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From:	General Secretariat of the Council
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To:	Delegations
No. prev. doc.:	12808/18
Subject:	<p>Convention on Biological Diversity (CBD):</p> <ul style="list-style-type: none">• Preparation of the Fourteenth meeting of the Conference of the Parties (COP 14) to the CBD• Preparation of the Ninth 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 9)• Preparation of the Third 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 3) <p>(Sharm El-Sheikh, Egypt, 17-29 November 2018)</p> <p>= Council conclusions</p>

Delegations will find in the Annex the Council conclusions on the abovementioned CBD meetings, adopted by the Council at its 3640th meeting held on 9 October 2018.

Convention on Biological Diversity (CBD):

Preparation of the Fourteenth meeting of the Conference of the Parties (COP 14) to the CBD

Preparation of the Ninth 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 9)

Preparation of the Third 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 3)

(Sharm El-Sheikh, Egypt, 17-29 November 2018)

- Council conclusions -

THE COUNCIL OF THE EUROPEAN UNION:

1. ACKNOWLEDGES that good progress has been made towards meeting some parts of the Strategic Plan for Biodiversity 2011-2020 and its Aichi Biodiversity Targets; nevertheless, as the progress towards achievement of a number of targets is largely insufficient, CALLS FOR increased efforts to fully achieve the Aichi Biodiversity Targets;
2. IS DEEPLY CONCERNED that the natural resource base and ecosystem services that humanity depends upon are at high risk and that most pressures driving biodiversity loss continue to increase, thus threatening the achievement of most of the global, regional and national biodiversity targets, as well as the achievement of the Sustainable Development Goals (SDGs); the main pressures on biodiversity are habitat loss and change, land degradation, climate change, invasive alien species, terrestrial and marine pollution, including plastics and chemicals, and unsustainable use of biodiversity; STRESSES that most of them are also sources of human health hazards;
3. URGES the Commission and the EU Member States to increase actions and make every effort in the next two years to tackle the main drivers of biodiversity loss and fully implement National Biodiversity Strategies and Action Plans (NBSAPs) and the EU Biodiversity Strategy to 2020, and to achieve the Aichi Biodiversity Targets;

Post-2020 global biodiversity framework

4. CALLS FOR the adoption of an ambitious follow-up to the Strategic Plan for Biodiversity 2011-2020 that provides an overarching biodiversity framework across the UN and for all stakeholders towards the 2050 Vision on biodiversity; that framework should strengthen the implementation of the Convention on Biological Diversity (CBD) and its Protocols, as well as of the other biodiversity related multilateral environmental agreements (MEAs) and relevant SDGs; the framework should place biodiversity and ecosystem services high on political agendas; it should include targets that are ambitious, realistic, and as far as possible, measurable and time-bound, strengthening and building upon the current Aichi Targets, driving action and allowing progress to be tracked effectively;
5. UNDERLINES that the process to be adopted at COP 14 for preparing a post-2020 global biodiversity framework should be comprehensive, inclusive and participatory as well as gender responsive; it should include a process for launching voluntary commitments from Parties individually or in coalition at, or if Parties are ready to do so prior to, COP 15 to meet biodiversity challenges; the commitments would be integrated in an overall implementation and monitoring process and accompanied by an open and transparent review process; ENCOURAGES further discussion on the development of joint EU commitments contributing to the implementation of EU common policies related to biodiversity;
6. UNDERLINES the significant role that non-state actors can play in strengthening the implementation of a post-2020 global biodiversity framework; ENCOURAGES voluntary commitments from all relevant actors and stakeholders, including indigenous peoples and local communities as well as the private sector; the voluntary commitments from Parties, stakeholders and actors together could build a global agenda for biodiversity which would serve as an umbrella for existing and potentially new coalitions and partnerships;

