD. Success of such critical action is not depended a priori on financial resources only, but also on technical and personal capacities, so these should not be singled out.

Agenda item 8B: Review of Progress in the Implementation of the Convention and the Strategic Plan for Biodiversity 2011-2020 and the achievement of the Aichi Biodiversity Targets

Thank you, Madam/Mister Chair. I am speaking on behalf of the European Union and its Member States.

The EU and its Member States support the draft decision in general as COP-15 will need to express its concern, the achievement of the Aichi Biodiversity Targets remains well out of reach. We note with deep concern that the national targets and commitments set by Parties through their National Biodiversity Strategies and Action Plans (NBSAPs) are collectively not commensurate with the level of ambition set out in the Aichi Biodiversity Targets and that, while there has been encouraging progress towards the Aichi Biodiversity Targets, progress on the whole has been limited.

The EU and its Member States believe that the total of the lessons learnt from the Implementation of the Strategic Plan 2011-2020 should guide us when designing the Global Biodiversity Framework. However, we do not support singling out individual lessons learnt as the full set of means of implementation is of relevance.

The urgency of the biodiversity crisis does not grant us the luxury of not learning from the past. In particular this Conference of the Parties will also consider agenda items related to the reporting, assessment, and review mechanisms of the Post-2020 Global Biodiversity Framework, which stand to benefit from a clear identification of lessons learned.

Agenda Item 10: Enhancing integration with respect to provisions related to Article 8(j) and related provision

Thank you, Madam/Mr. Chair. I am speaking on behalf of the European Union and its 27 Member States.

The EU and its Member States stress the importance of ensuring the full and effective participation of IPLCs as on-the-ground partners in the implementation of the Convention, and to facilitate their engagement in the revision and implementation of national biodiversity strategies and action plans in the coming process for implementing the post-2020 global biodiversity framework.

We generally support the recommendations regarding the development of a new PoW and institutional arrangements for the implementation of Art. 8(j) and related provisions, as outlined in Annex 1 and Annex 2.

We are of the view that the outlined strategy for the process to realize the new PoW, fully integrated in the post-2020 global biodiversity framework, is a good way forward. The ongoing peer review of the draft PoW in Annex 2, followed by a dedicated AHTEG early next year, will provide a solid base for a fully informed discussion at the WG 8(j) 12 later in 2023. Given the new PoW aims at being fully integrated in the implementation of the post-2020 global biodiversity framework, it would be premature to discuss it in detail here at COP15. We therefore suggest that our work here focuses on the Annex 3, which is the ToR for the AHTEG. We will provide our amendments in writing.

Agenda item 15: Cooperation with other conventions and international organizations
A. Programme of work of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services

The EU and its Member States acknowledge the high quality of IPBES deliverables across all of its functions, and thus call on the Conference of the Parties to welcome the respective outcomes.

In particular, we welcome the recent outcomes of IPBES 8 and IPBES 9, including the approval of summaries for policymakers of new assessment reports as well as the initiation of new assessments under the rolling work programme until 2030.

Biodiversity loss and climate change represent interrelated and mutually reinforcing environmental crises, which need to be analysed and addressed in an integrated manner. We therefore commend the cooperation between IPBES and the Intergovernmental Panel on Climate Change and would like to encourage the continuation of this cooperation, specifically in the light of the recently awarded Gulbenkian Prize for Humanity jointly to both bodies.

As IPBES 10 will consider the inclusion of new elements for the work programme until 2030, COP 15 should not only invite IPBES to prepare a second global assessment, but also an assessment on ecological connectivity.

In this context, we note with concern that the Annex to the draft decision containing further requests for the IPBES work programme by the Conference of the Parties could not be discussed by SBSTTA.

Given the limited amount of time available for the negotiations here in Montreal, we could, accept to not include this Annex to the draft decision, considering that the final decision on which elements should be included in the IPBES work programme will be taken by IPBES.

If Parties are willing to include the Annex, we stand ready to engage in discussions, and would in particular propose the inclusion of the request regarding an assessment on ecological connectivity within the Annex.

Given its specific expertise for supporting the implementation of the post-2020 global biodiversity framework, IPBES should be invited to contribute to the Ad-hoc Technical Expert Group on indicators.

Finally, we look forward to the systematic review of IPBES deliverables by SBSTTA and, subsequently, the Conference of the Parties, including through a standing agenda item at the respective CBD meetings.

