



# Convention on Biological Diversity

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CONFERENCE OF THE  
PARTIES TO THE  
CONVENTION ON  
BIOLOGICAL DIVERSITY

Fifteenth meeting

CONFERENCE OF THE  
PARTIES SERVING AS THE  
MEETING OF THE  
PARTIES TO THE  
CARTAGENA PROTOCOL  
ON BIOSAFETY

Tenth meeting

CONFERENCE OF THE PARTIES  
SERVING AS THE MEETING  
OF THE PARTIES TO THE  
NAGOYA PROTOCOL ON  
ACCESS TO GENETIC  
RESOURCES AND FAIR AND  
EQUITABLE SHARING OF  
BENEFITS ARISING FROM  
THEIR UTILIZATION

Fourth meeting

Montreal, Canada, 7–19 December 2022

## DRAFT REPORT OF WORKING GROUP II

1. Working group II, chaired by Helena Jeffery Brown (Antigua and Barbuda), met to consider items 15 A and 17–27 of the agenda for the fifteenth meeting of the Conference of the Parties; items 5 and 7–17 of the agenda for the tenth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety; and items 5, 7–12, 15 and 16 of the agenda for the fourth meeting of the Conference of the Parties serving as the Meeting of the Parties to the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization.
2. Working group II held [*to be completed*] meetings, from 7 to [*to be completed*] December, and adopted the present report at its [*to be completed*] meeting, on [*to be completed*] December 2022.

### **COP-Item 15. Cooperation with other conventions and international organizations**

*COP-Item 15A. Programme of work of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services*

3. Working group II took up item COP-15 A at its second meeting, on Thursday, 8 December. In considering the item, the working group had before it a draft decision, which was based on recommendation 24/3 of the Subsidiary Body on Scientific, Technical and Technological Advice and set out in the compilation of draft decisions (CBD/COP/15/2), and documents providing updated information on the work of the Intergovernmental Science Policy Platform on Biodiversity and Ecosystem Services (CBD/COP/15/13), and supporting information for possible requests to be considered in the rolling work programme up to 2030 of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (CBD/COP/15/INF/7). The Chair noted that the draft decision required updating.
4. Ms. Anne Larigauderie, Executive Secretary of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, made a brief presentation highlighting the synergies between the work of the Platform and that of the Conference of the Parties.
5. Statements were made by the representatives of Argentina, Bolivia, Bosnia and Herzegovina, Brazil, Canada, Colombia, Ecuador, the European Union and its 27 member States, India, Japan, Kenya,

Morocco, New Zealand, Norway, Peru, South Africa, Sudan, Switzerland, Türkiye, the United Kingdom of Great Britain and Northern Ireland and Uruguay.

6. The working group agreed to establish a contact group, co-chaired by Hesiquio Benitez (Mexico) and Janina Heim (Germany), to seek solutions to the remaining issues.

7. At its seventh meeting, on 13 December, the working group heard a report from the co-chairs of the contact group, following which it considered a draft decision submitted by the Chair and approved it, as orally amended, for transmission to plenary as draft decision CBD/COP/15/L.11.

#### **NP-Item 5. Report of the compliance committee (Article 30)**

8. Working group II took up item NP-5 at its third meeting, on 8 December. In considering the item, the working group had before it the report of the Compliance Committee under the Nagoya Protocol on the work of its third meeting (CBD/NP/MOP/4/2) and a draft decision, which was based on the recommendations in the annex to the Compliance Committee's report and set out in the compilation of draft decisions (CBD/NP/MOP/4/1/Add.5).

9. Statements were made by the representatives of Argentina, Chad, Côte d'Ivoire, the European Union and its 27 member States, India, Japan, Kenya, the Republic of Korea, South Africa, Switzerland, Uganda, the United Kingdom and Uruguay.

10. The working group agreed that the Chair would prepare a revised draft decision for its consideration, taking account of the statements made.

11. At its fifth meeting, on 9 December, the working group considered the revised draft decision submitted by the Chair and approved it for transmission to plenary as draft decision CBD/NP/MOP/4/L.4.

#### **NP-Item 7. Financial mechanism and resources (Article 25)**

12. Working group II took up item NP-7 at its second meeting, on Thursday, 8 December 2022. In considering the item, the working group had before it a note by the Executive Secretary on the matter (CBD/NP/MOP/4/10) and a draft decision on the financial mechanism and resource mobilization, set out in the compilation of draft decisions (CBD/NP/MOP/4/1/Add.5).

13. Statements were made by representatives of Argentina, the European Union and its 27 member States and the United Kingdom.

14. The working group agreed that the Chair would prepare a revised draft decision, taking account of the statements made.

15. At its fifth meeting, on 9 December, the working group considered the revised draft decision submitted by the Chair and approved it for transmission to plenary as draft decision CBD/NP/MOP/4/L.7.