7. CALLS for the timely delivery of the Sixth National Reports in order to ensure that the new framework will be based on experiences with the implementation of the Strategic Plan for Biodiversity 2011-2020; furthermore, the process for preparing a post-2020 global biodiversity framework should also take into account relevant assessments, indicators, experiences gained and activities carried out in other regional and international fora;
8. SUPPORTS that the implementation of a post-2020 global biodiversity framework should be accompanied by a periodic, open and transparent review process as part of that framework and AGREES on the need to further develop the multidimensional review approach under the Convention, including voluntary peer review as one of its elements;
9. STRESSES the importance of supporting the development of a post-2020 global biodiversity framework through specific and widespread communication efforts at all levels, building upon existing communication strategies to build momentum, raise public and political awareness, collect inputs and strengthen subsequent implementation; STRESSES the need for convening a high-level biodiversity summit at the level of Heads of State/Heads of Government in 2020 to strengthen the political visibility of biodiversity and its vital contribution to the 2030 Agenda for Sustainable Development; further STRESSES the importance of research underpinning the work under the Convention;

Mainstreaming

10. STRESSES that effective mainstreaming of biodiversity into and across sectors is pivotal for implementing the Convention and the Aichi Biodiversity Targets, for achieving the SDGs and for contributing to the implementation of the Paris Agreement; REAFFIRMS that NBSAPs are the main instruments for implementing the Convention and for mainstreaming of biodiversity into and across all relevant sectors; also STRESSES that transformational change is urgently required in the use and management of biodiversity and ecosystems and in production and consumption patterns, including changes in behaviour and decision-making at all levels; furthermore, RECOGNIZES the role of legal instruments, integrated environment and development strategies, and good governance for the integration of biodiversity considerations in all relevant sectors in order to halt biodiversity loss and maintain the delivery of ecosystem services;
11. MINDFUL that, in particular the achievement of Aichi Target 3, on phasing out incentives harmful to biodiversity and developing positive incentives for the conservation and sustainable use of biodiversity by 2020 in all relevant sectoral policies, is strongly linked to effective mainstreaming of biodiversity;
12. CALLS FOR the adoption of a long-term strategic approach on mainstreaming under the CBD, and for fully integrating mainstreaming in a post-2020 global biodiversity framework; further CALLS FOR a COP 14 decision on priorities for effective mainstreaming into the sectors of energy and mining, infrastructure, manufacturing and processing and health, to complement the COP 13 Decision on mainstreaming in agriculture, forestry, fisheries and tourism;
13. In the context of mainstreaming of biodiversity, also CALLS FOR responsible and sustainable sourcing of raw materials reconciled with the protection of ecosystems and biodiversity in source countries and STRESSES the need for responsible and sustainable governance of the relevant sectors in support of the transition towards a circular economy;

14. STRESSES the important role that innovative options, such as nature-based solutions or agroecology, can play in operationalizing mainstreaming of biodiversity and at the same time also achieve other environmental objectives;
15. WELCOMES the initiative of the government of the Arab Republic of Egypt to host a high-level segment, in the context of COP 14, to discuss mainstreaming biodiversity into energy and mining, infrastructure, manufacturing and processing, and health, also in the context of the 2030 Agenda and the SDGs; further WELCOMES the preparation of a High Level Declaration addressing biodiversity in the context of projected environmental, social and economic trends, as well as stronger commitments and processes to implement the Convention and its Protocols and redoubling efforts to achieve the Aichi Biodiversity Targets;
16. SUPPORTS the development of a global action plan to mainstream biodiversity and health linkages into relevant policies, strategies, programmes and accounts of the CBD Parties, in cooperation with relevant organisations, such as WHO and other stakeholders;

Resource Mobilization and Financial Mechanism

17. EMPHASIZES that resource mobilization needs to be an integral part of a post-2020 global biodiversity framework and should build on the experiences from implementing the 2008 Strategy for Resource Mobilization, which includes the mobilization of resources (financial, human, technical and institutional) from all sources, including from domestic resources and from the private sector, as well as the efficient and targeted use of available resources; in this context UNDERLINES the co-benefits offered by projects jointly addressing biodiversity protection and other environmental issues, including climate change, desertification or deforestation;
18. WELCOMES the successful conclusion of the seventh replenishment of the Global Environment Facility Trust Fund and that the biodiversity programming directions for the seventh replenishment of the Trust Fund reflect the guidance from the CBD;

Capacity building

19. EMPHASIZES that capacity building needs to be an integral part of a post-2020 global biodiversity framework and in full coherence and coordination with the overall process for such a post-2020 framework; WELCOMES the preparation of a long-term strategic framework for capacity-building beyond 2020 and EMPHASISES the need for a solid knowledge base to inform priorities and delivery mechanisms;