**Agenda item 17 (COP 15), Agenda item 13 (COP-MOP 10), Agenda Item 12 (COP-MOP 4):
Review of the effectiveness of processes under the Convention and its
Protocols**

The EU and its Member States recognise the challenges posed by concurrent meetings and continue to stress the importance of their criteria.

The EU and its Member States thank all those involved for their continuous efforts to cope with the challenges posed by the Covid-19 pandemic, including the organisation of virtual meetings. These have helped to maintain a pace in advancing the agenda of the Convention and its Protocols at a critical time.

The EU and its Member States call for a balanced Decision. On the one hand, we can accept that virtual meetings during the pandemic do not constitute a precedent and we can agree to mentioning the specific challenges faced by delegations with network and connectivity problems. However, the Decision should also mention positive aspects, such as increased participation by entities that would otherwise not travel and a reduced footprint.

Finally, the EU and its Member States support the last section of the draft Decision. We should never stop exploring further options for improving the negotiating and decision-making processes under the Convention.

Agenda item 18: Multi-year programme of work of the Conference of the Parties

Thank you, Madam/Mr. Chair,
I am speaking on behalf of the European Union and its 27 Member States.

The EU and its Member States support the proposed Decision which provides for an update of the multi-year programme of work by the CBD based on the Decisions at COP15. We propose that SBI 4 reviews the matter, and if appropriate, COP16 could take a further Decision.

Agenda item 21: Invasive alien species

Thank you, Madam/Mr. Chair,
I am speaking on behalf of the European Union and its 27 Member States.

The EU and its Member States would like to thank the Secretariat for the reports and the information documents provided on this Agenda Item.

In relation to the annexes, the EU and its Member States consider that their content would require substantial revision before they could be considered for endorsing. Therefore, the EU welcomes the request in paragraph 5.2 for the Secretariat to organise a peer-review process, which should address this concern of the EU. We want to highlight that this peer-review process should commence without delay.

The EU and its Member States welcome the proposed inclusion of references to:

- the need to develop open access portals to inform and involve the public in addressing invasive alien species;
- the need to address the consequences of small- and large-scale releases of alien translocated populations;
- the role of invasive alien species in the transmission of diseases affecting biodiversity as well as human health;
- the impact of e-commerce, the work of the World Customs Organisations in this regard and the need to address the risk associated with it, and the preparatory work of a globally harmonised labelling system.

The EU and its Member States stress the importance of keeping these inclusions.

- On methods to manage invasive alien species, we recognize the importance of applying the precautionary approach in accordance with the objectives of the Convention, but considering that the issue is being discussed under agenda item 27 dealing with Synthetic Biology, we prefer to remove the text from this decision

The EU and its Member States welcome the recognition of previous work done and the need to build links with other global processes.

We will provide our amendments, including two minor editorial suggestions in writing.

Agenda item 22: Sustainable wildlife management

The EU and its Member States

- thank the Secretariat for the report and the information documents on this agenda item;
- highlight that Sustainable Wildlife Management is an important aspect of sustainable use of biodiversity and a crucial component of the SDGs and especially for the post-2020 global biodiversity framework, especially the [draft] contents of Targets 5 and 9 contribute to the perspective of sustainable use and sustainable management of wild species, supporting inter alia livelihoods of local communities and indigenous peoples;
- note that the tasks from Decision 14/7 have not been completed yet. The work needs to continue and the work on sustainable use and management of wildlife needs to be actively advanced and improved;
- welcome the IPBES thematic assessment of the sustainable use of wild species and stress the need to take into account its implications - sensu lato both extractive and non-extractive use - for the implementation of the post-2020 global biodiversity Framework and for the achievement of the SDGs;

- remind of the linkage between sustainable wildlife management and the prevention of spill over of zoonotic diseases and of pandemics.

Agenda item 23: Biodiversity and climate change

The EU and its Member States:

- would like to thank the secretariat and experts for their very good work done and presented in the documents provided for the agenda item biodiversity and climate change;
- stress that stepping up global action requires scaling up of biodiversity conservation and restoration, investing in nature-based solutions, emissions reduction in all sectors in order to limit global warming to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels and to reduce risks and negative consequences of climate change;
- stress that biodiversity loss and climate change are interdependent emergencies which must be addressed in an integrated manner;
- welcome the UNEA resolution on nature-based solutions UNEP/EA.5/Res.5 which inter alia delivered a multi-laterally agreed definition for nature-based solutions and made it clear that nature-based solutions respect social and environmental safeguards. The resolution also stressed that nature-based solutions are not a panacea, but they are an important part of the overall climate change mitigation and adaptation effort;
- support references to nature-based solutions as defined by UNEA/EA.5.Res.5 and ecosystem-based approaches and their upscaling;
- insist on coherent wording to be used in the Global Biodiversity Framework and in the decision on biodiversity and climate change;
- appreciate the outcome of SBSTTA 23 on this agenda item, but considering the major scientific reports in this area published since then some updating of the text is required;
- will submit our suggestions in writing to the secretariat.

