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#### INFORMATION NOTE

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From: General Secretariat of the Council

To: Delegations

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Subject: Convention on Biological Diversity (CBD):

- Fourteenth meeting of the Conference of the Parties (COP 14) to the CBD
  - 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)
  - 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)
- Compilation of Statements/speaking points by the EU and its Member States
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Delegations will find in Annex [for information](#) a compilation of Statements/speaking points delivered on behalf of the European Union and its Member States at the above meetings.

**Convention on Biological Diversity (CBD):**

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

**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)**

**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)**

**- Compilation of Statements/speaking points by the EU and its Member States -**

**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 Member States.

At the outset the European Union and its Member States express their deepest appreciation to the Government of Egypt for hosting this important 2018 Biodiversity Conference here in Sharm el-Sheikh.

The Conference marks the 25<sup>th</sup> anniversary of the Convention. Since its inception, the CBD can be proud of many success stories. Clearly, the CBD is the key instrument for safeguarding life on earth!

However, our success should not give reasons for complacency. We are deeply concerned that although progress has been made, assessments show that proceeding with current speed and level of activities we will fail to achieve most of the Aichi Biodiversity Targets. The EU and its Member States remain fully committed to increase actions and to make every effort in the next two years to achieve the Aichi Targets. We also call on other Parties to do so!

The 2018 Biodiversity Conference here in Sharm el-Sheikh will set the important cornerstones for a post-2020 global biodiversity framework. We look forward to working with all Parties on an ambitious follow-up to the current Strategic Plan, in particular a strong Decision on the preparatory process for a post-2020 global biodiversity framework. This decision should provide for fully achieving the objectives of our Convention and the SDGs as well as strong commitments of Parties and all other relevant stakeholder to spur its implementation and hence advance biodiversity and ecosystem services to the top of policy agendas.

Madame President,

The resources of our planet are limited. Global challenges like climate change, land and ecosystem degradation and biodiversity loss coupled with growing world population call for a change in consumption and production patterns that respect the boundaries of our planet. We would like to reemphasize the crucial importance of bringing about a real transformational change in our society, in consumption and production patterns and decision-making at all levels.

Effective mainstreaming of biodiversity into relevant sectors at all levels, global, regional and national alike is pivotal for achieving such a change. The EU and its Member States stand ready to move this agenda item ahead by improving our knowledge on the linkages between sectors and biodiversity, and by applying a long-term strategic approach to mainstreaming in the context of the Convention. The new post 2020 global biodiversity framework will provide great opportunities to establish strong and true partnerships with the business sector as well as with other important stakeholders. We need to grasp this opportunity and make COP 15 a real game changer in global biodiversity policy!

As regards our work related to the Nagoya Protocol, the EU and its Member States remain committed to the implementation of the Protocol. We are looking forward to the advancement of the Protocol's implementation and continued cooperation with other Parties. This includes continuing discussion on specialized international ABS instruments, assessment and review, global multilateral benefit-sharing mechanism, capacity building, among others. We also stress our willingness to continue discussions on the issue of digital sequence information (DSI) with other Parties.

As regards the Cartagena Protocol, the EU and its Member States continue to be committed to the effective implementation of the Protocol a priority. We also highly welcome the entry into force of the Nagoya-Kuala Lumpur Supplementary Protocol and are looking forward to a continued cooperation with other Parties concerning the effective implementation of both instruments. This includes continuing discussions on the effective functioning of the Biosafety Clearing House, a structured process for the identification and prioritization of specific issues regarding risk assessment of LMOs and a process for a specific follow-up to the Strategic Plan for the Cartagena Protocol that is anchored in and complementary to the post-2020 global biodiversity framework.

Madame Chair,

We welcome the adoption of the High Level Declaration by the Ministers and Heads of Delegations here in Sharm el-Sheikh, in particular its strong call for mainstreaming biodiversity into sectors, strengthening our commitments to implement the Convention and for redoubled efforts to achieve our biodiversity targets.

Let me also assure you that the European Union and its Members States stand ready to work hard to make this Conference a success!

Finally yet importantly, we also would like to congratulate the Government of Egypt and the Secretariat of the Convention for its initiative "Greening of the Meetings". We are fully dedicated to this motto which also constitutes an overarching maxim of our current EU Presidency!  
Thank you!

## Closing Statement

Madame President,  
Distinguished delegates,  
Ladies and gentlemen,

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

First, we would like to express our deepest appreciation to the Government of Egypt for hosting this important UN Biodiversity Conference here in Sharm el-Sheikh. Hosting such a major event is a true demonstration of Egypt's commitment to biodiversity and the Convention, and we wholeheartedly thank you, Madame President, the Government of Egypt and all your team for hosting us so well here in Sharm el-Sheikh.

Those of us who have had the privilege to witness the stunning beauty of the coastal marine biodiversity here in Sharm el-Sheikh were reminded of what is at stake: the urgent need to do whatever it takes from all of us to stop the ongoing loss of biodiversity and restore healthy ecosystems, not only for ensuring that future generations will also be able to witness its sheer beauty but also as a necessity for humanity's long term survival.

We can therefore be proud that this COP has set a thorough, inclusive and participatory process for developing the post-2020 global biodiversity framework. We congratulate the two co-chairs of the Open Ended Intersessional Working Group, Basile van Havre from Canada and Francis Ogwal from Uganda for their election and can assure them of the EU and its Member States' full support to achieve our daunting task: to develop a post-2020 global biodiversity framework that lives up to the urgent challenges we face and truly triggers the necessary transformational change. We recognise the need to fully integrate the work on mobilising resources in the development of the post-2020 framework. We now call upon all parties and other actors to engage constructively in this process. We also call on Parties to demonstrate they are ready and willing to take on these challenges at the necessary scale by developing voluntary commitments individually or jointly. We need to push biodiversity and ecosystem services to the top of policy agendas. In this context we warmly welcome the launch of the Sharm el-Sheikh to Beijing Action Agenda for Nature and People.

Madame President, the EU and its Member States also welcome other important decisions taken at this COP, such as those that strengthen the mainstreaming of biodiversity into various economic sectors, enhance the contribution of biodiversity to the 2030 Agenda for Sustainable Development, the Paris Agreement and to the other global environmental challenges such as land degradation and climate change. We therefore welcome the adoption of those decisions that will help us all to take forward crucial actions on topics such as on ecosystem-based approaches to climate change adaptation, mitigation and disaster risk reduction and on many other agenda items aimed at stepping up achievement of the Aichi Targets. We also welcome the Egyptian initiative on biodiversity loss, climate change and land and ecosystem degradation.

Madame President,

The EU and its Member States express our appreciation for the decision to continue the work on synthetic biology, in particular with regard to the launch of a horizon scanning process to update our knowledge and understanding of this rapidly evolving area. We also welcome that this Convention equipped itself with a robust and transparent process for avoiding conflicts of interest and with a solid and adequate budget for the work we have given to the Secretariat and for providing a durable solution for facilitating participation in the meetings under this Convention.

As regards digital sequence information, we welcome the agreed process to deepen our knowledge and understanding of this important subject in the run up to Beijing. We are committed to find a common understanding that is satisfactory to all Parties on the role of digital sequence information on genetic resources for the three objectives of the Convention.

As regards our work on the Nagoya Protocol, the EU and its Member States welcome the adopted decisions as they will help advancing the Protocol's implementation, in particular on assessment and review, specialized access and benefit sharing instruments, capacity-building and awareness-raising.

On the Cartagena Protocol, the EU and its Member States welcome the adopted decisions such as those that welcome the entry into force of the Nagoya-Kuala Lumpur Supplementary Protocol, enhance the Biosafety Clearing House, promote a structured process on risk assessment of Living Modified Organisms and adopt a process for an Implementation Plan for the Cartagena Protocol.

Madame President,

All of us gathered here in Sharm el-Sheikh worked very hard and achieved a major success, not least thanks to the fantastic facilities you have provided and your great leadership. We would like to thank you, Madame President, the excellent chairs of the Working groups, Mrs Clarissa Nina from Brazil and our dear colleague Hajo Haanstra from the Netherlands, the chairs of the Contact and Friends of the Chairs Groups as well as the whole team of the CBD Secretariat for their tireless devotion in helping us during our meeting.

We have now built a solid ship allowing us to travel on the waters for the challenging journey towards Beijing in 2020. Let's now raise the sails and set for China and build the post-2020 global biodiversity framework that will allow achieving our vision for living in harmony with nature. Thank you!