#### **NP-Item 8. Measures to assist in capacity-building and capacity development (Article 22) and measures to raise awareness of the importance of genetic resources and associated traditional knowledge (Article 21)**

16. Working group II took up item NP-8 at its first meeting, on 7 December. In considering the item, the working group had before it a progress report on measures to assist in capacity-building and awareness raising (Articles 22 and 21) (CBD/NP/MOP/4/5). It also had before it notes by the Executive Secretary on an overview of capacity-building and development initiatives providing direct support to countries for the implementation of the Nagoya Protocol (CBD/NP/MOP/4/INF/1), an overview of access and benefit-sharing capacity-building tools and resources (CBD/NP/MOP/4/INF/2) and feedback on the toolkit on communication, education and public awareness (CEPA) including considerations for access and benefit-sharing (CEPA Toolkit) and updates on awareness-raising measures (CBD/NP/MOP/4/INF/3).

17. Statements were made by the representatives of the European Union and its 27 member States, India and the United Kingdom.

18. The working group agreed that the Chair would prepare a revised draft decision for its consideration, taking account of the statements made.

19. At its fifth meeting, on 9 December, the working group considered the revised draft decision submitted by the Chair and approved it for transmission to plenary as draft decision CBD/NP/MOP/4/L.5.

#### **NP-Item 9. Access and Benefit-sharing Clearing-House and information sharing (Article 14)**

20. Working group II took up item NP-9 at its first meeting, on 7 December. In considering the item, the working group had before it a draft decision on the matter, set out in the compilation of draft decisions (CBD/NP/MOP/4/1/Add.5), as well as a note by the Executive Secretary setting out a report on progress in the operation of the Access and Benefit-sharing Clearing-House (CBD/NP/MOP/4/6) and the report of the Informal Advisory Committee to the Access and Benefit-sharing Clearing House on its fourth meeting (CBD/NP/ABSCH-IAC/2019/1/3).

21. Statements were made by the representatives of Argentina, the European Union and its 27 member States, India, Kenya, South Africa, Switzerland, the United Kingdom and the United Republic of Tanzania.

22. The working group agreed that the Chair would prepare a revised draft decision for its consideration, taking account of the statements made.

23. At its fifth meeting, on 9 December, the working group considered the revised draft decision submitted by the Chair and approved it for transmission to plenary as draft decision CBD/NP/MOP/4/L.3.

#### **NP-Item 10. Monitoring and reporting (Article 29)**

24. Working group II took up item NP-10 at its first meeting, on 7 December. In considering the item, the working group had before it a draft decision on the matter, set out in the compilation of draft decisions (CBD/NP/MOP/4/1/Add.5), as well as notes by the Executive Secretary on monitoring and reporting (article 29) (CBD/NP/MOP/4/7) and on revisions made to the format for the first national report under the Nagoya Protocol (CBD/NP/MOP/4/INF/5).

25. Statements were made by the representative of Argentina, Côte d'Ivoire, the Democratic Republic of the Congo (on behalf of the African States), the European Union and its 27 member States, India, Japan, Kenya, Malawi, South Africa and the United Kingdom.

26. The working group agreed that the Chair would prepare a revised draft decision for its consideration, taking account of the statements made.

27. At its fifth meeting, on 9 December, the working group considered the revised draft decision submitted by the Chair and approved it for transmission to plenary as draft decision CBD/NP/MOP/4/L.6.

#### **NP-Item 11. Cooperation with other international organizations, conventions and initiatives**

28. Working group II took up item NP-11 at its third meeting, on 8 December. In considering the item, the working group had before it a note by the Executive Secretary on cooperation with other conventions, international organizations and initiatives (CBD/NP/MOP/4/8), as well as a note by the Executive Secretary setting out further information from international processes related to access and benefit-sharing (CBD/NP/MOP/4/INF/4).

29. The working group took note of the information provided.

**NP-Item 15. Specialized international access and benefit-sharing instruments in the context of Article 4, paragraph 4, of the Nagoya Protocol**

30. Working group II took up item NP-15 at its third meeting, on 8 December. In considering the item, the working group had before it a draft decision on the matter, taken from recommendation 3/16 of the Subsidiary Body on Implementation and set out in the compilation of draft decisions (CBD/NP/MOP/4/1/Add.5).

31. Statements were made by the representatives of Brazil, China, the European Union and its 27 member States, Japan, Mexico, Namibia, Norway, the Republic of Korea, Switzerland and the United Kingdom.

32. The working group agreed to establish a group of friends of the chair to discuss the matter, co-facilitated by Mery Ciacci (European Union) and Patience Gandiwa (Zimbabwe) and composed of the representatives that had made interventions, as well as other Parties.

33. At its ninth meeting, on 16 December, the working group heard a report by the co-facilitator of the group of friends of the chair, which had been unable to resolve the outstanding issues.