Agenda item 24: Biodiversity and agriculture

The EU and its Member States underline the importance of soil biodiversity for climate change mitigation and adaptation as well as for food and feed production and nutrition security for all, and urge Parties to the CBD to integrate the conservation, restoration and sustainable use of soil biodiversity into agricultural practices, policies, and landscape planning, land and soil management, development programs and other relevant policies.

The EU and its Member States appreciate the high quality of the “Recommendation by SBSTTA” and thank the International Initiative for the Conservation and Sustainable Use of Soil Biodiversity, FAO and the Secretariat for the good preparation.

The EU and its Member States are concerned about the terms “sustainable intensification” and “ecological intensification” that were included during SBSTTA 24. Both terms lack of a clear and agreed definition. We therefore propose to replace both terms by the term “biodiversity friendly practices, including agroecology”.

The EU and its Member States acknowledge the potential of molecular biology to monitor soil biodiversity. However, for this agenda item, we see the need to clearly limit the use of molecular biology to monitoring purposes, as all other matters, such as other forms of biotechnology, should be discussed under the respective agenda item.

The EU and its Member States stress the importance of including specific actions, linked to specific soil management practices, and to specific threats to soil biodiversity in the Action Plan.

Finally, there should be a review of the Action Plan, at the end of its implementation period in 2030.

Agenda item 25: Biodiversity and Health

The EU and its Member States generally support the draft decision on biodiversity and health, but profoundly regret that it will not be possible to adopt the Action Plan at this meeting.

The EU and its Member States express the need to use the opportunity while emerging from COVID-19 to galvanise ecosystem protection and restoration also in order to protect health and well-being and prevent entering an era of pandemics.

In our view it is important to make sure that the work on the Action Plan is in line with the demand expressed by Parties in CBD COP 14/4 and the Action Plan will be adopted at COP16.

We think it is also important to fully recognise the definition of One Health formulated by the One Health High Level Expert Panel and agreed by the Quadripartite Alliance on One Health.

We welcome the UN GA resolution 76/300 recognising the human right to a clean, healthy and sustainable environment and the One Health Joint Plan of Action by the Quadripartite Alliance on One Health.

We call for a knowledge-based, biodiversity-inclusive, holistic, and whole-of-society approach to mainstream biodiversity and health linkages at all levels and in all sectors.

We recommend as a principle not to duplicate the important discussions, which are being held under other agenda items.

We have a number of suggestions for the text, and we will submit them to the secretariat in writing.

Agenda Item 26: Nature and culture

Thank you, Madam/Mr. Chair, I am speaking on behalf of the European Union and its 27 Member States.

The EU and its Member States support the draft recommendations and welcome renewal and update of the Joint Programme of Work between CBD and UNESCO as an important tool to support implementation of the post-2020 global biodiversity framework.

The EU and its Member States express their gratitude to the Secretariat and UNESCO for the work carried out in implementation of the Joint Programme of Work regarding links between biological and cultural diversity as well as to other actors and initiatives working in promoting this important theme.

The EU and its Member States stress the importance of ensuring the full and effective participation of IPLCs in the Convention and in particular in the implementation of the Joint Programme of Work; they further recognise and acknowledge that a substantial proportion of the practical work concerning conservation and sustainable use of biodiversity is conducted by indigenous peoples and local communities in many parts of the world.

However, the EU and its Member States are not clear about some parts of the bracketed text. Therefore, seek for clarification regarding the need to specifically refer to non-tariff barriers to trade in the recommendations, as we feel it might not be relevant to the substance of the PoW and in the collaboration on nature and culture between CBD and UNESCO.

Regarding the proposed additional task 1.b, to develop a strategy to ensure that the benefits arising out of the utilization of genetic resources are shared fairly and equitably with the holders of traditional knowledge, the EU and its Member States would also like to ask for clarification as we are not clear about how it would fit in the collaboration on nature and culture between CBD and UNESCO in general and under element 1 in particular

We will provide our amendments in writing.

9th meeting of the Conference of the Parties to the CBD serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety

Agenda item 5: Report of the Compliance Committee

Sir / Madam, I am speaking on behalf of the European Union and its Member States.