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**Fourteenth meeting of the Conference of the Parties (COP 14) to the CBD  
(Sharm El-Sheikh, Egypt, 17-29 November 2018)**

**COP 14 Agenda item 8: Review of progress in the implementation of the Convention and the Strategic Plan for Biodiversity 2011-2020**

The EU and its Member States acknowledge that despite many positive actions by Parties and others, progress towards achievement of most of the Aichi targets is largely insufficient. Accordingly, we call for increased efforts, by Parties in cooperation with other stakeholders, to fully achieve the Aichi Biodiversity Targets;

The EU and its Member States highlight that the NBSAP is the principal instrument for implementing the Convention at the national level, and is also a basis for mainstreaming biodiversity into sectors and policies. However, the progress report on the NBSAPs shows a lack of progress in several areas. The EU/MS emphasise that this to be taken into consideration when preparing the post 2020 BD-framework and planning its implementation and monitoring process.

Further, the EU and its Member States encourage Parties and stakeholder to make use of existing tools and decisions to enhance implementation. In this respect, we particularly welcome the development of communication strategies, promotion of the conservation and sustainable use of biological diversity, and work on the Gender Plan of Action.

Finally, we note with grave concerns the IPBES assessments on regional biodiversity and ecosystem services and on land degradation, and recommend to make use of the IPBES assessments when developing the post-2020 global biodiversity framework.

We support the adoption of the draft decision as it stands without amendments.

**COP 14 Agenda item 9: Resource mobilization and the financial mechanism**

The EU and its Member States welcome further progress on reporting since SBI 2, and would like to thank the CBD secretariat for the further analysis of the reports received.

The EU and its Member States have maintained their efforts to fulfil their commitment towards CBD resource mobilisation targets. Together, we make a strong contribution to the global international target agreed in Hyderabad and reiterated in PyeongChang. Overall, we have generally doubled our contribution.

Ensuring progress towards other resource mobilisation targets remains important, in particular concerning domestic resource mobilisation.

We would like to recall that meeting the targets on resource mobilization is a collective effort by all parties. Whilst there has been clear progress on reporting generally, further efforts are needed in the lead to 2020, in particular under the targets 1(c), 1(d) and 1(e).

An insufficient information basis from the financial reporting frameworks submitted by Parties clearly limits possibilities to comprehensively assess progress towards achieving resource mobilisation targets. It will be also important to feed this experience in the discussions on post-2020.

The EU and its Member States agree that resource mobilization needs to be an integral part of a post-2020 global biodiversity framework. This needs to 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. The need to tackle the remaining methodological difficulties, and to ensure methodological convergence; and the need to develop synergies with the 2030 agenda for sustainable development.

In this context, we would like to underline in particular the co-benefits offered by projects jointly addressing biodiversity protection and other environmental issues, including climate change, desertification or deforestation.

Regarding collective action by indigenous peoples and local communities, the EU encourages collaborative projects between governments and Indigenous Peoples and Local Communities, and their organizations of the Plan of Action on Customary Sustainable Use, which could be reported as collective action under the resource mobilization framework. It is important to put attention to qualitative methods for reporting and valuation in this work.

The Voluntary Guidelines on biodiversity safeguards represent important progress, and they now need to be piloted and implemented in practice, to address effectively the potential impacts of some financing mechanisms on different elements of biodiversity, as well as their potential effects on the rights and livelihoods of indigenous peoples and local communities.

The EU and its Member States support the Checklist of Safeguards contained in the annex, and welcome including specific safeguards on Indigenous Peoples and Local Communities within the post-2020 biodiversity framework

In conclusion, Mr Chair, the EU and its Member States support the suggested draft decision and the revised list of elements of methodological guidance.

However, we have also noticed that there are elements related to resource mobilisation in relation to the post-2020 framework in the decision related to the financial mechanism. We would however like to flag already that they will be important elements to discuss in the post-2020 process, but it is too early to take decisions on these issues here in Sharm El-Sheikh.

### **COP 14 Agenda item 10: Capacity-building and technical and scientific cooperation**

I am speaking on behalf of the European Union and its Member States.

The European Union and its Member States take note of the progress report on the implementation of the short-term action plan (2017-2020).

We welcome the proposed process for the development of a long-term strategic framework for capacity building beyond 2020, with the addition of a paragraph on the contribution from the Liaison Group on Capacity-Building for Biosafety that will be introduced in our intervention for COP-MOP 9 item 8 on capacity building.



We emphasize the need for a solid knowledge base to inform priorities and delivery mechanisms, and also welcome the invitation to Parties, indigenous peoples and local communities and relevant organizations to contribute to this process.

We further, emphasize 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.

The EU is of the opinion that there is a need for full open access data and open source tools which are a requirement for any effective capacity building as well as technical and scientific cooperation and we will introduce a new paragraph in writing to reflect this.

The EU proposes to delete annex II of the draft decision as there is no reference to this annex in the draft decision.

Thank you Sir/ Madam Chair.

### **COP 14 Agenda item 11: Knowledge management and communication**

Dear Chair/Sir,

The EU would like to reiterate that documents for consideration during COP and COP-MOPs should be ready on time in order to enable Parties to prepare for the meetings.

The EU is of the opinion that there is a need to map the existing initiatives that are feeding the CBD and to improve orchestration between the main data providers as stressed by the ambitious web strategy. To further ensure full traceability and transparency of the quantitative information presented, full open access of the underlying data and tools should be a requirement.

We are supportive of the joint modalities of the Clearing Houses of the Convention and its Protocols as annexed to the draft decision, and recommend that the COP endorses the joint modalities.

The experience gained in InforMEA, DART, the EC's Digital Observatory for Protected Areas (DOPA), GBIF and the Knowledge Hub of the United Nation's Convention to Combat Desertification should be included in a knowledge management component of a post-2020 global biodiversity framework to guide the future development of the Clearing Houses of the Convention and its Protocols. The Executive Secretary should work together with the CHM-IAC in developing this component.

Further, the EU and its Member States support the new developments mentioned in the progress report on knowledge management, and invite the Executive Secretary to continue the implementation of the Web strategy in a second phase until COP 15.

We would also request that the Secretariat again provides an update of the Web strategy on priority actions taken based on COP 14, COP-MOP 3 and COP-MOP 9 decisions, to be submitted to SBI 3 and COP 15.



With respect to the communication framework, the EU reiterates its importance for ensuring the coherence of communication from the CBD Secretariat, as well as from IPBES and other MEAs.

- A coherent communication around the IPBES report, GBO 5, the decade for Biodiversity 2011-2020 and related products will be essential in the running up towards COP15, to put biodiversity high on the political agenda. We believe that the Secretariat should develop, in collaboration with IPBES and other MEAs, themes and background material to help Parties, other governments, and relevant organisations organise communication and public awareness campaigns to raise awareness about the current state of biodiversity as well as the discussion towards the post 2020 framework.

The EU recommends that communication should target increasing awareness of and action for biodiversity and its values globally. This should be reflected in a communication component as part of a post-2020 biodiversity framework.

We request the secretariat to prepare, on time, a progress report on the activities carried out by the Secretariat towards the implementation of the framework for a global communications strategy to be submitted to COP 15, as the progress report for COP 14 was published far too late.

We will hand in our comments in writing

#### **COP 14 Agenda item 12: Mechanisms for national reporting, assessment and review**

I am speaking on behalf of the European Union and its Member States.

We support the alignment of national reporting under the Convention and its Protocols after 2023 and the draft decisions as proposed.

We support relevant initiatives to streamline reporting such as the development of the Data and Reporting Tool under InforMEA. We also recall the importance of taking into account the ongoing reporting processes related to Agenda 2030 and SDGs.

We recognize the crucial role to be played by national reporting in a post-2020 global biodiversity framework.

We suggest moving the bracketed “subject to the availability of resources” under paragraph 3 on reporting, to sub-paragraph 3(b), as sub-paragraph 3(a) is part of the core funding.

We agree on the importance of sound evaluations of the effectiveness of policy instruments and measures, in particular NBSAPs.

Capacity building is necessary for properly evaluating effectiveness of measures, and this need can be addressed in the context of a long-term strategy for capacity building as well as the follow-up to the Strategic Plan for Biodiversity 2011-2020, both to be decided at COP 15.

We agree on the need to further develop the multidimensional review approach under the Convention, including voluntary peer review as one of its elements. We also support that a periodic, open and transparent review process should accompany the implementation of a post-2020 global biodiversity framework and be part of that framework.

Thank you Sir/ Madam.

**COP 14 agenda item 13: Enhancing integration under the Convention and its Protocols with respect to provisions related to access and benefit-sharing, biosafety, and Article 8(j) and related provisions**

The EU and its Member States stress the important role of the WG on Article 8(j) to ensure the full and effective participation of IPLCs in the work of the Convention.

Regarding the future work on this issue, we welcome the additional information provided by the Secretariat at the request of WG 10 regarding existing and possible future institutional arrangements, as well as experiences and lessons learned from other related intergovernmental organizations and conventions. With the information provided, the EU and its Member States consider the options identified in §9 of the recommendations from WG 10 a good basis on which to consider the issue further.