34. Statements were made by the representatives of Argentina, Bolivia (Plurinational State of), Brazil, Ethiopia (on behalf of the African States), the European Union and its 27 member States, Malawi, Malaysia, Mexico, Namibia, Norway, the Republic of Korea, the United Kingdom and Uruguay.

35. The working group agreed that the Chair would prepare a new draft decision for its consideration.

36. At its tenth meeting, on 9 December, the working group considered the draft decision submitted by the Chair and approved it for transmission to plenary as draft decision CBD/NP/MOP/4/L.9.

**NP-Item 16. Global multilateral benefit-sharing mechanism (Article 10)**

37. Working group II took up item NP-16 at its third meeting, on 8 December. In considering the item, the working group had before it a draft decision on the matter, taken from recommendation 3/17 of the Subsidiary Body on Implementation and set out in the compilation of draft decisions (CBD/NP/MOP/4/1/Add.5).

38. The working group agreed to defer its consideration of the agenda item until discussion on related issues under other agenda items had progressed.

39. At its tenth meeting, on 9 December, the working group considered a draft decision submitted by the Chair and approved it for transmission to plenary as draft decision CBD/NP/MOP/4/L.10.

**COP-Item 17. Review of the effectiveness of processes under the Convention and its Protocols**

40. Working group II took up item COP-17 at its second meeting, on 8 December, concurrently with item 13 on the agenda for the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol and item 12 on the agenda for the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol. In considering the matter, the working group had before it a draft decision based on recommendation 3/13 of the Subsidiary Body on Implementation and set out in the respective compilations of draft decisions of the three entities (CBD/COP/15/2; CBD/CP/MOP/10/1/Add.5; and CBD/NP/MOP/4/1/Add.5).

41. Statements were made by the representatives of Brazil, the European Union and its 27 member States, Mexico and the United Kingdom.

42. The working group agreed that the Chair would prepare a revised draft decision for its consideration, taking account of the statements made.

43. At its fifth meeting, on 9 December, the working group considered the revised draft decision submitted by the Chair.

44. Statements were made by the representatives of Brazil, Canada, Côte d'Ivoire, the Democratic Republic of the Congo, the European Union and its 27 member States, Mali, Namibia, New Zealand, South Africa, Tajikistan, Togo, the United Kingdom and the United Republic of Tanzania.

45. The working group agreed that multilateral discussions would be held among certain Parties in order to resolve the outstanding issues.

46. At its sixth meeting, on 10 December, the working group resumed its consideration of the revised draft decision submitted by the Chair and approved it, as orally amended, for transmission to plenary as draft decision CBD/COP/15/L.9.

#### **CP-Item 13. Review of the effectiveness of structures and processes under the Convention and its Protocols**

47. Working group II took up item CP-13 at its second meeting, on 8 December, concurrently with item 17 on the agenda for the Conference of the Parties to the Convention and item 12 on the agenda for the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol. In considering the matter, the working group had before it a draft decision based on recommendation 3/13 of the Subsidiary Body on Implementation and set out in the respective compilations of draft decisions of the three entities (CBD/COP/15/2; CBD/CP/MOP/10/1/Add.5; and CBD/NP/MOP/4/1/Add.5).

48. At its sixth meeting, on 10 December, the working group considered a revised draft decision submitted by the Chair under item 17 of the agenda for the fifteenth meeting of the Conference of the Parties and, following its approval under that agenda item, approved it, with the appropriate changes, for transmission to plenary as draft decision CBD/CP/MOP/10/L.11.

#### **NP-Item 12. Review of effectiveness of structures and processes**

49. Working group II took up item NP-12 at its second meeting, on 8 December, concurrently with item 17 on the agenda for the Conference of the Parties to the Convention and item 13 on the agenda for the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol. In considering the matter, the working group had before it a draft decision based on recommendation 3/13 of the Subsidiary Body on Implementation and set out in the respective compilations of draft decisions of the three entities (CBD/COP/15/2; CBD/CP/MOP/10/1/Add.5; and CBD/NP/MOP/4/1/Add.5).

50. At its sixth meeting, on 10 December, the working group considered a revised draft decision submitted by the Chair under item 17 of the agenda for the fifteenth meeting of the Conference of the Parties and, following its approval under that agenda item, approved it, with the appropriate changes, for transmission to plenary as draft decision CBD/NP/MOP/4/L.8.

#### **COP-Item 18. Multi-year programme of work of the Conference of the Parties**

51. Working group II took up item COP-18 at its second meeting, on 8 December. In considering the item, the working group had before it a draft decision on the matter, set out in the compilation of draft decisions (CBD/COP/15/2), as well as a note by the Executive Secretary on the multi-year programme of work up to 2030 (CBD/COP/15/15).

52. A statement was made by the representative of Canada.

53. The working group agreed that the Chair would prepare a revised draft decision for its consideration, taking account of the statement made.