The European Union and its Member States welcome the work of the Compliance Committee in the inter-sessional period. We support the recommendations provided by the Compliance Committee regarding reporting obligations and the obligation to nominate national focal points, respectively.

We do not have any amendments to the draft decision. In order to maintain the staggering of terms that helps to ensure a balance between new and continuing members of the Compliance Committee, the EU and its Member States support the two-years-extension of the terms of those five members whose regular terms have not been extended during the Covid-19 pandemic. In addition, we support the election of 10 members to replace those members, whose terms have been previously extended or who have served two consecutive terms and are not eligible for re-election.

Agenda item 8: Monitoring and Reporting (Article 33)

Sir / Madam, I am speaking on behalf of the European Union and its Member States.

The European Union and its Member States appreciate that 135 Parties submitted their complete fourth national reports through the Biosafety Clearing-House. However, we are concerned that these represent only 79 % of all Parties while over 90 % of Parties had submitted their third national reports. We thus urge the Parties that have not submitted their fourth national report yet to do so as soon as possible.

The EU and its Member States would like to express concern about delays by the Global Environment Facility to support eligible Parties in the preparation of their fourth national reports. We note that such funding was not available before the deadline for the submission of fourth national reports, which is one of the factors that might have affected the low submission rate. This should be accurately reflected in a draft decision.

The EU and its Member States support the updated draft format for the fifth national report under the Cartagena Protocol on Biosafety. We also think that it is important for the reporting of the CBD and its Protocols to be synchronised with reporting ensuring efficiency and quality. Further, we support there commendation to invite the Global Environment Facility to provide timely funding to support eligible Parties in the preparation of their fifth national report.

Last but not least, we encourage Parties to submit the fifth national report fully completed, in a timely manner via the Biosafety Clearing-House. Information from fifth national reports will be crucial for measuring progress in the implementation of the Protocol and the Post-2020 Global Biodiversity Framework.

We have some minor amendments to the draft decision, which we will submit in writing.

Agenda item 9: Assessment and review of the effectiveness of the Protocol (Article 35) and final evaluation of the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020

Sir/ Madam, I am speaking on behalf of the European Union and its Member States. We consider the SBI-3 recommendation (CBD/SBI/REC/3/2) as a good basis for further negotiations. The EU and its Member States support reaffirming the precautionary approach as encompassed in the Rio Declaration on Environment and Development.

The European Union and its Member States wish to thank the Executive Secretary for the synthesis and analysis of information for the fourth assessment and review and final evaluation of the Strategic Plan for the period 2011-2020; also, we wish to thank the Secretariat for the update to the analysis, which provides the latest description of the status and trends in the implementation of the Protocol and the Strategic Plan for the Cartagena Protocol.

We welcome the input to the fourth assessment and review of the Cartagena Protocol and final evaluation of the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020 provided by the Compliance Committee at its seventeenth meeting and by the Liaison Group on the Cartagena Protocol at its fourteenth meeting. Further, we acknowledge the work undertaken by the Compliance Committee to engage with Parties not having submitted their fourth national reports and encourages the Committee to continue its efforts in this regard. We encourage all Parties to comply with their obligations, both on reporting as in general.

The EU and its Member States support the request to undertake awareness-raising and capacity-building activities to support ratification efforts in accordance with the Capacity-building Action Plan. We propose that any reference to Articles of the Protocol shall be in line with the ongoing discussions on the given topic in the respective agenda item.

We have some amendments to the draft decision, which we will submit in writing.

Agenda item 10: Financial mechanism and resources (Article 28)

Madam / Sir, I am speaking on behalf of the EU and its Member States.

The EU and its Member States take note of the document prepared by the Executive Secretary. We appreciate the GEF-8 replenishment with an increase of the biodiversity focal area in comparison to GEF-7.

With regard to the number of eligible countries that have not yet requested support to implement their national biosafety frameworks using the GEF-8 modalities, the EU and its Member States stress the importance of the Secretariat providing an outreach information to the Parties and encouraging eligible Parties to present projects for supporting their implementation of the Cartagena Protocol. We have some minor amendments to the draft decision, which we will submit in writing.

Agenda item 11: Operation and Activities of the Biosafety Clearing-House

Sir / Madam, I am speaking on behalf of the European Union and its Member States.