In this context we nevertheless want to emphasize that any further work should be organized in a way that ensures continuity, building on the accomplishments of the work in the WG on Art. 8j, the full and effective participation of IPLCs, an increased focus on implementation, as well as the efficient use of human and financial resources.

With the adoption of the Rutzolijirisaxik Voluntary Guidelines for the Repatriation of Traditional Knowledge Relevant for the Conservation and Sustainable Use of Biological Diversity under the previous agenda item (item19) we have completed the work on task 15, and can thereby lift the remaining brackets of the draft decisions related to Article 8(j) and related provisions under agenda item 13.

We support the draft decision without any amendments.

**COP 14 Agenda item 14: Cooperation with other Conventions, international organisations and initiatives**

I am speaking on behalf of the European Union and its Member States.

Cooperation and synergies between the CBD, the other Rio Conventions, the biodiversity-related MEAs and relevant organisations and initiatives are crucial for implementing the Strategic Plan, 2030 Agenda and the SDGs, as well as for the development and implementation of the post 2020 global biodiversity framework.

We thank all those that have actively been contributing to such cooperation and synergies, including the Executive Secretary and the informal advisory group on synergies. We support the continuation of this work and are happy to support the draft Decision as recommended by SBI. However, there are some linkages with the preparatory process for the post 2020 global biodiversity framework, so we propose to check consistency after concluding those discussions.

**COP 14 Agenda item 16: Second work programme of the Intergovernmental Platform on Biodiversity and Ecosystem Services**

The EU and its Member States welcome the progress that has been achieved during the first work programme of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services.

We fully support the COP 14 draft decisions (CBD/COP/14/2) on the IPBES strategic framework and work programme towards 2030.

[In case this view is challenged by other Parties in their interventions, we may add the following sentence, as appropriate]: We see no need to reopen the discussion on these recommendations.

The EU and its Member States emphasise that the rolling work programme of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services should be relevant to and supporting the post-2020 global biodiversity framework and other international biodiversity-relevant processes. We encourage ongoing exchange of information between CBD and IPBES and further requests from the Convention as they may arise during the development and implementation of the post-2020 global biodiversity framework.

We welcome the efforts of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services in fostering cooperation, exchange and joint activities with the International Panel on Climate Change and other assessment processes involved in both bodies.

**COP 14 Agenda item 17: Long-term strategic directions to the 2050 Vision for Biodiversity, approaches to living in harmony with nature and preparation for the post-2020 global biodiversity framework**

Scenarios towards 2050:

As regards the part of the Decision on scenarios towards 2050, the EU and its MS support the draft Decision as recommended by SBSTTA 21 without further amendments. Scenarios and models can be a very effective tool in informing and communicating the rationale behind post-2020 global biodiversity framework, including targets and associated policy options.

On the preparatory process for the 2020 global biodiversity framework

The EU and its Member States are 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. Therefore, we call for the adoption of an ambitious follow-up to the current Strategic Plan that provides an overarching biodiversity framework across the UN and for all stakeholders towards the 2050 Vision on biodiversity.

We need to strengthen implementation and put biodiversity high on the political agendas. Therefore the framework 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.

We warmly welcome the Sharm El-Sheikh – Beijing Action Agenda for Nature and People launched by Egypt, China and the CBD Secretariat for commitments and contributions from stakeholders across sectors. Business should have a strong role given their impacts on and dependencies on biodiversity.

We would like to add to this a process for launching voluntary commitments from Parties individually or in coalitions at, or if Parties are ready to do so, before COP 15 to meet biodiversity challenges. Such commitments would be integrated in an overall implementation and monitoring process and accompanied by an open and transparent review process.

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 fully engage, the Rio-Conventions, the biodiversity-related multilateral environmental agreements, IPLCs, stakeholders, including the private sector.

The process should allow full integration of the future work of the WG8j as part of the post 2020 global biodiversity framework.

The process should be Party driven, fostering engagement by *all* Parties in an effective and cost-efficient way.

We now need to agree on a clear way forward. We support the draft Decision as recommended by SBI without amendments and look forward to further discuss the annex that sets out the preparatory process in more detail.

#### On Strategic Directions towards the 2050 Vision

The EU and its Member States underline the following long-term strategic directions to the 2050 Vision:

- We welcome the SBSTTA conclusions regarding scenarios for the 2050 vision as an important starting point for defining targets for the post-2020 global biodiversity framework. It will be necessary to foster a broader common understanding on what the 2050 vision means in more detail, both for wider communication and for engagement with experts..
- ‘Halting biodiversity loss’ is a key step on the path towards ‘living in harmony with nature’. When defining ‘halting biodiversity loss’ in more detail, the EU+MS find it useful to consider the following three dimensions: extinction risk, abundance and intactness or ecosystem condition/resilience/health. Further work is needed to define an easy-to-communicate overarching target/ objective/ message.
- A strong communication campaign at all levels from global to local level will be crucial. It should increase visibility of the biodiversity crisis and highlight the urgency and the necessity of stepping up action.
- We have to recognise the scale of the challenges that we face and the need to take commensurate and effective action to achieve the 2050 Vision.
- An encompassing approach that addresses all key direct and indirect drivers of biodiversity loss is needed, recognising regional differences. A narrow focus will not suffice.

## **COP 14 Agenda item 19: Article 8(j) and related provisions**

I am speaking on behalf of the European Union and its Member States.

We welcome the revised draft of *the Rutzolijirisaxik Voluntary Guidelines for the Repatriation of Traditional Knowledge Relevant for the Conservation and Sustainable Use of Biological Diversity* and recommend their adoption by the Conference of the Parties.

We also welcome the revised *Glossary of relevant key terms and concepts within the context of Article 8(j) and related provisions*, and recommend its adoption by the Conference of the Parties. Further, we would support the deletion of the bracketed text in the Glossary itself.

We will submit in writing our suggested amendments.

## **COP 14 Agenda item 20: Sustainable Wildlife Management**

The EU and its Member States support the draft recommendation on sustainable wildlife management adopted by the Subsidiary Body on Scientific, Technical and Technological Advice during its 21<sup>st</sup> meeting in December.

The EU and its Member States welcome the voluntary guidance for a sustainable wild meat sector in tropical and sub-tropical habitats and in the context of wild meat, food security, and livelihoods and recognize the important role that indigenous peoples and local communities play in the sustainable use and management of wildlife.

Subject to resources becoming available, the EU and its Member states look forward to seeing the report by the Executive Secretary on the progress of activities listed in paragraph 9 (a) through (d) of Subsidiary Body on Scientific, Technical and Technological Advice recommendation XXI-2.

## **COP 14 Agenda item 21: Biodiversity and climate change**

The EU and its Member States would like to thank the secretariat for their very good work done which resulted in the draft decision for agenda item 21 Biodiversity and climate change recommended by SBSTTA 22.

The EU and its Member States underline the strong interlinkages and interdependencies between the objectives of the CBD, the UNFCCC and its Paris Agreement, the UNCCD and the Sendai Framework on Disaster Risk Reduction, as well as how these objectives can be achieved.

The EU and its Member States highlight that ecosystem restoration and conservation and ecosystem-based approaches to climate change mitigation and adaptation can significantly contribute, in a cost effective manner, to countries efforts to hold 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.

Current pledges to reduce GHG emissions if implemented lead to a 3°C world. Yet, already the impacts of global warming of 1.5° C above pre-industrial levels will mean irreversible damage for unique ecosystems such as coral reefs with heavy unprecedented consequences for societies and economies. If urgent action is taken we still have a chance to stay below 1.5 C before the window of opportunity closes. Pathways limiting global warming to 1.5 .C would require rapid and far reaching transitions in energy, land, urban, infrastructure and industrial systems, and might be done through fast transformational systemic change, accompanied by swiftly and significantly stepping up the implementation of existing solutions already proven to succeed. Our children deserve it.

The voluntary guidance on ecosystem-based approaches to climate change adaptation and disaster risk reduction can be very useful to boost implementation of these approaches. With this in mind the EU and its Member States support the adoption of the voluntary guidelines for the design and effective implementation of ecosystem-based approaches to climate change adaptation and disaster risk reduction.

The findings of the IPCC special report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty are highly relevant for biodiversity issues. Biodiversity loss and climate change are interlinked and interdependent. We cannot solve biodiversity loss without tackling climate change and vice versa.

*[placeholder: Paragraph 13 takes up the link between climate change and biodiversity within a new post-2020 global biodiversity framework. Final wording will be aligned with the final EU PP on item 17 (post-2020).]*

Considering this the EU and its Member States strongly support lifting the brackets of paragraphs 12 and 13 of the draft decision.