54. At its tenth meeting, on 9 December, the working group considered the revised draft decision submitted by the Chair and approved it, as orally amended, for transmission to plenary as draft decision CBD/COP/15/L.20.

55. During the discussion, the working group agreed that the following comment would be reflected in the present report. The representative of Japan said that, with respect to the implementation of the work

programme by the secretariat, it was important to remind Parties to take into account the budget limits and to ask the secretariat to use its resources effectively and efficiently when conducting the work.

### **COP-Item 19. Protected areas and other effective area-based conservation measures**

56. Working group II took up item COP-19 at its second meeting, on 8 December. In considering the item, the working group had before it a note by the Executive Secretary on global status, gaps and opportunities of protected areas and other area-based conservation measures (CBD/COP/15/INF/3).

57. The representative of Zimbabwe made a statement on behalf of the African States.

58. The working group took note of the information in document CBD/COP/15/INF/3.

### **COP-Item 20. Marine and coastal biodiversity**

#### *COP-Item 20 A. Ecologically or biologically significant marine areas*

59. Working group II took up sub-item COP-20 A at its first meeting, on 7 December, noting that there were two separate outcomes to be considered, arising from the discussions on the matter at both the twenty-third and twenty-fourth meetings of the Subsidiary Body of Scientific, Technical and Technological Advice.

#### *COP-Item 20 A.1 Ecologically or biologically significant marine areas*

60. In considering the first part of the sub-item, the working group had before it a draft decision based on recommendation 23/4 of the Subsidiary Body of Scientific, Technical and Technological Advice, set out in the compilation of draft decisions (CBD/COP/15/2).

61. The working group agreed that the Chair would submit the draft decision as a conference room paper for its consideration.

62. At its seventh meeting, on 13 December, the working group considered the draft decision as submitted by the Chair and approved it, as orally amended, for transmission to plenary as draft decision CBD/COP/15/L.13.

63. During the discussion, the working group agreed that the following comments by representatives would be reflected in the report of the meeting. The representative of the European Union and its 27 member States, said that the identification of ecologically or biologically significant marine areas was a geographical, not a legal, process whose outcomes should continue to result from a scientific and technical exercise and should not be used to prejudice any issues of the sovereignty, sovereign rights or jurisdiction of coastal States or the rights of other States. The representative of the United Kingdom, recalling that at its tenth meeting the Conference of the Parties had emphasized that under the United Nations Convention on the Law of the Sea identification of ecologically or biologically significant marine areas and selection of conservation and management measures were matters for States, said that her government wished to see a process that required agreement from all concerned States for proposals where ecologically or biologically significant marine areas overlapped their national jurisdiction or fell within disputed areas.

#### *COP-Item 20 A.2 Ecologically or biologically significant marine areas: further work*

64. In considering the second part of the sub-item, the working group had before it recommendation 24/10 of the Subsidiary Body of Scientific, Technical and Technological Advice, set out in the Subsidiary Body's report on its twenty-fourth meeting (CBD/SBSTTA/24/12). It also had before it as information documents a report of the online discussion forum on ecologically or biologically significant marine areas in preparation for the fifteenth meeting of the Conference of the Parties (CBD/EBSA/OM/2022/2/1) and proposals submitted by Parties and observers on ecologically or biologically significant marine areas under agenda item 6 of the twenty-fourth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (CBD/SBSTTA/24/INF/41).

65. The working group agreed to establish a contact group, co-chaired by Marie-May Jeremie (Seychelles) and Renée Sauvé (Canada), with the mandate to discuss the unresolved issues and prepare a draft decision based on the work of Subsidiary Body and the results of the online forum.

66. At its sixth meeting, on 10 December, the working group heard an interim report on the work of the contact group.

67. At its seventh meeting, on 13 December, the working group heard a further report on the work of the contact group.

68. At its eighth meeting, on 13 December, the working group considered a draft decision submitted by the Chair and approved it, as orally amended, for transmission to plenary as draft decision CBD/COP/15/L.14.

69. The working group agreed to reflect in the present report the Chair's comments acknowledging representatives' expressions of frustration with the lack of time available to discuss the draft modalities for modifying descriptions of ecologically or biologically significant marine areas and for describing new areas, and of the need to allocate sufficient time to discuss the topic at the sixteenth meeting of the Conference of the Parties, as well as at the preceding meetings of its subsidiary bodies, with a view to finalizing and adopting modalities for modifying descriptions of ecologically or biologically significant marine areas and for describing new areas at the sixteenth meeting of the Conference of the Parties.