Synergies

20. UNDERLINES the continued importance of cooperation among biodiversity-related MEAs, the Rio Conventions, UN Environment Programme and other UN bodies and processes and, in this regard, CALLS FOR urgent implementation of the roadmap to enhance synergies, coherence and effective cooperation among the biodiversity-related MEAs to strengthen the contribution of these instruments to a post-2020 global biodiversity framework and the realisation of the 2030 Agenda;

Climate Change

21. UNDERLINES the strong interlinkages between policies and processes for achieving the objectives of the CBD, the UNFCCC and the Paris Agreement, the UNCCD as well as the Sendai Framework on Disaster Risk Reduction; HIGHLIGHTS that ecosystem restoration, conservation and ecosystem-based approaches to climate change mitigation and adaptation can significantly contribute, in a cost-effective manner, to countries' efforts to holding the increase in the global average temperature to well below 2°C above pre-industrial levels and to pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels, whilst supporting biodiversity objectives; CALLS for strengthening cooperation and synergies between the relevant instruments and processes, including by making use of relevant reports carried out by the IPCC and IPBES; NOTING the importance of ensuring the integrity of all ecosystems and the protection of biodiversity when taking action to address climate change;

22. UNDERLINES the need to strive for synergies and cooperation between biodiversity, land degradation and desertification and climate change related processes; and SUPPORTS the adoption of the voluntary guidance on the design and implementation of ecosystem-based approaches to climate change adaptation and disaster risk reduction;

Protected Areas and other effective area-based conservation measures (OECMs)

23. WELCOMES progress made in establishing, managing and improving the governance of protected areas as a key strategy for biodiversity conservation; further WELCOMES the definition of and the criteria for OECMs and RECOGNIZES OECMs as a complementary approach which can improve connectivity and coherence of the protected areas networks and can contribute to mainstreaming biodiversity in relevant sectors and the achievement of Aichi Targets 5, 7, 11 and 15; STRESSES that any OECMs should contribute to, and not undermine, the objectives related to protected areas; EMPHASISES the importance to integrate protected areas and OECMs into spatial planning processes; RECOGNIZES the relevance of experiences and activities carried out in relevant international and regional fora, such as the UNESCO Man and Biosphere Program and its World Network of Biosphere Reserves;

Marine and Coastal Biodiversity

24. RECALLS that United Nations General Assembly resolution 72/73 reaffirms that the United Nations Convention on the Law of the Sea sets out the legal framework within which all activities in the oceans and seas must be carried out;

25. WELCOMES progress in establishing protected areas in marine and coastal areas, based on relevant scientific and technical information including the information available from the EBSA process; SUPPORTS the inclusion of the summary reports of the two workshops on EBSAs in the Black Sea and the Caspian Sea, and in the Baltic Sea in the EBSA repository, and SUPPORTS the development of options for modifying the description of EBSAs and for describing new areas; the multilateral EBSA description process and the scientific and technical character of the scope of EBSAs should be fully appreciated in the further work on EBSAs within the CBD;
26. RECONFIRMS the principle that the description of new and the modification of existing EBSAs must fully respect the sovereignty, the sovereign rights and the jurisdiction of coastal states;
27. URGES Parties to take forward their efforts with regards to the protection of biodiversity in cold-water areas, on preventing and mitigating the impacts of marine debris, including micro plastics, and addressing the potential impacts of deep seabed-mining on marine biodiversity; also ENCOURAGES further action to avoid, minimize and mitigate impacts of anthropogenic underwater noise on marine and coastal biodiversity and in implementing marine spatial planning, building on the compilation and synthesis of information by the Executive Secretary;
28. CALLS UPON Parties and other governments to make use of the compiled information on mainstreaming of biodiversity in fisheries, by applying the ecosystem approach to fisheries and WELCOMES the input and participation of the CBD in the UN Ad Hoc Open-ended Expert Group on Marine Litter and Microplastics;

Synthetic Biology

29. STRESSES the need to give priority to the process of identification of new developments in synthetic biology, including those that may result from genome editing, in order to support a horizon scanning process, and REITERATES the need for a coordinated, focused and non-duplicative approach on issues related to synthetic biology under the Convention and its Protocols;
30. REAFFIRMS that, in dealing with organisms, components and products of synthetic biology, and in particular organisms containing engineered gene drives, the precautionary approach as described in the preamble of the Convention should be applied; in this context RECOGNIZES that there could be potential adverse impacts on biodiversity arising from such organisms;