### **COP 14 Agenda item 22: Mainstreaming of biodiversity within and across sectors**

I am speaking on behalf of the EU and its Member States;

We thank the Secretariat for preparing the documents and we are grateful to the Government of the Arab republic of Egypt for hosting the high level segment to discuss mainstreaming biodiversity into the sectors of mining, infrastructure, manufacturing and processing, and health, and support the Sharm el-Sheikh Declaration;

We stress that effective mainstreaming of biodiversity into, and across sectors is pivotal for implementing the objectives of the Convention and the Aichi Biodiversity Targets, for achieving the SDGs and for contributing to the implementation of the Paris Agreement;

The EU and its Member States recognize that mainstreaming biodiversity in health is essential for the achievement of the Strategic Plan for Biodiversity 2011-2020 and the goals and objectives of different multilateral agreements and international processes, including the 2030 Agenda and its Sustainable Development Goals;

We also support the development of a global action plan to mainstream biodiversity and health linkages into relevant policies, strategies, programmes and accounts in cooperation with relevant organisations, such as the WHO and other stakeholders;



We also underline the urgency of effective mainstreaming of biodiversity into the sectors of energy and mining, infrastructure, manufacturing and processing and we support a strong COP 14 decision giving priorities, to complement the COP 13 Decision on mainstreaming;

We call for sustainable consumption and production, including responsible and sustainable sourcing of raw materials from all countries and stress the need for responsible and sustainable governance of the relevant sectors;

We recognize 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;

We welcome the revised typology of actions and associated guidance for reporting on biodiversity related business actions, and encourage their use;

We support the establishment of a long-term strategic approach on mainstreaming under the CBD as described in annex I of the draft decision as well as a component for mainstreaming biodiversity in a post-2020 global biodiversity framework as one of its key elements;

We also support the establishment of an Informal Advisory Group on Mainstreaming of Biodiversity to advise the CBD Executive Secretary and the Bureau on the development of this strategic approach;

We welcome the FAO engagement for mainstreaming biodiversity, including the platform on this issue;

Furthermore, we recall that achieving Aichi Target 3 on phasing out harmful incentives and developing positive incentives for the conservation and sustainable use of biodiversity is strongly linked to effective mainstreaming of biodiversity;

Finally, we reaffirm that NBSAPs are the main instruments for implementing the Convention and are also essential for mainstreaming of biodiversity into and across all relevant sectors;

Thank you Mr Chair. [We are happy with the draft decision as is, but as the decision has been opened by another Party, the EU and its Member States will propose a small amendment to subparagraph 11 e) in order to improve the language.]

[We are happy with the draft decision as is, but we reserve the right to propose a small amendment to subparagraph 11 e) in order to improve the language in case the decision gets opened by another Party.]

### **COP 14 Agenda item 23: Conservation and sustainable use of pollinators**

Supportive to adopt the updated and streamlined Plan of Action for the International Initiative, prepared together with the Food and Agriculture Organization of the United Nations and other partners for implementation according to national circumstances.



Welcomes the summary of information on the relevance of pollinators and pollination to the conservation and sustainable use of biodiversity in all ecosystems beyond their role in agriculture and food production contained in annex II.

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.

Call for effective measures to tackle the decline of pollinators on all levels – global, EU as well as national level.

Recently adopted Commission Communication on the EU initiative on pollinators - its objectives (calls for an integrated approach and a more effective use of existing tools and policies) and 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.

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.

Importance of addressing knowledge gaps and building and distributing knowledge on pollinators more equally – importance of awareness raising for all citizens.

Importance of long-term monitoring activities on pollinators so as to assess their status and trends as well as addressing knowledge gaps where it is most urgent.

Supportive to lift the brackets in annex I, II 10 and III A.1.2.2.

Supportive to lift the brackets in annex II, C21 with proposed amendments.

**COP 14 Agenda item 24: Spatial planning, protected areas, and other effective area-based conservation measures**

The EU and its Member States welcome progress made in establishing, managing and improving the governance of protected areas as a key strategy for biodiversity conservation.

We further welcome the definition of and the criteria for OECMs and recognise 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.

We would like to stress that any OECMs should contribute to, and not undermine, the objectives related to protected areas.

We would also like to emphasise the importance to integrate protected areas and OECMs into spatial planning processes.

Finally, we recognise the relevance of experience 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.

### **COP 14 Agenda item 25: Marine and coastal biodiversity**

Good afternoon Mr./Madam Chair, thank you for giving me the floor to speak on behalf of the European Union and its Member States on the item of marine and coastal biodiversity. I would like to reaffirm our intention to work constructively with you, the Secretariat and all delegations on a successful marine outcome for this COP.

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. This assertion has been confirmed on numerous occasions by the United Nations General Assembly and is essential to the EU and its Member States. The EU and its Member States hence support the preambular paragraph between brackets, with an update to the most recent UNGA resolution.

The EU and its Member States welcome the results of the EBSA workshops for the Black Sea, Caspian Sea and the Baltic Sea and agree with the request to the Secretariat to include the summaries of these workshops in the repository.

Regarding Annex II the EU and its Member States are of the opinion that if an agreement is reached during COP 14, the annex should be endorsed. Simply taking note of them will make it confusing as to whether these modalities are to be applied or not. The EU and its Member States have a number of ideas to strengthen and clarify the modalities.

Firstly, the EU and its Member States are of the view that we should use commonly agreed CBD language, i.e. "Traditional knowledge".

Regarding the modification process for EBSAs in areas beyond national jurisdiction: the EU and its Member States are in favour of such modalities, on the condition that these are in accordance with UNCLOS. Hence we will make proposals in this sense.

Regarding the modification process for EBSAs in areas inside national jurisdiction: the EU and its MS would also agree to have such a procedure set out in the annex. The decision to establish and modify an EBSA description within national jurisdiction is solely a matter for the Party within whose jurisdiction the EBSA or part of the EBSA lies. States may carry out this process through a national process or through a collaborative exercise, if the State so wish, with full involvement of the State throughout that exercise. We will make concrete proposals on this part of the annex.

Coming back to the operative part of the decision, the EU and its Member States support a paragraph calling for collaboration and information sharing. The purposes for which those interlocutors should use the information should be broad and we will be sending in a proposal to reflect this.

Mr./Madam Chair, turning closer to home, the EU and its Member States would like to propose a new paragraph encouraging Parties to submit EBSA descriptions in the North-East Atlantic.

Mr./Madam Chair, The EU and its Member States welcome the mentioning of other matters in the draft COP decision.

We support the call to prevent, minimize and mitigate the impact of marine debris, in particular plastic pollution and the need for the UNEA's Expert Group on Marine Litter to be informed of the work undertaken by the CBD. All international agreements with a mandate to tackle this pollution should work on a coordinated approach.

With regards to underwater noise, the EU and its Member States are concerned that this pressure has substantially increased. There is an urgent need to avoid, minimize and mitigate the impacts of anthropogenic underwater noise on marine and coastal biodiversity. Coordinating the various uses of the marine environment through means like Marine Spatial Planning becomes more relevant.

We have a number of small amendments on this part of the draft decision, which we will also send in.

The EU and its Member States are looking forward to fruitful discussions and a successful marine biodiversity decision at COP 14.

#### **COP 14 Agenda item 26: Invasive Alien Species**

The EU and its Member States support the draft recommendation on invasive alien species adopted by the Subsidiary Body on Scientific, Technical and Technological Advice during its last meeting in July 2018 and notes some improvements on tackling the Invasive Alien Species threat on global biodiversity. However, much further work is needed as Aichi Target 9 has one of the lowest progress rate of all targets by CBD Parties.

The EU and its Member States welcome the supplementary voluntary guidance for avoiding unintentional introductions of invasive alien species with trade in live organisms to be supplemented to the previous Guidance on devising and Implementing Measures to Address the Risk Associated with the Introduction of Alien Species as Pets, Aquarium and Terrarium Species, and as Live Bait and Live Food.

The EU and its Member States support the establishment of an open online forum and, subject to the availability of resources, an Ad Hoc Technical Expert Group, which shall provide advice or develop elements of technical guidance on management measures on invasive alien species to be implemented by broad sectors to facilitate achieving Aichi Biodiversity Target 9 and beyond. We also request that the results of their work should be considered by the Subsidiary Body on Scientific, Technical and Technological Advice at a meeting to be held prior to the fifteenth meeting of the Conference of the Parties.

#### **COP 14 Agenda item 27: Synthetic Biology**

The European Union and its Member States support the continuation of work on Synthetic Biology under the Convention on Biological Diversity (CBD).

We consider SBSTTA 22 Recommendation (CBD/SBSTTA/REC/22/3) on synthetic biology a good compromise, which also takes into account the parallel negotiations on risk assessment and risk management of LMOs under the Cartagena Protocol. We are therefore against reopening the text which has been adopted by SBSTTA.

