

CBD

ALLIANCE

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Brief Report for Civil Society

Introduction	page 3
Agenda Item 3 Review of progress in the implementation of the Convention and the Strategic Plan for Biodiversity 2011-2020 Recommendation SBI-2/1	page 4
Agenda Item 5 Mainstreaming of biodiversity within and across sectors and other strategic actions to enhance implementation Recommendation SBI-2/3	page 5
Agenda Item 8 Resource Mobilization Recommendation SBI-2/6 Recommendation SBI-2/17 Recommendation SBI-2/18	page 5
Agenda Item 15 Review of effectiveness of processes under the Convention and its Protocols Recommendation SBI-2/15	page 6
Agenda Item 16 Preparation for the follow up to the Strategic Plan for Biodiversity 2011-2020 Recommendation SBI-2/19	page 7

Brief Report for Civil Society

The report does not aim to present an exhaustive analysis of the whole agenda discussed at SBI 2, but rather to point out relevant aspects of key agenda items that relate to the work of civil society and that could help in the advocacy work of the organizations and networks interested in the CBD process. The report also presents references for material that could be useful to understand the negotiation process. If you wish to know more details about any agenda item not addressed in this report, please feel free to contact the coordination of the CBD Alliance in order to receive more information.

The Second Meeting of the Subsidiary Body on Implementation (SBI 2)¹ took place right after SBSTTA 22 in Montreal from July 9 to 13. With 20 items on agenda, the use of time represented a great challenge specially for the Chair of the meeting Mr. Francis Ogwal (Uganda) but could also represent a risk for civil society since our time for interventions could be restricted or even phased out completely. Thanks to past experiences and the constant efforts of the CBDA, civil society is provided with some time at the end of each session to say a statement which can provide arguments to like minded parties, allow us to express concern and put pressure, and suggest specific text recommendations. However, and specially for the latter, it is important that parties are asked by the Chair if they wished to support any intervention. If they do so, the inputs provided have greater chances to be incorporated into the negotiating text. It was our fear that with such a packed agenda, this time would be phased out leaving us with no intervention and with no support for our inputs. In order to prevent this, the CBDA requested a meeting with SBI Chair and the Secretariat to address this problem which was beneficial as they were reminded of the importance of this time for us and took it into consideration for their use of the time in plenary. Thanks to this, we had enough space during all the plenaries of the SBI meeting to present interventions.

¹ <https://www.cbd.int/meetings/SBI-02>

Agenda Item 3

Review of progress in the implementation of the Convention and the Strategic Plan for Biodiversity 2011-2020

Recommendation SBI-2/1

While the post 2020 agenda has captured the attention of many in the CBD community, there are voices that claim that we cannot simply turn our eyes to the future when in the present we still have time left to accomplish our targets until 2020 even despite the discouraging but expected results of the review of progress prepared by the Secretariat and SBSTTA.

As input to this agenda item, a note prepared by the Secretariat² contained an updated assessment of progress on National biodiversity strategies and action plans (NBSAPs), National Reports and on the Gender Plan of Action. While you can read the details of the report to have a better understanding, the general conclusion is no surprise to anyone and a constant in the whole CBD discussions, stating that while there is progress, it is insufficient to accomplish the established goals and therefore we can conclude, even more insufficient to timely tackle the real drivers of biodiversity loss. With respect to gender considerations, the assessment concludes that a considerable gap remains in addressing issues of gender equality and women's empowerment within NBSAPs.

The recommendation adopted by SBI 2 for consideration of COP 14 is coded as CBD/SBI/REC/2/1 and is divided in two segments. The first one addresses NBSAPs and National Reports and recognizes the concern for the limited progress on most Aichi Targets and for some, no overall progress at all. However, the decision of the Implementing Body does not move the issue beyond the level of concern as it does not establish any implementation action in the short run to change this situation, and limits to request the Secretariat to keep the analysis of national biodiversity strategies and action plans and national targets up-to-date and make this information available through the clearing-house mechanism of the Convention.