The EU and its Member States appreciate the activities undertaken by the Secretariat in the previous intersessional period regarding the operation and migration of the Biosafety Clearing-House. The great efforts resulted in a complete redesign and recoding of the platform, now, providing modern user-friendly webpages and enabling to install joint modalities for the operation of the three Clearing-Houses under the Convention and its Protocols. We, therefore, welcome the launch of the new Biosafety Clearing-House platform. Taking that into account and as the Biosafety Clearing-House is an important tool for the implementation of the Cartagena Protocol and for capacity-building actions, we suggest adding a preambular paragraph to the decision to reflect this. That said, we note that several activities indicated in the chronogram for the migration of the Biosafety Clearing-House are still ongoing and thus we request the Executive Secretary to complete the migration process in the coming intersessional period to make the new platform fully operational. Furthermore, we wish to emphasize the need to find a coordinated approach for a web-strategy of the online forums and the need for their migration to the new platform.

Additionally, we would like to stress that the linkage between the Cartagena Protocol on Biosafety and the respective knowledge management component of the post-2020 global biodiversity framework through the Biosafety Clearing-House should be ensured when updating the Biosafety Clearing-House. Therefore, we propose adding an additional paragraph in the draft decision to reflect that.

To ensure the sustainability and further development of the Biosafety Clearing-House, the EU and its Member States suggest adding a new paragraph 9 (a) requesting to continue allocating adequate and specific resources, both human and financial for the management, maintenance, and improvement of the Biosafety Clearing-House. We appreciate the large increase in the number of submissions to the Biosafety Clearing-House. However, we recognize that some records might be outdated and, therefore, call upon Parties, other governments and other organizations to make revisions as necessary and in a timely manner. Hereby, the EU and its Member States commit to review records and continue publishing the information available at the EU and national level on the Biosafety Clearing-House.

The EU and its Member States welcome the collaboration activities of the Executive Secretary with other biosafety-related organisations, in particular with OECD and FAO and support its continuation in the coming intersessional period. We will submit our amendments to the text of the draft decision in writing.

Agenda item 12: Cooperation with other conventions, international organizations and initiatives

Sir / Madam, I am speaking on behalf of the European Union and its Member States.

The European Union and its Member States take note of the Secretariat's document CBD/CP/MOP/10/8 and welcome the activities carried out by the Secretariat in the field of cooperation with other conventions, international organizations and initiatives, carried out by the Secretariat in the inter-sessional period. We believe that cooperation activities are an important element in the implementation of the Cartagena Protocol; and therefore, we support their inclusion in the draft post-2020 implementation plan and capacity-building action plan for the Cartagena Protocol. Therefore, we think that it will be necessary to ensure the continuation of financial support enabling the Secretariat to carry out cooperation activities as appropriate.

Agenda item 15: Detection and identification of living modified organisms

Sir / Madam, I am speaking on behalf of the European Union and its Member States.

The European Union and its Member States appreciate the finalization of the training manual on the detection and identification of LMOs and suggest to include a paragraph to welcome its publication. We suggest that the language in the preamble regarding the implementation plan and the capacity-building action plan is updated to reflect that these are two independent plans. In the same paragraph, we further recommend that along with goal A.8 of the two plans, goal A.6 related to unintentional transboundary movements of LMOs, and goal A.7 related to handling, transport, packaging and identification requirements, are also reflected. We would like to ask for clarification from the Executive Secretary regarding the meaning of the wording "newly developed LMOs", used in paragraph 3 of the decision. We would also like to ask for clarification from the Executive Secretary regarding the request, contained in paragraph 10 (a) of the draft decision, to continue the work mandated under decision CP-9/11. As part of the work has already been done, we would like to understand what is the work still remaining in the mandate. Finally, we think paragraphs 1 to 4 of the draft decision could be rephrased as preambular paragraphs, as they do not seem to be operational paragraphs. Our proposals will be provided to you in writing.

Agenda item 16: Socio-economic considerations (Article 26)

Sir / Madam, I am speaking on behalf of the European Union and its Member States.

The European Union and its Member States welcome the work of the AHTEG and the review of the information provided by Parties and think it contains valuable information to enable Parties to carry out assessments of socio-economic considerations in the context of Article 26 of the Protocol. We, however, believe that a possible further development of the guidance would profit from adding more information on science-and evidence-based methodologies and examples of applications of socio-economic assessments. We therefore support collecting further information on experiences by Parties in using the voluntary Guidance, as well as on examples of already carried out assessments. We also support the request to the Executive Secretary to compile the information gathered and submit an overview for consideration by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol, at its eleventh meeting, with a view to determining the need for further work. We have some minor amendments to the draft decision, which we will submit in writing.