We reiterate the need for a coordinated, focused and non-duplicative approach on issues related to synthetic biology under the Convention and its Protocols.

Concerning the text which is still bracketed, the European Union and its Member States are ready to contribute to reaching an acceptable solution and wish to make the following proposals.

We stress the need to give priority to the process of identification of new developments in synthetic biology, including certain applications of synthetic biology that may result from genome editing, in order to support a horizon scanning process. As regards para 3 of SBSTTA 22 recommendation, we therefore propose to remove the square brackets in this para with the addition of the word “may” before the word “result”.

With regard to the text of paragraph 4, we agree that it is important to establish a process and modalities for regular horizon scanning, monitoring and assessment of new developments in the field of synthetic biology. However, we consider it premature to decide to adopt such a process and modalities without a proposal on how this will be carried out. We therefore propose to request the AHTEG to consider options and develop a proposal for such process and modalities to be submitted for the consideration by SBSTTA before COP 15. Pending the establishment of such process and modalities, the AHTEG will take stock of new developments in synthetic biology in order to support a regular horizon scanning process. We suggest to amend paragraph 4 and the Terms of Reference of the AHTEG on synthetic biology accordingly.

The EU and its Member States reaffirm 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 we recognise that while there could be potential positive effects for human health and for the three objectives of the Convention, there could also be potential adverse impacts on biodiversity arising from organisms containing engineered gene drives. Therefore, in para 10, we propose a compromise solution consisting in calling Parties and other Governments to refrain from the release, including experimental release, of organisms containing engineered gene drives, unless adequate risk assessment has been performed and appropriate risk management measures put in place.

We will submit our proposals to the Secretariat in writing.

#### **COP 14 Agenda item 28: Liability and Redress**

Thank you Chair

I speak on behalf of the European Union and its Member States.

The EU and its Member States underline the importance of the entry into force of the Nagoya – Kuala Lumpur Supplementary Protocol on 5 March 2018. The Supplementary Protocol is aimed at the prevention, minimisation or containment of environmental damage, as well as at the restoration of the damaged natural resources and biological diversity to their baseline condition or, if not feasible, at creating the nearest equivalent alternative.

The Supplementary Protocol has been implemented by the EU through the Environmental Liability Directive, together with the transposing of national environmental liability legislation at Member States level.

We appreciate the note prepared by the Secretariat as well as the draft recommendation which is acceptable for us. However, we propose a minor drafting improvement in paragraph 36 (c) concerning the wording “appropriate”.

We will submit in writing our suggested amendment to the draft recommendation.

Thank you Madame Chair.

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**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)**

**(Sharm el-Sheikh, Egypt, 17-29 November 2018)**

**COP MOP 9 Agenda item 8: Capacity Building**

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 progress report on the implementation of the short-term action plan (2017-2020) to enhance and support capacity-building for the implementation of the Convention and its Protocols and reiterate the need to continue capacity-building activities for the implementation of the Cartagena Protocol.

We also agree with the priorities for capacity building as outlined in the draft decision.

We welcome the proposed process for the development of a long term strategic framework for capacity building for the period post2020 and the invitation to Parties, indigenous peoples and local communities and relevant organizations to contribute to this process. However, we believe that the SBI recommendation is not reflected correctly in the draft decision with regard to this invitation.

We furthermore support the development of an Action Plan for Capacity Building for Biosafety for the Cartagena Protocol for the period post 2020 with the assistance of this Group to complement the long-term strategic framework for capacity-building beyond 2020.

To reflect this in the draft decision, the EU would like to add some wording to the paragraph 8 based on the SBI decision.

We see the involvement of the Liaison Group on Capacity Building for Biosafety as crucial, as this group has already provided valuable input to the various processes under the Protocol.

In this regard there is a need to adapt the indicative time schedule for activities as foreseen in the draft decision on Item 10 of COP 14, in order to reflect the decision to be taken by COP MOP 9, namely contribution by the Liaison Group on Capacity Building for Biosafety to the development of the long-term strategic framework for capacity-building beyond 2020.

As the draft decision is currently lacking a time schedule for the development of an Action Plan for Capacity Building for Biosafety we propose an indicative schedule of activities for the process in line with the time schedule proposed in the draft decision on Item 10 of COP 14.

To this end we propose some changes in the text of the decision that will be provided to you in writing.

## **COP MOP 9 Agenda item 9: 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 regard the Biosafety Clearing-House as the essential tool for the implementation of the Cartagena Protocol.

We therefore appreciate the activities undertaken and progress made by the Secretariat regarding the implementation and operation of the Biosafety Clearing-House.

However, the EU and its Member States note with concern that important activities requested in decision CP-VIII/2 have not been undertaken, presumably due to a lack of human and financial resources.

The EU and its Member States therefore request the Executive Secretariat to allocate specific resources for the further improvement and maintenance of the Biosafety Clearing-House.

The EU and its Member States support the draft decision regarding the operation and activities of the Biosafety Clearing-House including the joint modalities of operation for the central clearing-house mechanism, the Biosafety Clearing-House and the Access and Benefit-sharing Clearing-House, as included in the Annex to the draft decision.

We propose some changes in the text of the decision that will be provided to you in writing.

## **COP MOP 9 Agenda item 10: Monitoring and Reporting (Article 33) and Assessment and Review of the Effectiveness of the Protocol (Article 35)**

### **- Monitoring and Reporting (Article 33): Revised draft format for the fourth national report under the Cartagena Protocol on Biosafety**

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

The EU and its Member States appreciate the work of the Executive Secretary to develop a revised format for the fourth national reports.

The European Union and its Member States support the draft decision on Monitoring and Reporting including the adoption of the updated draft format for the 4th national report under the Cartagena Protocol on Biosafety as included in the Annex to the draft decision.

We also urge Parties to submit their 4th national report in a timely manner as this will be crucial for measuring progress in the implementation of the Protocol and the final evaluation of the Strategic Plan of the Protocol.

### **- Process for aligning national reporting under the convention and its Protocols post-2020**

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

The EU and its Member States support the alignment of national reporting under the Convention and its Protocols after 2023.



The EU and its Member States support the draft decision including the recommendation to continue exploring options for increasing synergies in national reporting among the biodiversity-related conventions and the Rio conventions.

- **Assessment and Review**

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

The EU and its Member States support the proposed process for the 4th Assessment and Review of the Cartagena Protocol and agree that this should be combined with the final evaluation of the Strategic Plan for the period 2011-2020.

**COP MOP 9 Agenda item 11: Enhancing Integration under the Convention and its Protocols with respect to Biosafety-related Provision**

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

The EU and its Member States support the proposed ways and means for enhanced integration.

Enhancing integration is an important topic. Therefore we propose a separate decision from COP MOP 9 to echo the respective decision of COP 14.

Our proposal will be provided to you in writing.

**COP MOP 9 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 report, contained in document CBD/CP/MOP/9/6, 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 intersessional period, and believe that those activities are an important element in the implementation of the Cartagena Protocol.

We therefore think that cooperation should be reflected in the specific follow-up to the Strategic Plan for the Cartagena Protocol and the post-2020 global biodiversity framework, as appropriate, to ensure the continuity of cooperation efforts for the period after 2020.

**COP MOP 9 Agenda item 14: Preparation for the follow-up to the Strategic Plan for Biodiversity 2011-2020 and the Strategic Plan for the Cartagena Protocol on Biosafety (2011-2020)**

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

We think that it is important to include biosafety in the post-2020 global biodiversity framework also and think that it is absolutely necessary 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 the post 2020 global biodiversity framework.

We fully agree with the elements of the proposed process for the development of the post-2020 global biodiversity framework. However we would like to see the process for the development of a follow-up to the current Strategic Plan for the Cartagena Protocol described in more detail, especially concerning the involvement of the Parties.

We think that a notification should be issued by the Executive Secretary to the Parties, other governments, indigenous peoples and local communities and relevant organisations to submit their views on the content and structure of the follow up to the current Strategic Plan for the Cartagena Protocol.

Regarding the development of a follow up to the Strategic Plan for the Cartagena Protocol we agree that it should be focused on implementation and that elements which have proven to be useful should be kept. We also think that new elements might be necessary to reflect lessons learned and take into account new developments. In accordance with COP-MOP Decision VIII/15 we agree that indicators should be simple and easily measurable.

We suggest a working title for the follow up document to the Strategic Plan for the Cartagena Protocol, namely “Implementation Plan for the Cartagena Protocol post-2020”.

We ask the ES to convene an online discussion to give Parties and other stakeholders the possibility to comment on a first draft of the Implementation Plan for the Cartagena Protocol post-2020.

As for the development of the relevant elements of the post-2020 Global Biodiversity Framework, we believe that the involvement of experts on the Cartagena Protocol, including those with expertise on the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress, is very important.