The second segment seems more practical in terms of action as it requests the Executive Secretary to undertake a review of implementation of the 2015-2020 Gender Plan of Action; to organize regional workshops on the linkages between gender and biodiversity and include discussions on this issue in the consultations on the post-2020 global biodiversity framework; all evidently subject to the availability of resources. This section also encourages Parties to develop and implement gender-responsive strategies and actions and to support actions on capacity building related to gender and biodiversity. However, once again we can see that while the Secretariat keeps accumulating tasks, Parties do not have a concrete commitment to implement after the meeting.

At the margins of the negotiations, and under the initiative of the Canadian delegation, a Friends of Gender Equality group was formed and a first meeting took place during SBI 2. With the presence of some official delegates and representatives from civil society, a tentative working framework was presented and some impressions on how to move this issue forward were exchanged.

² [CBD/SBI/2/2/Add.1](#) and [Add.2](#).

Agenda Item 5

Mainstreaming of biodiversity within and across sectors and other strategic actions to enhance implementation

Recommendation SBI-2/3

During COP 13, a decision was adopted on the mainstreaming of biodiversity within and across sectors with a particular focus on agriculture, forestry, fisheries and tourism (decision [XII/3](#)). In paragraph 109 of this decision, it is also decided to consider the mainstreaming of biodiversity in the sectors of energy and mining, infrastructure, manufacturing and processing, and health during COP 14.

In this line, the Second meeting of the SBI adopted a recommendation for COP 14 under the code CBD/SBI/REC/2/3 with two elements that might be of interest for civil society. The first one is that Parties are encouraged to undertake 11 actions which are not bad in essence, nor extremely provocative either, but do not count with any timeline or other effective mechanisms that can make parties implement them in the short run. Added to this, the text is once again weakened by language that establishes that while Parties are urged to implement such actions, they are tied to their national capacities and circumstances, priorities and regulations. But this is not new and neither restricted to SBI. The lack of decisions that can cause concrete action in the short run to impact the heart of the drivers of biodiversity loss is a common and concerning trend within the CBD at this point and unfortunately not an exception during SBI 2.

The second element of interest of CBD/SBI/REC/2/3 might seem a little more to the ground as paragraphs 15 and 16 establish a long-term strategic approach for mainstreaming biodiversity and an Informal Advisory Group to advise the Executive Secretary and the Bureau on further development of a proposal for such approach. Parties like Switzerland were doubtful about the added benefits of yet another group but did not block the decision. The Advisory Group is open to experts from civil society but SBI will discuss this further during its third meeting after the approval of the terms of reference of the Advisory Group by COP 14 in November this year.

Agenda Item 8

Resource Mobilization

SBI adopted three documents under this agenda item:

Recommendation SBI-2/6: Coded as CBD/SBI/REC/2/6, this document contains text adopted by SBI and a recommendation for adoption by COP 14. Part C of the text expected to be adopted by COP could be of particular interest for civil society as it notes with concern the limited progress made in implementing Aichi Target 3 in particular on the elimination, phase out, or reform of incentives, including subsidies that are harmful for biodiversity; and encourages Parties to intensify efforts on the implementation of this Aichi Target.

It is also useful to highlight that this decision also invites Parties and stakeholders, among others, to submit views by December 15, 2018, on the scope and content of the resource mobilization component of the post-2020 biodiversity framework as part of the intersessional work of SBI and in relation to Agenda Item 16 on the Preparation of the follow up to the Strategic Plan for Biodiversity 2011-2020.

Recommendation SBI-2/17: Coded as CBD/SBI/REC/2/17, it refers to voluntary guidelines on safeguards in biodiversity financing mechanisms when selecting, designing and implementing financing mechanisms and when developing instrument-specific safeguards.

Recommendation SBI-2/18: Coded as CBD/SBI/REC/2/18, it contains the document entitled "Elements of methodological guidance for identifying, monitoring and assessing the contribution of indigenous peoples and local communities to the achievement of the Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets".

Agenda Item 15

Review of effectiveness of processes under the Convention and its Protocols

Recommendation SBI-2/15

Recommendation CBD/SBI/REC/2/15 adopted by SBI contains two sections. The first one is simply a recognition that having concurrent meetings of the Conference of the Parties, the Conference of the Parties serving to the Cartagena Protocol and the Conference of the Parties to the Nagoya Protocol has allowed for a better integration of the Convention and its Protocols and improved coordination among focal points.

