



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

SUBMISSION BY THE GOVERNMENT OF SOUTH AFRICA IN RESPONSE TO NOTIFICATION SCBD/OES/CP/PP/JMF/87868 IN RELATION TO THE NAGOYA PROTOCOL ON ACCEESS TO GENETIC RESOURCES AND THE FIAR AND EQUITABLE SHARING OF BENEFITS ARISING FROM THEIR UTILISATION (NAGOYA PROTOCOL ON ABS)

E. Biodiversity Targets

(b) How should the set of targets in the post-2020 global biodiversity framework relate to existing Aichi Biodiversity Targets?

The set of targets should build up on the current process, especially for the Nagoya Protocol on ABS. The new target should focus on the implementation of the Nagoya Protocol on ABS and the cross-cutting new and emerging issues under the Convention and the Nagoya Protocol on ABS.

Despite the intent of the Nagoya Protocol, illegal access to genetic resources and to traditional knowledge associated with genetic resources continues. The post-2020 global biodiversity framework must be strong on elements regarding compliance with the ABS provisions of the Convention in general as well as with the Nagoya Protocol in particular, because the lack of compliance has been a challenge.

Compliance with existing environmental laws, policies, licenses, permits etc. must be strengthened in the post-2020 global framework. If all the existing environment management and protection rules were followed, there would be vastly improved biodiversity conservation outcomes. It is important to note that compliance does not mean just enforcement; it means a holistic and integrated analysis of what compliance activities/resources/systems are in place; a consideration of the challenges and gaps, and analysis of problems and developing implementation strategies to address them. A major challenge is capacity building regarding environmental compliance.

Decision NP-3/15 of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol welcomes decision 14/34 of the Conference of the Parties and invites Parties to the Protocol to participate in the process for developing the post-2020 global biodiversity framework. It also encourages Parties to undertake measures to enhance the implementation of the Nagoya Protocol on Access and Benefit-Sharing, in the context of the post-2020 global biodiversity framework and requests that the Compliance Committee at its next meeting consider how to support and promote compliance with the Nagoya Protocol within the post-2020 global biodiversity framework.

The post-2020 global biodiversity framework should also include targets that reflect the need to fully implement the Nagoya Protocol, especially relating to a global benefit-sharing mechanism.

I. Relationship with the current Strategic Plan

Question: What are the lessons learned from the implementation of the current Strategic Plan? And how can the transition from the current decade to the post-2020 framework avoid further delays in implementation and where should additional attention be focused?

The Strategic Plan for Biodiversity for the post-2020 period needs to build on the current plan while making a concerted effort to ensure that new global targets incorporated are addressed in an equitable manner in terms of all three objectives of the Convention, which are intertwined and mutually supportive.

The establishment of an effective mechanism to ensure the sharing of benefits arising out of the utilization of genetic resources, including those arising from digital sequence information on genetic resources, with countries of origin will play a critical role in terms of ensuring full realisation of the third objective of the Convention. Such approaches can be used to increase investments in conservation and sustainable use of biodiversity.

Regarding the transition from the current to the next decade it is important to stress that all efforts to achieve the current Aichi Targets should continue and to make optimal and efficient use of the time before COP15 to take the necessary decisions that facilitate immediate implementation of the new global biodiversity framework.

O. Relationship between the Convention and the Protocols

Post-2020 framework should consider the three objectives of CBD in a balanced manner with equal emphasis on all three objectives. The 2 (+ 1) Protocols are separate legal instruments that support the objectives of the Convention. Standalone strategic plans are required for the protocols with specific cross cutting indicators that are linked to the post2020 strategic plan. The protocols provide important contributions to the sustainable use and equitable sharing of benefits objectives of the convention and specific elements may be incorporated to balance the framework. The operational nature of the Protocols mean that they provide important elements that complement the SDGs and contribute to their achievement (food security, health). The plan should integrate the work of the two protocols sufficiently as this will provide the Convention with a more direct link with the SDG agenda.

Such an approach should involve substantially increased cooperation between the CBD (and its Protocols) through the creation of common reporting frameworks, thus minimising national reporting burdens and reducing implementation costs.

Question: What are the issues associated with access and benefit-sharing under the Convention and what are the implications for the post-2020 global biodiversity framework?

It is important that specific elements on integrating the work of the Convention and its Protocols are also aimed at responding to emerging rapid technological advance in the space of access to digital sequence information on genetic resources. In this regard, it may be prudent to consider undertaking a specific review aimed at considering the appropriateness of the scope of the current legal instrument to respond to developments in the technology.

The fact that the Open-Ended Working Group (OEWG) on the Post-2020 process will consider the outcome of the Ad Hoc Technical Expert Group on Digital Sequence Information is positive and will help consideration of this issue in a more holistic way in the design of the post-2020 global biodiversity framework

P. Integrating diverse perspectives

Question: How can the post-2020 global biodiversity framework facilitate the involvement of indigenous peoples and local communities and support the integration of traditional knowledge as a cross-cutting issue?

Biological diversity underpins ecosystem functioning and the provision of ecosystem services that are essential for human well-being. It provides for food security, human health, the provision of clean air and water; it contributes to local livelihoods, and economic development more generally. Noting the vision of the Strategic Plan for Biodiversity 2011-2020, adopted by the Conference of the Parties in 2010, is: "Living in Harmony with Nature" where "By 2050, IPLC becomes integral part to ensure that the biodiversity is valued, conserved, restored and wisely used, maintaining ecosystem services, sustaining a healthy planet and delivering benefits essential for all people."

The principle aspect to be honoured would be one that creates conditions that allow all parties and stakeholders, including representatives from Indigenous peoples and women's groups, have a balanced opportunity to provide input in the process.

Prepared and Submitted by the National Focal Point: Nagoya Protocol on ABS