#### *COP-Item 20 B. Conservation and sustainable use of marine and coastal biodiversity*

70. Working group II took up sub-item COP-20 B at its first meeting, on 7 December. In considering the sub-item, the working group had before it recommendation 23/9 of the Subsidiary Body of Scientific, Technical and Technological Advice, set out in the Subsidiary Body's report on its twenty-third meeting (CBD/SBSTTA/23/9). It also had before it as information documents a report of the online discussion forum on conservation and sustainable use of marine and coastal biodiversity in preparation for the fifteenth meeting of the conference of the parties (CBD/MCB/OM/2022/1/1) and proposals submitted by Parties and observers on the conservation and sustainable use of marine and coastal biodiversity under agenda item 6 of the twenty-fourth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (CBD/SBSTTA/24/INF/42).

71. The working group agreed that the contact group established under sub-item COP-20 A2 would also be mandated to address the unresolved issues under sub-item COP-20 B and prepare a draft decision, based on the work of Subsidiary Body and the results of the online forum.

72. At its fourth meeting, on 9 December, the working group heard an interim report on the work of the contact group.

73. At its sixth meeting, on 10 December, the working group heard a further interim report on the work of the contact group.

74. At its seventh meeting, on 13 December, following a report by the co-chairs of the contact group, the working group considered a draft decision submitted by the Chair.

75. Statements were made by the representatives of Australia, Brazil, Canada, Colombia, Ecuador, Egypt, the European Union and its 27 member States, Iceland, Japan, Mexico, the Philippines, South Africa and the United Kingdom.

76. At its eighth meeting, on 13 December, the working group continued its consideration of the draft decision and approved it, as orally amended, for transmission to plenary as draft decision CBD/COP/15/L.15.

**COP-Item 21. Invasive alien species**

77. Working group II took up item COP-21 at its second meeting, on 8 December. In considering the item, the working group had before it a draft decision, which was based on recommendation 24/8 of the Subsidiary Body on Scientific, Technical and Technological Advice and set out in the compilation of draft decisions (CBD/COP/15/2).

78. The working group agreed to establish an open group of friends of the chair, facilitated by Senka Barudanovic (Bosnia and Herzegovina) and Azalia binti Mohamed (Malaysia), to further discuss the matter.

79. At its seventh meeting, on 13 December, the working group heard a report by the co-facilitators of the group of friends of the chair, following which it considered a revised draft decision submitted by the Chair and approved it, as orally amended, for transmission to plenary as draft decision CBD/COP/15/L.12.

**COP-Item 22. Sustainable wildlife management**

80. Working group II took up item COP-22 at its second meeting, on 8 December. In considering the item, the working group had before it a draft decision, based on recommendation 23/3 of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA), set out in the compilation of draft decisions (CBD/COP/15/2).

81. The working group agreed that the Chair would submit the draft decision as a conference room paper for its consideration.

82. At its fourth meeting, on 9 December, the working group considered the draft decision as submitted by the Chair and approved it, as orally amended, for transmission to plenary as draft decision CBD/COP/15/L.5.

**COP-Item 23. Biodiversity and climate change**

83. Working group II took up item COP-23 at its second meeting, on 8 December. In considering the item, the working group had before it a draft decision, based on recommendation 23/2 of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA), set out in the compilation of draft decisions (CBD/COP/15/2). It also had before it a document providing supplementary information to the review of new scientific and technical information on biodiversity and climate change and potential implications for the work of the Convention on Biological Diversity (CBD/COP/INF/21).

84. The working group agreed to establish an open group of friends of the chair, co-facilitated by Sigurdur Thrainsson (Iceland) and Rita El Zaghoul (Costa Rica), to further discuss the matter and to enable the Chair to prepare a revised draft decision for the working group's consideration.

85. At its fourth meeting, on 9 December, the working group heard an interim progress report on the work of the group of friends of the chair.

86. At its ninth meeting, on 16 December, the working group heard a report back from the co-facilitator of the group of friends of the chair, which had subsequently been converted to a contact group. The working group then considered a revised draft decision submitted by the Chair.

87. Statements were made by the representatives of Algeria, Argentina, Australia, Brazil, Canada, Colombia, Ethiopia, the European Union and its 27 member States, Honduras, Indonesia, Iran (Islamic Republic of), Japan, Morocco, Norway, the Philippines, South Africa, Sri Lanka, Switzerland, Uganda, the United Kingdom and Uruguay.

88. The working group agreed that the Chair would prepare a further revised draft decision for its consideration, taking account of the statements made.

89. At its tenth meeting, on 9 December, the working group considered the revised draft decision submitted by the Chair and approved it, as orally amended, for transmission to plenary as draft decision CBD/COP/15/L.19.

#### **COP-Item 24. Biodiversity and agriculture**

90. Working group II took up item COP-24 at its second meeting, on 8 December. In considering the item, the working group had before it a draft decision, which was based on recommendation 24/6 of the Subsidiary Body on Scientific, Technical and Technological Advice and set out in the compilation of draft decisions (CBD/COP/15/2).

91. The working group agreed to establish a contact group, co-chaired by Hendrik Segers (Belgium) and Eric Okoree (Ghana), to further discuss the matter.