Digital sequence information

31. STRESSES its willingness to continue discussions on the issue of ‘digital sequence information’ (DSI) with other Parties; RECOGNISING that DSI is not defined but serves as a working term, and CALLS ON all Parties to the Convention to deepen the understanding of the matter and related aspects (such as existing practices in databases or traceability systems and health related aspects) as well as to broaden the understanding of possible implications of use of digital sequence information for all three objectives of the Convention;

Invasive Alien Species

32. CONCERNED about the low progress in achieving Aichi Target 9, STRESSES the continued need for prioritisation of action on invasive alien species; WELCOMES the supplementary voluntary guidance for avoiding unintentional introductions of invasive alien species associated with trade in live organisms;

33. Further WELCOMES the proposal to establish an online forum and, subject to the availability of financial resources, an Ad Hoc Technical Expert Group to cover areas that are not part of the upcoming “Thematic assessment of invasive alien species and their control” by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), in particular cost-benefit and cost-effectiveness analysis and e-commerce;

Pollinators

34. IS DEEPLY CONCERNED about the decline of wild pollinators, which are fundamental for the conservation of biological diversity, the functioning of natural terrestrial ecosystems and the provision of key ecosystem services such as food production;
35. Therefore, CALLS FOR effective measures to tackle the decline of pollinators, and in this context WELCOMES the recently adopted Commission Communication on the EU initiative on pollinators and its objectives, which calls for an integrated approach and a more effective use of existing tools and policies; also WELCOMES its three priorities for addressing the decline of pollinators in the EU and contributions to global conservation efforts, such as the Plan of Action 2018-2030 for the International Initiative for the Conservation and Sustainable Use of Pollinators of the CBD;
36. WELCOMES the Coalition of the Willing for Pollinators established at CBD COP 13 and ENCOURAGES other CBD Parties to join the Coalition and take measures for the conservation of pollinators;
37. CALLS FOR rapid implementation of relevant actions by the EU and its Member States and integration of pollinators’ needs, as well as measures for tackling the drivers of decline, including, inter alia, the loss of habitats and the use of pesticides harmful for pollinators, in respective post-2020 EU policy frameworks; UNDERLINES the importance of addressing knowledge gaps and building and distributing knowledge on pollinators more equally; also UNDERLINES the importance of long-term monitoring activities on pollinators so as to assess their status and trends;

Chapter II - Cartagena Protocol on Biosafety

38. STRESSES the importance of an effective implementation of the Protocol by all Parties as well as the need for continuing the implementation of its Strategic Plan for the period 2011-2020, to continue and strengthen work to enhance synergies, coherence and effective cooperation in a consistent manner at all levels, and ENCOURAGES Parties and invites other governments to include biosafety in their NBSAPs and/or Relevant Sectorial and Cross-Sectorial Policies, Plans and Programmes;
39. WELCOMES the efforts under the CBD to develop a comprehensive Biodiversity Framework for the period post-2020 and STRESSES the need for the integration of the Cartagena Protocol into this process;
40. STRESSES the importance to develop a specific follow-up to the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020 that is anchored in and complementary to ¹ the post-2020 global biodiversity framework in order to ensure the effective implementation of the Protocol in the period after 2020;
41. NOTES WITH CONCERN the lower rate of submission of the third national reports, and URGES Parties to the Cartagena Protocol that have not yet submitted their national report to do so as soon as possible;
42. WELCOMES the combination of the 4th Assessment and Review of the Cartagena Protocol with the final evaluation of the Strategic Plan for the period 2011-2020 and the proposed process; and STRESSES the importance of the involvement of the Compliance Committee and the Liaison Group on Capacity Building in this process;

¹ The follow-up should assist in implementing the post-2020 biodiversity framework and provide concrete actions and priorities for the implementation of the Cartagena Protocol.