In this respect we think that dedicated sessions during the respective regional and global workshops for the work on biosafety aspects of the post-2020 global biodiversity framework, including those that are related to the Cartagena Protocol, are necessary.

We agree that the Liaison Group on Capacity Building for Biosafety should play an important role in providing input relevant for biosafety when developing the post 2020 global biodiversity framework as well as in the development of the Implementation Plan for the Cartagena Protocol post-2020.

In this respect we also think that - as the COP-MOP has changed and expanded the mandate of the Liaison Group - its name is no longer appropriate and should be changed to “Liaison Group for the Cartagena Protocol on Biosafety”.

However, we believe that involving the Compliance Committee in the development of the Implementation Plan for the Cartagena Protocol post-2020 would go beyond the mandate of the Committee.

To reflect our position we propose some changes in the text of the draft decision that will be provided to you in writing.

## **COP MOP 9 Agenda item 15: Risk Assessment and Risk Management (Articles 15 and 16)**

The European Union and its Member States support the continuation of work on Risk assessment and Risk Management of living modified organisms (LMOs) under the Cartagena Protocol.

We consider the SBSTTA 22 Recommendation (CBD/SBSTTA/REC/22/2) as a well-balanced compromise, which is a result of long and careful deliberations. It therefore should be adopted as a COP-MOP decision and we strongly oppose reopening the text.

Concerning the two issues still in square brackets (genome editing, serious or irreversible adverse effects) the European Union and its Member States are ready to work constructively towards finding acceptable compromise solutions.

In order to solve the set of square brackets in para (e) (i) of annex I, we propose the following compromise solution: the potential to cause adverse effects on biodiversity should be phrased more broadly so that it is clear that biodiversity as a whole is the protection goal. It could then be added that those adverse effects, which are causing serious or irreversible effects would be looked at in particular. We will submit our concrete proposal to the Secretariat in writing.

With respect to the set of square brackets around genome editing in paras 5, 7, 11(a) and 12, as well as in paras (a) and (c) of annex II of the SBSTTA 22 Recommendation we continue to believe that genome editing is a broad set of techniques and as such it has a very wide range of applications and can be used to develop organisms with very different properties. We therefore think that the process outlined in SBSTTA Recommendation 22/2 should focus on specific topics and well-defined examples of LMOs, such as living modified organisms containing engineered gene drives and living modified fish. We therefore also think that the broad range of genome editing should not be part of the structured process outlined in the SBSTTA 22 Recommendation. However, we are ready to work constructively towards finding acceptable compromise solutions.

## **COP MOP 9 Agenda item 16: Unintentional transboundary movements and emergency measures (Article 17)**

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

The European Union and its Member States support the approval of the draft training manual on the detection and identification of LMOs as a tool for capacity building.

Paragraph 7 of the draft decision should undergo editorial change in order to better align the text with the terms used in the Cartagena Protocol.

Paragraph 8 should be edited in order to differentiate between the activities that will require additional funding and those which will not.

We also support the other measures envisioned in the draft decision.

Our proposal will be provided to you in writing.

## **COP MOP 9 Agenda item 17: Transit and contained use 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 acknowledge the work done by the Compliance Committee in the field of Transit and Contained Use of LMOs and take note of the information provided by the Parties and other Governments on that topic.

We believe that Transit and Contained Use of LMOs continues to be an important element in the implementation of the Cartagena Protocol.

We therefore can support the draft decision proposed by the Executive Secretary, but we would like the positions of paragraphs (b) and (c) to be switched in order to improve the readability of the text.

## **COP MOP 9 Agenda item 18: 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 think that the guidance developed by this group constitutes a good basis to carry out assessments of socio-economic considerations in the context of Article 26 of the Protocol.

We also believe that the guidance could profit from adding information on science- and evidence-based methodologies and examples of applications of socio-economic assessments.

We therefore support extending the AHTEG and believe that its mandate should be aimed at completing its work accordingly.

In order to allow the AHTEG to do this work as efficient as possible we think that a face-to-face meeting should be organized, subject to the availability of funds, and therefore would like to include an invitation to Parties, other governments and relevant organisations to provide these funds in the decision.

To this end we propose some changes in the text of the decision that will be provided to you in writing.

## **COP MOP 9 Agenda item 19: Nagoya Kuala Lumpur Supplementary Protocol on Liability and Redress**

The EU and its Member States:

- Welcome the entry into force of the Nagoya Kuala Lumpur Supplementary Protocol on Liability and Redress.
- Support concrete steps towards the subsequent efficient implementation by Parties.
- Agree to request the Secretariat to the Biodiversity Convention to undertake a comprehensive study on financial security in accordance with paragraph 3 of Article 10 of the Supplementary Protocol.
- Member States are committed to continue the process of ratifying, accepting, approving or acceding to the Protocol following the requirements of national legislation.

- Also encourage the Parties that have not done it to ratify, accept, approve or accede to the Supplementary Protocol.
- Implement the requirements of the Supplementary Protocol through the provisions of Directive 2004/35/EC and its transposition in national law.
- Are prepared to continue to work, together with our CBD partners and share experience, towards development of measures to support the ratification and efficient implementation of the Supplementary Protocol, in particular as regards capacity building activities that focus on the implementation of the Supplementary Protocol.
- Note the activities carried out aiming at raising awareness and understanding of the objective and requirements of the Supplementary Protocol and therefore we will continue being supportive of the CBD Secretariat (SCBD) efforts to conduct capacity-building and awareness raising activities with a view to promoting the accession to, and the implementation of the Supplementary Protocol.

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**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)**

**COP MOP 3 Agenda item 7: Assessment and review of the effectiveness of the Protocol (Article 31)**

The EU and its Member States would like to thank the Executive Secretary for the excellent preparatory work for this item and express its gratitude to the members of the Compliance Committee for their valuable contribution.

We welcome efforts made so far by the Parties to make the Nagoya Protocol operational; we note however that further substantive work and efforts are needed to implement the Protocol and make it fully operational. This is the primary conclusion that can be drawn from the analysis of various sources of information gathered, including national interim reports.

In particular further work is needed in relation to establishment of compliance measures, ensuring participation of indigenous peoples and local communities in implementation of the Protocol, establishing necessary institutional structures and publishing relevant information on the ABS Clearing House.

We welcome the inclusion in the draft decision of surveys of ABS focal points, providers and users of genetic resources as we believe they are at the forefront of the Protocol implementation and may provide us with valuable perspective on implementation challenges.

The EU and its Member States note that the review and the assessment takes place when the implementation of the Protocol is still at early stage and it is thus in our view premature to reach conclusions on effectiveness of the Protocol in achieving its objective.

We support the elements proposed by the Executive Secretary concerning the second assessment and preparation of the methodology for such assessment. With regard to the development of the methodology we would like however to see stronger involvement of Parties in the process.

Overall, we support the adoption of the draft decision with an adjustment concerning stronger involvement of the Parties in the process of preparation of the methodology for the second review and assessment exercise. We will submit them in writing.

**COP MOP 3 Agenda item 9: Measures to assist in capacity-building and capacity development (Article 22)**

The EU and its Member States take note of the progress made in implementing the strategic framework for capacity building and development in the implementation of the Nagoya Protocol.

We would like to underline the importance of capacity building activities in support of the ratification and implementation of the Protocol.

The EU and its Member States stand ready and are willing to further contribute to the substantive international work on measures that are essential for the implementation of the Protocol, such as capacity building activities.

We are convinced that the future capacity building projects and activities should take into account the findings of the first assessment and review of the Protocol and address those areas where further work is needed.

We take note of the report of the 3<sup>rd</sup> meeting of the IAC on capacity building for the implementation of the Nagoya Protocol and support the renewal of the mandate of the IAC until COP-MOP 4; we support the request to the IAC on capacity building to contribute to the development of the draft long-term strategic framework for capacity building beyond 2020.

The EU and its Member States welcome the elements for the evaluation of the strategic framework for capacity building as proposed by the Executive Secretary in the Annex to the draft decision and generally support the approach of the draft decision. However, we would like to suggest a further specification of the scope of the evaluation. In our opinion, when taking stock and reviewing progress in the implementation of the framework, the assessment of the progress should be based on the achievements of the objectives of the strategic framework. We will also submit these suggestions in writing.

Furthermore, we welcome the proposed process for the development of a long-term strategic framework for capacity building beyond 2020, as considered by COP 14; and stress that elements relevant for the implementation of the Nagoya Protocol should be taken into account in the study which is to be prepared for the long-term strategic framework;

**COP MOP 3 Agenda item 10: The Access and Benefit-Sharing Clearing House and information sharing (Article 14)**

EU and its Member States welcome the report prepared by the Executive Secretary summarising activities implemented in the current biennium; the report provides also a useful overview of the future objectives and the work ahead of us.