Agenda Item 17: Nagoya–Kuala Lumpur Supplementary Protocol on Liability and Redress

Sir/ Madam, I am speaking on behalf of the European Union and its Member States.

The European Union and its Member States consider the entry into force of the Nagoya -Kuala Lumpur Supplementary Protocol in 2018 a big step forward, and we are committed to continue the process of ratifying, accepting, approving or acceding to the Protocol following the requirements of national legislation. We welcome the progress made by many Parties to the Supplementary Protocol towards its full implementation. However, the high number of Parties to the Cartagena Protocol that have not yet ratified the Supplementary Protocol is a matter of concern that requires immediate action. The mechanisms provided in the Supplementary Protocol are necessary and useful for the functioning of the Cartagena Protocol. Undocumented spread of LMOs in the environment can and has occurred. In case this spread causes damage during transboundary movement, a clear and well-functioning approach to liability and redress is therefore essential. We therefore encourage Parties that have not yet done so, to ratify, accept, approve or accede to the Supplementary Protocol. Chair, we are convinced that capacity-building and awareness-raising are key to support the ratification and efficient implementation of the Supplementary Protocol. In this regard, we welcome the existence of a goal specific to the Supplementary Protocol in both the Implementation Plan and in the Capacity-building Action Plan for the Cartagena Protocol. We have also read the study on financial security mechanisms with great interest and welcome its conclusions. We are of the opinion the polluter pays principle should be duly taken into account when further developing these mechanisms in the cases where its applicable.

When it comes to amendments to the draft decision, we suggest to note with regret the limited number of Parties to the Cartagena Protocol on Biosafety that have ratified the Supplementary Protocol. We also suggest that the language regarding the Implementation Plan and the Capacity-building Action Plan is updated to reflect that these are two independent plans. Finally, we suggest, in the preamble of the decision, to recall decision CP-9/15, and to note the information provided by Parties in their fourth national reports relating to the Supplementary Protocol. Our proposals will be provided to you in writing.

**4th meeting of the Conference of the Parties serving as the meeting of the Parties to the
Nagoya Protocol on Access and Benefit-sharing**

Agenda item 5: Report of the Compliance Committee (Article 30)

The EU and its Member States take note of the report of the Compliance Committee of its third meeting and its findings on general issues of compliance.

The EU and its Member States note with regret the slow progress in fulfilling the obligations, as identified by the Compliance Committee, namely in putting in place appropriate measures, designating checkpoints and making information available in the Access and Benefit-sharing Clearing-House.

While acknowledging the need for continuous efforts to fully implement the Nagoya Protocol, the EU and its Member States stress the urgency to improve its effectiveness and efficiency, including, where relevant, through the development of standardized and simplified access and benefit sharing measures, including to promote and facilitate research that contributes to conservation and sustainable use of biodiversity, and more broadly to the objectives of the future Global Biodiversity Framework.

The EU and its Member States also recognise the key role of making all relevant national information available in the ABS Clearing House in facilitating compliance by users of genetic resources and urge Parties who have not published or updated such information in the ABS Clearing House to do so. The ABS Clearing House is – and should be understood as such by all Parties – the main instrument to support the fulfilment of compliance obligations under the Protocol.

The EU and its Member States support the recommendations of the Compliance Committee, as reflected in the draft decision.

The EU and its Member States also support the extension for two years of the terms of the ten members of the Compliance Committee whose regular terms have not already been extended.

Agenda item 7: Financial Mechanism and Resources

The EU and its Member States take note of the document prepared by the Executive Secretary. We appreciate the GEF-8 replenishment with an increase of the biodiversity focal area in comparison to GEF-7.

With regard to the number of eligible countries that have not yet requested support to implement their projects on access and benefit-sharing using the GEF-8 modalities, the EU and its Member States stress the importance that the Secretariat provides outreach information to the eligible Parties.

The EU and its Member States support the draft decisions on both part A. The financial mechanism and part B. Resource mobilization. Regarding part A., we suggest to amend paragraph 1 to align its wording with the respective decision of CP COP-MOP 10 by adding: “and the support this makes available to Parties for the implementation of the Nagoya Protocol”. In addition, we propose minor editorial changes to paragraph 5.

Concerning paragraph 6, the EU and its Member States are of the view that it should focus rather on the types of activities to be supported than the way the support is provided. Therefore, we suggest to replace “make set-asides available” by “continue providing and enhancing support”.

We will submit our proposals in writing.