43. NOTES the eminent role of the Biosafety Clearing-House (BCH) in the implementation of the Protocol and REITERATES the importance of all Parties registering all information required in order to facilitate access to information on biosafety and enhance the exchange of experience and STRESSES the importance of the work of the BCH Informal Advisory Committee (BCH-IAC) ensuring constant improvement of the BCH;
44. REITERATES the crucial importance of environmental risk assessment in decisions related to living modified organisms (LMOs) and WELCOMES the inter-sessional activities of the open-ended online forum on Risk Assessment and Risk Management, as well as the discussions in the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA);
45. WELCOMES the work of the AHTEG on socio-economic considerations in the inter-sessional period;
46. REITERATES the need to continue capacity-building activities for the implementation of the Cartagena Protocol;
47. WELCOMES the entry into force of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress, and STRESSES the importance of its effective implementation;
48. WELCOMES the ratifications of the Supplementary Protocol and CALLS UPON all Parties to the Cartagena Protocol which have not ratified or acceded to it to do so as soon as possible;
49. CALLS ON COP-MOP 9 to take the necessary steps and decisions to further strengthen and implement the Cartagena Protocol framework by:
 - a) urging the Parties that have not yet submitted their third national report or a complete report to do so as soon as possible;

- b) deciding to establish a structured process for the identification and prioritization of specific issues regarding risk assessment of LMOs for consideration by the COP-MOP with a view to developing further guidance on risk assessment on these issues identified; extending the open-ended online forum and establishing an AHTEG on risk assessment with clear terms of reference for that purpose;
- c) taking note of the outcomes of the AHTEG on socio-economic considerations and considering appropriate further steps towards fulfilling operational objective 1.7 of the Strategic Plan for the Cartagena Protocol on Biosafety (2011-2020) regarding socio-economic considerations by extending the AHTEG's mandate in order to supplement the guidance developed so far;
- d) considering appropriate follow-up to the compiled information in the area of unintentional transboundary movements of LMOs and emergency measures and detection and identification of LMOs, as well as in the area of transit and contained use of LMOs;
- e) taking a decision on the process for a specific follow-up to the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020 that is anchored in and complementary to ² the post-2020 global biodiversity framework;
- f) taking decisions to promote the effective implementation of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress;

Chapter III - Nagoya Protocol on Access and Benefit Sharing

50. CALLS UPON Parties to the CBD that have not yet done so to ratify or accede to the Nagoya Protocol and URGES EU Member States that have not yet done so to accelerate their efforts in this regard as soon as possible;

² The follow-up should assist in implementing the post-2020 biodiversity framework and provide concrete actions and priorities for the implementation of the Cartagena Protocol.

51. CALLS UPON all Parties to the Protocol to strengthen their efforts to make the Nagoya Protocol fully operational by establishing relevant domestic institutional structures, adopting and implementing legislative, administrative or policy measures, including compliance measures and, if applicable, transparent access requirements, while recalling that GEF funding is available for establishing legal and regulatory frameworks and administrative procedures that enable access to genetic resources and benefit sharing in accordance with the provisions of the Nagoya Protocol;
52. UNDERSCORES that the full use of the ABS Clearing-House is essential to the effective implementation of the Nagoya Protocol, and hence URGES all Parties to publish and update the information required by the Nagoya Protocol on the Clearing House, and ENCOURAGES Parties and non-Parties to make all ABS-relevant information, necessary to the effective implementation of the Nagoya Protocol, including best practices and experiences, available on the Clearing House;
53. HIGHLIGHTS the need to create conditions to promote and encourage research which contributes to the objectives of the CBD, and STRESSES that the Parties to the Protocol should consider simplified measures for access to genetic resources for non-commercial purposes and consider the importance of genetic resources for food and agriculture and their special role for food security, as well as pay due regard to cases of emergencies that threaten or damage human, animal or plant health when developing and implementing their access and benefit-sharing legislation or regulatory requirements;
54. IS READY and willing to further contribute to the substantive international work on measures that are essential for the implementation of the Protocol, such as further improvement of the ABS Clearing House, capacity building and awareness raising;

55. WELCOMES the recommendations of the SBI 2, in particular on the assessment and review of the effectiveness of the Nagoya Protocol and on specialized international access and benefit-sharing instruments and REITERATES the willingness to further discuss issues related to Article 10 of the Nagoya Protocol, taking into account that more practical experience with the implementation of the Protocol is needed.
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