We would like to commend the Executive Secretary for the excellent work implemented during the last biennium and progress made in making the ABS Clearing House fully operational.

EU and its Member States would also like to thank the Informal Advisory Committee on the ABS Clearing House for their valuable contribution to the ongoing work on making the ABS Clearing House a centre of exchanging information and a true cornerstone of the Nagoya Protocol implementation.

We appreciate all the efforts made by Parties to make information available on the ABS Clearing House; we note particularly with satisfaction that the amount of national records have increased significantly during the last biennium.

EU and its Member States note however with concern that despite this significant increase in uploading the national records in the last biennium the amount of information that is available on the ABS Clearing House is still very low.



EU and its Member States reiterate thus the importance of information sharing via ABS Clearing House and we call on all Parties and other Governments to update all relevant ABS information, such as ABS legislation, up to date contact information, internationally recognised certificate of compliance etc. on the ABS Clearing House.

We are supportive of the draft decision, in particular:

- With regard to the list of goals and priorities for the further implementation and administration of the ABS Clearing House for the biennium 2019-2020 as contained in Annex I to the decision;
- we are also supportive of the joint modalities of the operation of the clearing house of the Convention, the Biosafety Clearing House and the ABS Clearing House as contained in Annex II to the decision;
- we also support the extension of mandate of the Informal Advisory Committee on ABSCH.

EU and its Member States are also in agreement with the conclusion as reflected in the report that additional experience in implementation of the monitoring measures will prove useful for further development of functionalities of the ABSCH; in this context we note that there might be a need to differentiate on the ABSCH between checkpoints under Article 17 and other checkpoints (which are applied to monitoring of genetic resources originating from the same party that granted access to genetic resources); we note also the need to further increase understanding of the Parties of the provisions of the Protocol and of the role of ABSCH in this regard.

We would like to propose one amendment of clarifying character, namely we would like to propose a small change in Annex I goal 1 on *capacity building* to avoid that all capacity building resources need to be translated into the six official languages. We will submit our suggestions in writing.

### **COP MOP 3 Agenda item 11: Monitoring and Reporting (Article 29)**

The EU and its Member States note that a large number of Parties submitted their interim national report.

Recognize that submitting the national report is a key duty of all Parties under the Protocol, it contributes to promote compliance and effective implementation of the Protocol, and plays an important role also for the assessment and review of the Protocol.

Thank the Executive Secretary for the efforts done in assisting Parties in the process of submission of their reports and invites those who have not submitted yet their national reports to do it as soon as possible.

Welcome the findings of the Compliance Committee on general issues of compliance as a contribution to the assessment and review of the Nagoya Protocol.

Note with concern that the Compliance Committee in its report pointed out that some Parties had interpreted the same questions differently. Note that some Parties found some questions in the reporting format not sufficiently clear and provided suggestions to improve the format. Consider a priority to review the format of the report in such a way to have a common understanding that will allow for gathering of comparable data.

Strongly support the review of the reporting format and welcome the involvement of the Compliance Committee to assist in this.

Support the proposal in the draft decisions dealing with the alignment of national reporting under the Convention and its Protocols, and enhancing synergy on national reporting among biodiversity-related conventions and Rio conventions, respectively.

Recognize the role of the post-2020 global biodiversity framework in enhancing synergies in the national reporting among the biodiversity-related conventions and the Rio conventions, and we support the developments which raise effectiveness and harmonization without any loss of quality. Agree to the synchronized reporting cycles with common deadlines in 2023.

**COP MOP 3 Agenda item 12: Measures to raise Awareness of the Importance of Genetic Resources and associated Traditional Knowledge (Article 21)**

The EU and its Member States take note of the progress that has been made in the implementation of the awareness-raising strategy for the Nagoya Protocol and commends the Executive Secretary for the work undertaken.

The EU and its Member States highlights the importance of raising awareness of the Nagoya Protocol and are ready and willing to further contribute to international work on this important aspect of the Protocol implementation

The EU and its Member States support the draft recommendations as presented here.

The EU and its Member States welcomes the awareness-raising toolkit developed by the Secretariat, however, we regret that the ABS awareness raising toolkit was released only in November of this year and hence very late before COP MOP 3, making an in-depth and detailed examination difficult.

**COP MOP 3 Agenda item 13: Enhancing integration under the Convention and its Protocols with respect to provisions related to access and benefit-sharing**

The EU and its Member States welcome the discussion under COP agenda item 13. In our point of view, enhancing integration among the Convention and its Protocols with regard to provisions related to ABS is an important aspect.

We would like to suggest that Parties at COP MOP 3 have a separate decision to take note of and welcome the relevant COP decision on this issue.

We will provide this suggestion in writing.

### **COP MOP 3 Agenda item 14: Cooperation with Other Conventions, International Organizations and Initiatives**

The EU and its Member States would like to thank the Executive Secretary for the report summarising activities undertaken by the Executive Secretary since the second meeting of the Parties to the Protocol to develop and enhance cooperation with other conventions, international organizations and initiatives and express gratitude for the efforts done in carrying out these activities.

We consider cooperation with other relevant conventions, international organisations and initiatives, as well as information sharing of great importance and great value for the implementation of the NP.

We are also supportive of mutually supportive implementation of international instruments related to access and benefit-sharing.

The EU and its Member States consider it important that the Executive Secretary continues engaging in cooperative activities with relevant international organizations on ABS relevant topics; and in particular in those areas where work and interests are growing, such as public health aspects of the Nagoya Protocol and digital sequence information on genetic resources.

We would also like to encourage cooperation among Parties and relevant international organizations working on access and benefit-sharing issues related to genetic resources and associated traditional knowledge at the national level.

Considering all the above, we would like to propose a draft decision requesting the Executive Secretary:

- to continue engaging with relevant ongoing processes and policy debates, and liaise with relevant international organisation on ABS matters, and in particular on the DSI and public health topics, as well as follow the discussions on marine genetic resources under UNCLOS;
- to continue engaging in activities promoting mutually supportive implementation of the NP and ITPGRFA;
- to encourage Parties and relevant international organizations to continue enhancing cooperation and information sharing on ABS-related aspects.

We will submit our proposal in writing.

### **COP MOP 3 Agenda item 16: Preparation for the follow up to the Strategic Plan for Biodiversity 2011-2020**

The EU and its Member States are highly committed to the implementation of the Protocol: this is demonstrated by the fact that the EU was one of the first to put compliance measures in place and establish related institutional structures. We are ready to share our experiences with other Parties to support the establishment of compliance measures. We also stand ready to discuss issues related to the implementation of the Protocol and to contribute to the advancement of such implementation.

The EU and its Member States would like to recall however, that the initial results stemming from review and assessment of effectiveness of the Protocol are quite clear: Parties need to step up their efforts in making the Protocol operational, in particular in relation to:

- Establishment of institutional structures;
- Establishment of compliance measures;
- Involvement of IPLCs in law making process and the process of negotiating mutually agreed terms.

It is thus well-defined what needs to be done in order to make the Protocol effective. Therefore, we do not believe there is a need for developing an additional, specific plan at this time.

We also believe that ABS considerations need to form part of the discussion on the post-2020 global biodiversity framework and we do not want to pre-empt these discussions.

**COP MOP 3 Agenda item 18: Specialized international access and benefit-sharing instruments in the context of Article 4, paragraph 4, of the Nagoya Protocol**

The EU and its Member States would like to stress our engagement to discuss this important topic; we have actively taken part in discussions at SBI 2 and we are supportive of the SBI recommendation.

We believe however that it is important to include a clarification concerning the Annex, which we trusts reflects the understanding of all Parties which supported the recommendation at SBI 2.

Namely, all Parties agreed at SBI 2 that the criteria attached in the Annex to the draft decision are not the agreed criteria; and that the criteria need to be further looked at in the future, at COP MOP 4.

These intentions of the Parties should be made clear and we believe a short clarification should be added in the Annex specifying that the criteria are only a summary of the study and that they cannot be thus interpreted as agreed.

We will submit the proposal in writing.

**COP MOP 3 Agenda item 19: Global multilateral benefit-sharing mechanism (Article 10)**

The EU and its Member States are committed to respond to the undertaking of Article 10 to consider the need for and modalities of a global multilateral benefit-sharing mechanism for benefits derived from genetic resources or traditional knowledge associated with genetic resources in transboundary situations or where it is not possible to grant or obtain prior informed consent.

Taking into account the overall experience from the implementation of the Nagoya Protocol as reflected in the compilation of the interim national reports provided by Parties and other Governments to the Executive Secretary in 2017, the EU and its Member States believe that it can be concluded that the Protocol is at an early stage of implementation. This has also been the opinion of the Compliance Committee. The analysis of the national reports also indicates that there are currently no evident reasons for the Parties to consider the need for such a global mechanism.