92. At its fourth meeting, on 9 December, the working group heard a report on the work of the contact group and agreed that the Chair would prepare a revised draft decision for its consideration based on the outcome of the group's work.

93. At its seventh meeting, on 13 December, the working group considered the revised draft decision submitted by the Chair.

94. Statements were made by the representatives of Antigua and Barbuda, Argentina, Australia, Bangladesh, Brazil, Canada, Colombia, Costa Rica, Côte d'Ivoire, Egypt, Ethiopia, the European Union and its 27 member States, Guatemala, Honduras, Indonesia, Japan, Micronesia, Mongolia, Morocco, Norway, Peru, South Africa, Switzerland, the United Kingdom and the United Republic of Tanzania.

95. At its eight meeting, on 13 December, the Working Group continued its consideration of the revised draft decision and approved it, as orally amended, for transmission to plenary as draft decision CBD/COP/15/L16.

#### **COP-Item 25. Biodiversity and health**

96. Working group II took up item COP-25 at its second meeting, on 8 December. In considering the item, the working group had before it a draft decision, which was based on recommendation 24/7 of the Subsidiary Body on Scientific, Technical and Technological Advice and set out in the compilation of draft decisions (CBD/COP/15/2).

97. The working group agreed that the Chair would undertake informal consultations with a view to preparing a revised draft decision for the working group's consideration.

98. At its sixth meeting, on 10 December, the working group agreed to establish a group of friends of the chair, co-facilitated by Barbara Engels (Germany) and Andrew Rhodes-Espinoza (Mexico), to address the unresolved issues and enable the Chair to prepare a revised draft decision for the working group's consideration.

99. At its ninth meeting, on 16 December, the working group heard a report by the co-facilitator of the group of friends of the chair, following which it considered a draft decision submitted by the Chair and approved it, as orally amended, for transmission to plenary as draft decision CBD/COP/15/2/L.17.

#### **COP-Item 26. Nature and culture**

100. Working group II took up item COP-26 at its second meeting, on 8 December. In considering the item, the working group had before it a draft decision, which was based on recommendation 11/3 of the Ad Hoc Open-ended Inter-sessional Working Group on Article 8(j) and related provisions and recommendation 23/5 of the Subsidiary Body on Scientific, Technical and Technological Advice and was set out in the compilation of draft decisions (CBD/COP/15/2).

101. The working group agreed that the Chair would undertake informal consultations with a view to addressing the unresolved issues and preparing a revised draft decision for the working group's consideration.

102. At its sixth meeting, on 10 December, the working group considered the revised draft decision submitted by the Chair and approved it, as orally amended, for transmission to plenary as draft decision CBD/COP/15/L.10.

### **COP-Item 27. Synthetic biology**

103. Working group II took up item COP-27 at its first meeting, on 7 December. In considering the item, the working group had before it a draft decision, which was based on recommendation 24/4 of the Subsidiary Body on Scientific, Technical and Technological Advice and set out in the compilation of draft decisions (CBD/COP/15/2).

104. The representative of Brazil made a statement.

105. The working group agreed to establish a contact group, co-chaired by Ntakadzeni Tshidada (South Africa) and Werner Schenkel (Germany), with the mandate to address the text remaining in brackets in the draft decision and to prepare a revised draft decision for the working group's consideration.

106. At its fourth meeting, on 9 December, the working group heard an interim progress report on the work of the contact group.

107. At its ninth meeting, on 16 December, the working group heard a further report on the work of the contact group.

108. The working group also heard a brief report on the work of the United Nations Biorisk Working Group from a representative of the World Health Organization.

109. The working group then considered a draft decision submitted by the Chair and approved it, as orally amended, for transmission to plenary as draft decision CBD/COP/15/2/L.18.

### **CP-Item 5. Report of the Compliance Committee**

110. Working group II took up item CP-5 at its second meeting, on 8 December. In considering the item, the working group had before it a draft decision on the matter, which was based on the recommendations of the Compliance Committee contained in the annex to the report on the work of its sixteenth and seventeenth meetings (CBD/CP/MOP/10/2) and was set out in the compilation of draft decisions (CBD/CP/MOP/10/1/Add.5).

111. The representative of the European Union and its 27 member States made a statement, also on behalf of its member States.

112. The working group agreed that the Chair would prepare a revised draft decision for its consideration, taking account of the statement made.

113. At its fourth meeting, on 9 December, the working group considered the revised draft decision submitted by the Chair and approved it for transmission to plenary as draft decision CBD/CP/MOP/10/L.3.

### **CP-Item 7. Implementation plan and capacity-building action plan for the Cartagena Protocol**

114. Working group II took up item CP-7 at its first meeting, on 7 December. In considering the item, the working group had before it two draft decisions, which were based on recommendation 3/4 of the Subsidiary Body on Implementation and set out in the compilation of draft decisions (CBD/CP/MOP/10/1/Add.5).