Agenda item 8: Measures to assist in capacity-building and capacity development (Article 22) and measures to raise awareness of the importance of genetic resources and associated traditional knowledge (Article 21)

On part B, Awareness-raising:

The EU and its Member States stress the importance of awareness-raising of the Nagoya Protocol, welcome the progress made in the implementation of the awareness-raising strategy and thank the Executive Secretary for the work undertaken.

We support incorporating the elements of awareness-raising strategy into the revision of the strategic framework for capacity-building and development.

We believe that the framework for a communication strategy for the GBF is an important element also for raising awareness on ABS and the NP. Therefore, we would like to add an additional paragraph to the draft decision along the following lines: Welcomes the framework for a communication strategy for the post-2020 global biodiversity framework, decision 15/-- of the Conference of the Parties, as an important element to also raise awareness on ABS and the related Goal and Target of the post-2020 global biodiversity framework.

We also have some editorial suggestions that we will submit in writing.

Agenda item 9: The Access and Benefit-sharing Clearing-House and information-sharing (Article 14)

The EU and its Member States express their appreciation to the Executive Secretary for her work and progress in making the ABS Clearing House operational and note with appreciation the steady increase of national records.

However, despite the increase, the amount of information that is available on the ABS Clearing House remains rather low, in particular for information related to access and benefit sharing competent national authorities, measures and procedures.

We therefore stress the importance of making available any information on ABS measures as well as other relevant information necessary to support the effective implementation of the Nagoya Protocol to the ABS Clearing House and reiterate our call on Parties and other Governments to publish or update all relevant ABS information. In particular, we note with concern that while a considerable number of Parties declared in their interim national reports having ABS measures in place, only a small portion of them made those measures available in the ABS Clearing House. There is an urgent need to fill this gap of information.

We are also concerned that many countries continue to lack understanding of the Protocol's system for monitoring utilization of genetic resources, as reported in Annex II of the report summarizing the discussions at the Global Monitoring workshop held in Bonn in 2019. We wish to recall that the monitoring obligations under the Nagoya Protocol are binding provisions upon all Parties, therefore we consider a priority to continue to raise awareness and build capacity to increase understanding and promote the implementation of the Nagoya Protocol's provisions on monitoring. In line with this, we found the Global Monitoring workshop very useful and would welcome and stand ready to support any future similar initiatives.

We take note of the continuous need for raising awareness and capacity building to encourage and assist Parties with the publication of all available national information in the ABS CH.

Finally, we would like to thank the Informal Advisory Committee on the ABS Clearing House for their valuable contribution to the ongoing work. The EU and its Member States support the priorities for further development and administration of the ABS Clearing House, as identified by the Committee.

The EU and its Member States support the draft decision, with two additional suggestions. In paragraph 6, we propose to add "and development" after the "capacity-building" on the second line, in line with the respective decision of CBD COP 15. We also propose an additional paragraph to ensure that the knowledge management component of the GBF will be taken into account when updating, as appropriate, the ABS Clearing-House.

Agenda item 10: Monitoring and reporting (Article 29)

The EU and its Member States take note of the information provided by the Executive Secretary. We welcome the high rate of submissions of the interim national reports by Parties and highlight the importance of national reports for the full and effective implementation of the Nagoya Protocol as well as for providing key information for the assessment and review of the Protocol and promoting compliance.

The first assessment and review of the effectiveness of the Protocol concluded that more experience and implementation efforts are needed under the Nagoya Protocol before a meaningful conclusion can be reached about its effectiveness in achieving its objectives. Since the first assessment and review of the Protocol, additional experience with its implementation has been gained and it will be important to report on such experience in the next reporting cycle.

In addition, discussions in the context of the post-2020 GBF related to an ABS Goal and Target, as well as discussion on digital sequence information have raised the need to streamline and make ABS rules simpler and more effective, in order to fulfil the third objective of the CBD. In our view, this is an aspect that would deserve further consideration in the next assessment and review of the effectiveness of the Protocol.

Another important aspect is that information on the benefits derived from ABS agreements is very limited and not often specific of the type and quantity of the benefits shared. Information on benefits shared is often confidential. There is a need to make this information available, also with a view to contribute to the next cycle of reporting in the context of the post-2020 GBF, as the monitoring framework will have to include indicators on benefits shared. We therefore welcome the revised questions concerning benefits shared as they are now in the template of the report.

The second assessment and review, based inter alia on consideration of national reports, will therefore be crucial.

The EU and its Member States support postponing the submission deadline of the first national report under the Nagoya Protocol until 30 June 2025 in order to maintain the synchronized national reporting cycle under the Convention and the Protocol.