The second section however, is of great interest for civil society as it establishes a procedure to avoid conflicts of interests (COI) in expert groups. It is actually a very simple procedure that includes, as a requirement for all nominees to expert groups, a disclosure form which is presented to the Secretariat that determines whether an interest has been declared and, if so, whether it is significant or insignificant. If the declaration raises potential concerns, the Secretariat may seek further information from the expert, directly, or through the Party or observer concerned. This becomes another element for the Secretariat and the Bureau to decide if a candidate is suitable to be elected or not.

The closest precedent of such procedure can be found at the Intergovernmental Platform for Biodiversity and Ecosystem Services - IPBES that you can access at: <https://www.ipbes.net/conflict-interest-policy-implementation-procedures>.

The recommendation adopted by SBI-2 is pretty succinct. While it does not explicitly establish a definition, the text explains what is understood by conflict of interest and has no significant difference with the one adopted by IPBES. The COI procedure proposed to be adopted by COP 14 however, only includes working groups while the one from IPBES covers the whole Platform. Another important difference is that, the decision on whether there is a conflict of interest or not in the case of the CBD, relies heavily on the Secretariat but in the case of IPBES, a committee carries with this task.

The case in the CBD took relevance due a particular event in the Ad Hoc technical expert group on Synthetic Biology. Several members of the CBD Alliance identified a possible conflict of interest case, but there was no official procedure to address it and decided to push for it. Thanks to their effort, the Secretariat had more arguments to act accordingly and move this agenda forward. While during SBI-2 no Party expressed opposition to this decision, we still have to make sure it is adopted by the COP; be careful so the text does is clear and does not fireback on us as civil society; and continue working so it can be applied not only to expert or technical groups but to the whole CBD.

Agenda Item 16

Preparation for the follow up to the Strategic Plan for Biodiversity 2011-2020

Recommendation SBI-2/19

The fifteen meeting of the Conference of the Parties (COP 15) is expected to consider for adoption the post-2020 global biodiversity framework. In preparation to this, the Secretariat sent out two open notifications to receive inputs for the preparation of the process and future notifications should be expected requesting inputs on the content of the framework.

During SBI 2, document CBD/SBI/REC/2/19 was adopted containing four sections of decisions and one Annex. The first section welcomes and takes note of several information documents prepared by the Secretariat and SBSTTA, but also requests the Secretariat to send out two invitations (notifications) for submissions; one already due on August 15 on further views on the preparatory process for the development of the post-2020 global biodiversity framework, including on options for strengthening implementation, fostering commitments and building political momentum including on the need for, and modalities of, voluntary commitments; and another one due December 15 but still not circulated, that should request for initial views on the aspects of the scope and content of the post-2020 global biodiversity framework, including (a) the scientific underpinning of the scale and scope of actions necessary to make progress towards the 2050 Vision; and (b) a possible structure for the post-2020 biodiversity framework. The CBD Alliance requested an extension of the deadline to prepare for the first notification based on the request of our members but we have not received a positive response from the Secretariat yet. However, and considering that we already know the content expected in the second notification, civil society should start consultations and the preparation of submissions to match the deadline.

The following section is a draft decision proposed to be adopted by COP 14. In its first paragraph, it adopts the preparatory process that should be finalized by the Secretariat prior to the meeting based on the submissions received for this purpose. The decision expected to be adopted by the COP, also invites the UN General Assembly to convene a high-level biodiversity summit at the level of Heads of State/Heads of Government in 2020. It also requests SBSTTA to review possible components for the post-2020 global biodiversity framework at its 23rd and 24th meetings; and finally requests SBI to review a draft of the post-2020 global biodiversity framework during its third meeting and to prepare a recommendation for the consideration of the 15th Conference of the Parties. All these elements should be considered by civil society in order to strategize better and understand the whole scope of the process for an effective advocacy work.

The next sections are related to the Cartagena and Nagoya Protocols respectively and the annex includes a series of considerations for the development of the post-2020 global biodiversity framework that is a sort of summary of the most relevant elements that will be part of the final outcome and should be carefully analyzed by civil society.

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