115. Statements were made by the representatives of Brazil, the European Union and its 27 member States and Norway.

116. The working group agreed to establish a contact group chaired by Rita Andorkò (Hungary) and Rigobert Ntep (Cameroon) with the mandate to resolve the issues associated with bracketed text in the draft decisions.

117. At its sixth meeting, on 10 December, the working group heard an interim report on the work of the contact group.

118. At its seventh meeting, on 13 December, the working group heard a further report on the work of the contact group.

119. At its eighth meeting, on 13 December, the working group considered two revised draft decisions submitted by the Chair and approved them, as orally amended, for transmission to plenary as draft decisions CBD/CP/MOP/10/L.13 and CBD/CP/MOP/10/L.14.

#### **CP-Item 8. Monitoring and reporting (Article 33)**

120. Working group II took up item CP-8 at its first meeting, on 7 December. In considering the item, the working group had before it a draft decision on the matter, set out in the compilation of draft decisions (CBD/CP/MOP/10/1/Add.5). It also had before it a note by the Executive Secretary containing an overview of the status of submission of fourth national reports and the draft reporting format for the fifth national reports (CBD/CP/MOP/10/5) and, as an information document, a reference table showing how the questions in the format for the fifth national report correspond to questions in the fourth national report (CBD/CP/MOP/10/INF/3).

121. Statements were made by the representatives of Colombia, the European Union and its 27 member States, India, Malaysia, New Zealand and South Africa.

122. The working group agreed that the Chair would prepare a revised draft decision for its consideration.

123. At its fourth meeting, on 9 December, the working group considered the revised draft decision, submitted by the Chair and approved it, as orally amended, for transmission to plenary as draft decision CBD/CP/MOP/10/L.4.

#### **CP-Item 9. Assessment and review of the effectiveness of the Protocol (Article 35) and final evaluation of the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011–2020**

124. Working group II took up item CP-9 at its first meeting, on 7 December. In considering the item, the working group had before it a draft decision based on recommendation 3/2 of the Subsidiary Body on Implementation, set out in the compilation of draft decisions (CBD/CP/MOP/10/1/Add.5). It also had before it as an information document an update to the analysis of data from the fourth national reports (CBD/CP/MOP/10/INF/2).

125. The working group agreed that the Chair would prepare a revised draft decision for its consideration.

126. At its fourth meeting, on 9 December, the working group considered the revised draft decision submitted by the Chair and approved it, as orally amended, for transmission to plenary as draft decision CBD/CP/MOP/10/L.9.

#### **CP-Item 10. Matters related to the financial mechanism and resources**

127. Working group II took up item CP-10 at its second meeting, on 8 December. In considering the item, the working group had before it a draft decision on the matter, set out in the compilation of draft decisions (CBD/CP/MOP/10/1/Add.5), as well as a note by the Executive Secretary on the financial mechanism and resources (CBD/CP/MOP/10/6) and a report of the Council of the Global Environment Facility to the Conference of the Parties at its fifteenth meeting (CBD/COP/15/8).

128. Statements were made by representatives of Brazil, the European Union and its 27 member States, Iran (Islamic Republic of) and South Africa.

129. The working group agreed that the Chair would prepare a revised draft decision, taking account of the statements made.

130. At its eighth meeting, on 13 December, the working group considered the revised draft decision submitted by the Chair and approved it, as orally amended, for transmission to plenary as draft decision CBD/CP/MOP/10/L.12.

#### **CP-Item 11. Operation and activities of the Biosafety Clearing House (article 20)**

131. Working group II took up item CP-11 at its first meeting, on 7 December. In considering the item, the working group had before it a draft decision on the matter, set out in the compilation of draft decisions (CBD/CP/MOP/10/1/Add.5), as well as notes by the Executive Secretary on the operation and activities of the Biosafety Clearing House (CBD/CP/MOP/10/7), the key features of and developments on the new platform of the Biosafety Clearing House (CBD/CP/MOP/10/INF/7) and a needs assessment survey on the Biosafety Clearing House (CBD/CP/MOP/10/INF/8).

132. Statements were made by the representatives of Belarus, Brazil, Burkina Faso, the Democratic Republic of Korea, the Dominican Republic, Eswatini, the European Union and its 27 member States, Ghana, Guatemala, India, Kenya, Malawi, Malaysia, Mexico, the Republic of Korea, South Africa (on behalf of the African States) and Uganda.

133. The representative of the Organisation for Economic Co-operation and Development also made a statement.

134. The working group agreed that the Chair would prepare a revised draft decision for its consideration.

135. At its fourth meeting, on 9 December, the working group considered the revised draft decision submitted by the Chair and approved it, as orally amended, for transmission to plenary as draft decision CBD/CP/MOP/10/L.7.