The EU and its Member States would also like to note that there is limited information available on situations in which it is not possible to grant or obtain prior informed consent. Many of such situations may be addressed through capacity building for Parties and indigenous peoples and local communities. Therefore, we would like to highlight our commitment to continue the support of the effective implementation of the Nagoya Protocol (in line with the Strategic Framework for Capacity Building and Development).

We are also open to consider further situations in which it is not possible to grant or obtain PIC on the basis of concrete examples or information. However the EU and its Member States strongly believe that any discussions concerning the need for and the modalities of a the global mechanism should not reopen discussions on the temporal and geographic scope of the Nagoya Protocol and should not undermine the fundamental aspects of the Nagoya Protocol such as the principle that the Protocol only covers genetic resources and associated traditional knowledge which are under the sovereignty of Parties.

We would like to encourage all Parties to focus on the effective implementation of the Protocol in order to make it fully operational.

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## Joint Speaking points

### **COP 14 Agenda item 18**

### **COP-MOP 3 Agenda item 17: Digital sequence information on genetic resources**

At the outset the EU and its Member States would like to reaffirm our commitment to discuss the relevance of DSI for the Convention and the Protocol.

We recognise the complexity of the topic and the need to broaden understanding of all aspects related to use of DSI; this would help clarifying the concept and its policy relevance in the context of the CBD and the Nagoya Protocol.

We believe that building a science-based common understanding of the concept will assist us all in further work on “DSI”.

At this stage we consider it premature to define DSI in the draft decision, until further work has been completed.

The EU and its Member States consider that generation, access to and use of DSI has important and very positive effects on the conservation and sustainable use of biological diversity and we consider that open access to DSI is instrumental in order to achieve these positive effects.

We recognise, however, that DSI is also used by other sectors.

We also recognise that DSI is very important for protection of human, animal and plant health. The timely and unrestricted access to such data is crucial for the fast and effective reaction to emerging threats to public health and to routine tasks in health protection. Examples of activities where DSI plays a crucial role include tracing of epidemic outbreaks, vaccine development, antibiotic resistance, food security and surveillance and control of infectious diseases.

We would like to emphasize that public or open access databases, maintained by public funding, are an important form of benefit sharing.

The EU and its Member States consider that DSI is not equivalent to a genetic resource; we recognise the sovereign rights of Parties to legislate on access to their genetic resources; we are also aware that some Parties legislate on the equivalence of the DSI and genetic resources, however, we consider that within the framework of the CBD and Nagoya Protocol, the access to DSI, held in digital or in any other form, is not equivalent to access to genetic resources from which it is generated.

We strongly support the development, maintenance and increase of capacity in all States to generate and use DSI. We are ready to engage with the other Parties to consider the capacity-building needs and the appropriate means to support this.

We support the continuation of intersessional work to help us broadening the understanding of DSI. The priority should be to clarify the understanding of DSI aspects. The work should be science-based, and therefore we propose to commission a study on the concept of digital sequence information.

We are open to discuss the modalities (AHTEG, on-line forum, commissioned study, etc.). However, we would only support an AHTEG if its mandate is clear, focused, science-based and time-bound.

The EU and its Member States do not support the establishment of the open-ended working group on DSI; establishment of such group is based on the presumption that there is agreement on the way DSI should be treated under the Convention and the Protocol.

We believe that such common understanding still needs to be built.

We are looking forward to engaging in constructive discussions.

We will submit these comments in writing.

**COP 14 Agenda item 9b: Resources mobilization and the financial mechanism**  
**COP-MOP 9 Agenda item 7: Matters related to the financial mechanism and resources (Article 28)**  
**COP-MOP 3 Agenda item 8: Financial mechanisms and resources**

#### COP 14

I am speaking on behalf of the European Union and its Member States.

We welcome the document the Secretariat has prepared for agenda item 9 and thank the GEF for its final report, which in our view presents a good overview of its activities and how it has responded to COP guidance.

We would like to reiterate the successful conclusion of the GEF-7 replenishment process, in particular the fact that the COP 13 guidance on the four-year framework for programme priorities and consolidated guidance are duly integrated in the strategy and programming directions for the biodiversity focal area. We would like to emphasize that many donors have done their utmost to support a strong replenishment. Some donors have in fact increased their contribution considerably.

With respect to further guidance to the GEF, the EU and its Member States reaffirm that the bulk of guidance was provided at COP 13, in time to feed into the review of focal area strategies and programming direction for GEF-7. This has happened in a satisfactory way and therefore we think that the draft decision taken from recommendation 7 of SBI-2, as suggested by the Secretariat in document CBD/COP/14/2, adequately reflects the message that the COP could convey to the GEF at this point in time.



The EU and its Member States stand ready to conclude here, at COP 14, the 5<sup>th</sup> review of the effectiveness of the financial mechanism on the basis of the GEF Independent Evaluation Office documents and the submissions that Parties have sent in. We look forward to work with all partners on the recommendations contained in document CBD/COP/14/8, with which we can generally agree, in order to come to a good decision on the review of the financial mechanism, the assessment of funding needs and the preparation of the next four-year outcome-oriented framework of programme priorities for the eighth replenishment period (2023-2026) of the Global Environment Facility.

With regard to section III of document CBD/COP/14/8 we believe that the discussion of this topic would benefit from being considered in the context of the post-2020 global biodiversity framework. Therefore we suggest to delete the elements of the recommendations contained in para 33, 7, also because we consider them premature in that context.

### COP-MOP 9

I am speaking on behalf of the European Union and its Member States.

We welcome the document the Secretariat has prepared for agenda item 7 and thank the GEF for its final report, which in our view presents a good overview of its activities and how it has responded to COP guidance.

We would like to reiterate the successful conclusion of the GEF-7 replenishment process, in particular the fact that the COP 13 guidance on the four-year framework for programme priorities and consolidated guidance are duly integrated in the strategy and programming directions for the biodiversity focal area. We would like to emphasize that many donors have done their utmost to support a strong replenishment. Some donors have in fact increased their contribution considerably.

We concur with the analysis and conclusions of the Secretariat as presented in Document CBD/CP/MOP/9/12. With regard to the suggested draft decision we believe that the elements referring to the GEF are either fully covered by the consolidated guidance adopted at COP XIII (para 24) or not in line with the kind of guidance that the COP is mandated to issue according to Article 21 of the Convention and are therefore redundant.

### COP-MOP 3

I am speaking on behalf of the European Union and its Member States.

We welcome the document the Secretariat has prepared for agenda item 8 and thank the GEF for its final report, which in our view presents a good overview of its activities and how it has responded to COP guidance.

We would like to reiterate the successful conclusion of the GEF-7 replenishment process, in particular the fact that the COP 13 guidance on the four-year framework for programme priorities and consolidated guidance are duly integrated in the strategy and programming directions for the biodiversity focal area. We would like to emphasize that many donors have done their utmost to support a strong replenishment. Some donors have in fact increased their contribution considerably.

We concur with the analysis and conclusions of the Secretariat as presented in Document CBD/NP/MOP/3/5 and are happy to support the draft decision contained therein.

**COP 14 Agenda item 15**

**COP-MOP 9 Agenda item 13**

**COP-MOP 3 Agenda item 15: Review of the effectiveness of processes under the Convention and its Protocols**

I speak on behalf of the European Union and its Member States.

The EU and its MS appreciate that holding meetings concurrently allows for efficient and constructive discussions of cross-cutting issues and increases integration between the Convention and its Protocols. At the same time we recognise the challenges holding concurrent meetings can place, especially on small delegations. We therefore welcome the proposed draft decision that recognises the potential of holding concurrent meetings, through streamlining the agendas of the Convention and its Protocols and through better planning and coordinating of contact groups to reduce waiting time. We however propose some amendments to the decision, including asking the Secretariat to prepare a further review on the organization of work and the experience in holding concurrent meetings after COP 14/COP-MOP 3/COP-MOP 9.

The EU and its MS underline the importance of a procedure for a transparent and accountable process in the provisioning of scientific and technical inputs to the work of the Convention and its Protocols. We therefore support the procedure for avoiding or managing conflicts of interest, with some suggested modifications that we will provide you with in writing. These include introducing a review of the procedure, taking into account experiences gained with our own procedure, as well as with conflicts of interest procedures in other MEAs or the WHO. We are also suggesting some amendments to the Annex.

We would further ask to mirror the COP decision in the COP-MOP decisions, by including the procedure for avoiding or managing conflicts of interest in their Annexes.

We will submit in writing our suggested amendments to the draft decision of the COP and also regarding the draft decisions of COP-MOP 9 and COP-MOP 3.

Thank you Mister/Madame Chair.

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