We welcome the revised reporting format for the first national report on the implementation of the Nagoya Protocol and appreciate that it has been improved considering the comments by countries and the Compliance Committee. We support the adoption of the guidelines and format for submission of the first national report.

Regarding the draft decision, we are of the view that indicators to be developed for ABS in the context of the post-2020 GBF should be relevant both nationally and globally and suggest to include this reference to the draft decision.

Agenda item 15: Specialized international access and benefit-sharing instruments in the context of Article 4, paragraph 4, of the Nagoya Protocol

This statement builds upon our first reading intervention as done at the occasion of the virtual informal meeting of the SBI in March 2021; our views on this agenda item as expressed then are still valid and we will focus today on those aspects on which we would like to suggest improvements and amendments to the draft decision and its annex:

- We appreciate the work done by the Secretariat in preparing the draft text for this agenda item which now reflects the outcomes of the discussions at the virtual informal SBI-3 meeting, and are ready to continue discussion on this important topic.
- As said in previous discussion on this agenda item, Article 4(4) of the Protocol concerning specialised international instruments cannot be considered in isolation and all paragraphs of Article 4 should inform the interpretation and discussion concerning what constitutes a specialised international ABS instrument; we would like to see this reflected into the text of the draft decision by suggesting to remove the reference to paragraph 4 of Article 4.

We also have other suggestions for amendments and will submit them in writing, on the basis of what was explained.

**Agenda item 30 (COP 15), Agenda item 20 (COP-MOP 10), Agenda Item 19 (COP-MOP 4):
Closing Statement**

Mr President,
Distinguished colleagues,
Excellencies,

I have the honour to address this plenary on behalf of the European Union and its twenty-seven Member States.

Let me start by thanking the Chinese Presidency for the ambitious final outcome of this conference. I would also like to thank all Parties for the great spirit of compromise they have shown in the past few days.

And I would also like to thank my colleagues from the Czech Presidency of the Council of the European Union for the great cooperation.

As I said the other day, Nature is our ship.
A ship that ensures all peoples, all societies, all economies and communities can continue to thrive.
Our ship was in peril, but we've agreed a new course.
We are now steering towards a safe harbour.

We now have the charts we need for stronger transformative global action on both biodiversity and climate.

Taken together, the agreement in Paris, and the agreement in Kunming-Montreal set nature on a clear path to recovery and a global economy based on sustainable use of biodiversity.

This marks a historic moment.
Nature and people need this deal.
For current, and future generations.

We have committed, as a global community, to an ambitious and balanced framework that will make sure we use our biodiversity in a sustainable manner.

We are committing to protect 30% of our lands and seas by 2030. This is key to protect our terrestrial and marine biodiversity.

To deliver this transformative change, we have also committed to mobilise the resources we need from all sources.

We have found a fair solution for sharing the benefits from the use of digital sequence information on genetic resources.

We also have the implementation tools for with the effective frameworks for monitoring, planning, reporting and review of implementation.
That helps track progress, and ensures we deliver the deal on the ground.

This deal is also a milestone for biodiversity finance.
It will create incentives for domestic and international sources, including from business investment.
And very importantly – that we phase out or reform harmful subsidies in our economies.
This is also a package for international solidarity. This way, the most vulnerable and the most biodiverse receive the strongest protections.

Now that negotiations have taken this crucial step forward, our attention must fully focus on implementation – together as a global community as well as each of us, at home. Our work must continue and even intensify.

The EU will stay the course, honouring its commitments to nature for 2030 and 2050.
Under the European Green Deal, our proposals for Nature Restoration, the sustainable use of pesticides, deforestation-free supply chains and eliminating pollution will enable us to deliver on the Kunming-Montreal Deal.
We are determined to deliver.

President, dear colleagues,
Today's deal is the work of many hands and many minds, working many months. Not only on COP15, but also on the COP-MOPs of the Cartagena and Nagoya Protocols.
I extend my heartfelt thanks to everyone involved, in the spotlight, and behind the scenes. We are profoundly indebted to you all.
It's a decision of historic proportions.

Multilateral negotiations are never easy. It is therefore extremely important that we always try to take the utmost account of every Party's view, needs and interests. But the only way to reach a deal is if we are all ready to compromise

And in the last few days, COP15 has managed to rekindle a spirit that the world so badly needs - the spirit of solidarity and cooperation.

We have only one boat – we cannot choose.
And on this boat, we have to work together. Closer than ever.
You can count on the European Union and its Member States to do so.
Thank you, Mr President, and thank you to Canada.
Together you supplied the steer that the whole world needs.
Thank you.