#### **CP-Item 12. Cooperation with other organizations, conventions and initiatives**

136. Working group II took up item CP-12 at its second meeting, on 8 December. In considering the item, the working group had before it a report on cooperation with other organizations, conventions and initiatives (CBD/CP/MOP/4/8).

137. The working group took note of the information provided.

#### **CP-Item 14. Risk assessment and risk management (Articles 15 and 16)**

138. Working group II took up item CP-14 at its first meeting, on 7 December. In considering the item, the working group had before it a draft decision on the matter, which was based on recommendation 24/5 of the Subsidiary Body on Scientific, Technical and Technological Advice and set out in the compilation of draft decisions (CBD/CP/MOP/10/1/Add.5).

139. The working group agreed to establish a contact group, co-chaired by Ntakadzeni Tshidada (South Africa) and Werner Schenkel (Germany), with the mandate to resolve the issues associated with the brackets in paragraphs 4, 6, 9, 11(a) and the annex of the draft decision.

140. At the second meeting of the working group, on 8 December, the co-chair of the contact group reported that the group had completed its work.

141. At its fourth meeting, on 9 December, the working group considered a revised draft decision submitted by the Chair and approved it, as orally amended, for transmission to plenary as draft decision CBD/CP/MOP/10/L.8.

**CP-Item 15. Detection and identification of living modified organisms**

142. Working group II took up item CP-15 at its first meeting, on 7 December. In considering the item, the working group had before it a draft decision on the matter, set out in the compilation of draft decisions (CBD/CP/MOP/10/1/Add.5), as well as notes by the Executive Secretary on the detection and identification of living modified organisms (CBD/CP/MOP/10/10/Rev.1), a synthesis of information on detection and identification of living modified organisms (CBD/CP/MOP/10/INF/4) and a summary of the online discussions of the network of laboratories for the detection and identification of living modified organisms (CBD/CP/MOP/10/INF/5).

143. Statements were made by the representatives of Brazil, Colombia, Côte d'Ivoire, Egypt (on behalf of the African States), the European Union and its 27 member States, Kenya, Malawi, Namibia, New Zealand, the Republic of Korea and South Africa.

144. The representative of Argentina also made a statement.

145. The working group agreed that the Chair would prepare a revised draft decision for its consideration, taking account of the statements made.

146. At its fourth meeting, on 9 December, the working group considered the revised draft decision submitted by the Chair.

147. Statements were made by the representatives of Antigua and Barbuda, Belarus, Brazil, Burkina Faso, Colombia, Costa Rica, Ecuador, Egypt (on behalf of the African States), the European Union and its 27 member States, Kenya, Pakistan, Paraguay, South Africa, the Syrian Arab Republic and Tajikistan.

148. The working group agreed that bilateral discussions would be held as necessary to resolve an outstanding issue.

149. At its fifth meeting, on 9 December, the working group resumed its consideration of the revised draft decision and approved it, as orally amended, for transmission to plenary as draft decision CBD/CP/MOP/10/L.10.

**CP-Item 16. Socioeconomic considerations (article 26)**

150. Working group II took up item CP-16 at its second meeting, on 8 December. In considering the item, the working group had before it a draft decision on the matter, set out in the compilation of draft decisions (CBD/CP/MOP/10/1/Add.5), as well as a note by the Executive Secretary on the matter (CBD/CP/MOP/10/11).

151. Statements were made by the representatives of Bolivia (Plurinational State of), Botswana, Brazil, Côte d'Ivoire, Ecuador, Eswatini, the European Union and its 27 member States, Guatemala, Namibia, Norway, Malaysia, Mexico, Paraguay, the Republic of Korea, South Africa, the United Republic of Tanzania, Uruguay and Zimbabwe (on behalf of the African States).

152. The representative of Argentina also made a statement.

153. The working group agreed that the Chair would prepare a revised draft decision for its consideration, taking account of the statements made.

154. At its fourth meeting, on 9 December, the working group considered the revised draft decision submitted by the Chair and approved it, as orally amended, for transmission to plenary as draft decision CBD/CP/MOP/10/L.6.

**CP-Item 17. Nagoya-Kuala Lumpur Protocol on Liability and Redress**

155. Working group II took up item CP-17 at its first meeting, on 7 December. In considering the item, the working group had before it a draft decision on the matter, set out in the compilation of draft decisions

(CBD/CP/MOP/10/1/Add.5), as well as a note by the Executive Secretary on the matter (CBD/CP/MOP/10/9) and a study on financial security mechanisms (CBD/CP/MOP/10/INF/1).

156. Statements were made by the representatives of Brazil and the European Union and its 27 member States.

157. The working group agreed that the Chair would prepare a revised draft decision for its consideration, taking account of the statements made.

158. At its fourth meeting, on 9 December, the working group considered the revised draft decision submitted by the Chair and approved it, as orally amended, for transmission to plenary as draft decision CBD/CP/MOP/10/L.5.