

Convention on Biological Diversity

Distr.
GENERAL

CBD/WG2020/5/5
5 December 2022

ORIGINAL: ENGLISH

OPEN-ENDED WORKING GROUP
ON THE POST-2020 GLOBAL
BIODIVERSITY FRAMEWORK

Fifth meeting

Montreal, 3-5 December 2022

REPORT OF THE OPEN-ENDED WORKING GROUP ON THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK ON ITS FIFTH MEETING

The Working Group on the Post-2020 Global Biodiversity Framework held its fifth meeting in Montreal, Canada, from 3 to 5 December 2022. The Working Group completed its negotiations on the post-2020 global biodiversity framework and on digital sequence information on genetic resources. The Working Group adopted two recommendations. The recommendations adopted by the Working Group are contained in section I of the report, and the account of the proceedings of the meeting appear in section II.

Contents

I.	Conclusions of the Working Group on the Post-2020 Global Biodiversity Framework at its fifth meeting.....	3
	5/1. Post-2020 Global Biodiversity Framework	3
	5/2. Digital sequence information on genetic resources.....	24
II.	Account of proceedings	38
	A. Background	38
	B. Attendance	38
	Item 1. Opening of the meeting.....	43
	Item 2. Organization of work	43
	Item 3. Reports from the co-chairs on intersessional work	44
	Item 4. Post-2020 global biodiversity framework	44
	Item 5. Digital sequence information on genetic resources.....	46
	Item 6. Other matters.....	47
	Item 7. Adoption of the report.....	47
	Item 8. Closing of the meeting	47

I. CONCLUSIONS OF THE WORKING GROUP ON THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK AT ITS FIFTH MEETING

5/1. Post-2020 Global Biodiversity Framework

The Open-ended Working Group on the Post-2020 Global Biodiversity Framework

1. *Recalls* its recommendation 4/1 on the post-2020 global biodiversity framework;
2. *Transmits* the draft of the post-2020 global biodiversity framework, contained in the annex to this recommendation, which supersedes the annex to recommendation 4/1, to the Conference of the Parties for its consideration.

Annex

Post-2020 Global Biodiversity Framework

Section A. Background

1. Biodiversity is fundamental to human well-being and a healthy planet, [and economic prosperity] for peoples living in harmony with nature [and [for addressing other multiple worldviews]/[Mother Earth, in the context of multiple worldviews]]. [It underpins [virtually] every part of our lives]; we depend on it for food, medicine, energy, clean air and water, security from natural disasters as well as recreation and cultural inspiration, and it supports all systems of life on earth, [among others]. [More than half of the global gross domestic product (GDP) relies on biodiversity and healthy ecosystems].

2. The global biodiversity framework seeks to respond to the Global Assessment Report of Biodiversity and Ecosystem Services issued by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) in 2019,¹ fifth edition of the *Global Biodiversity Outlook*, and many other scientific documents provide ample evidence that, despite ongoing efforts, biodiversity is deteriorating worldwide at rates unprecedented in human history. [As the IPBES Global Assessment report states:

An average of around 25 per cent of species in assessed animal and plant groups are threatened, suggesting that around 1 million species already face extinction, many within decades, unless action is taken to reduce the intensity of drivers of biodiversity loss. Without such action, there will be a further acceleration in the global rate of species extinction, which is already at least tens to hundreds of times higher than it has averaged over the past 10 million years.²

...

The biosphere, upon which humanity as a whole depends, is being altered to an unparalleled degree across all spatial scales. Biodiversity – the diversity within species, between species and of ecosystems – is declining faster than at any time in human history.³

...

Nature can be conserved, restored and used sustainably while other global societal goals are simultaneously met through urgent and concerted efforts fostering transformative change.

...

[The direct drivers of change in nature with the largest global impact have been (starting with those with the most impact) changes in land and sea use, direct exploitation of organisms, climate change,

¹ IPBES (2019): *Global Assessment Report on Biodiversity and Ecosystem Services*. E. S. Brondizio, J. Settele, S. Díaz, and H. T. Ngo (editors). IPBES secretariat, Bonn. 1,148 pages. <https://doi.org/10.5281/zenodo.3831673>.

²Ibid, p. XV-XVI

³ Ibid, p. XIV

pollution and invasion of alien species. Those five direct drivers result from an array of underlying causes, the indirect drivers of change, which are, in turn, underpinned by social values and behaviours that include production and consumption patterns, human population dynamics and trends, trade, technological innovations and local through global governance.]⁴

3. [[Biodiversity loss, climate change, land degradation and desertification, [ocean degradation] [and][pollution], [all ecosystems [and [mountain] ecosystem degradation],]] are interrelated and mutually reinforcing, so these environmental crises need to be addressed in an integrated, comprehensive, holistic and urgent manner.]

4. The post-2020 global biodiversity framework, building on the Strategic Plan for Biodiversity 2011-2020, its achievements, gaps, and lessons learned, and the experience and achievements of other relevant multilateral environmental agreements, sets out an ambitious plan to implement broad-based action to bring about a transformation in our societies' relationship with biodiversity by 2030, in line with the 2030 Agenda for Sustainable Development and its Sustainable Development Goals, and ensure that, by 2050, the shared vision of living in harmony with nature is fulfilled.

Section B. Purpose

[5. The framework aims to catalyze, enable and galvanize urgent and transformative action by Governments, subnational and local governments, and with the involvement of all of society to [halt and reverse]/[address the trend of] biodiversity loss, to achieve the outcomes it sets out in its vision, mission, goals and targets, and thereby to contribute to the three objectives of the Convention on Biological Diversity, and to its Protocols. The purpose is [to implement]/[the full implementation of] the three objectives of the Convention [in a balanced manner].]

[6. The framework is action- and results-oriented, and aims to guide and promote at all levels the revision, development, updating, and implementation of policies, goals, targets, national biodiversity strategies and actions plans, and to facilitate [regular] monitoring and review of progress at all levels, [in a more transparent and responsible manner]/ to increase transparency [and [accountability] [responsibility].]

7. The framework promotes [synergies,]coherence, complementarity and cooperation between the Convention on Biological Diversity and its Protocols, other biodiversity related conventions, other relevant multilateral agreements and international institutions, , respecting their mandates, and creates opportunities for cooperation and partnerships among the diverse actors to enhance implementation of the framework [in an effective and efficient manner].

Section B bis. [The fundamental [premises]/[principles]/[guidelines and approaches] for the implementation of the framework*

[8. The implementation of the framework, including its Goals and Targets, is underpinned by fundamental [premises]/[principles]/[guidelines and approaches] that are key for its success [and are to be

⁴ Ibid, p. XX

* Section Bbis was only partially discussed by the contact group. There was a discussion and there were divergent views on whether the elements of Bbis might fit into the following three categories: (i) premises/principles, (ii) approaches and (iii) enabling conditions. Additionally, some Parties identified elements reflected in the text from the fourth meeting of the Working Group (Nairobi text) as well as in decision 14/34 which should be considered in the context of Section Bbis. These elements have been reflected in this document as they were found in the Nairobi text or decision 14/34 to serve as placeholders for further consideration by the Conference of the Parties. In the discussion there were divergent views on the inclusion or not of all the elements identified in Section Bbis (arising from the Informal Group discussions) as well as the additional aspects reflected in the Nairobi text and from decision 14/34. There were divergent views on whether the elements identified in Section Bbis (arising from the Informal Group discussions) as well as the additional aspects reflected in the Nairobi text and from decision 14/34 might better be reflected in other sections of the framework or outcomes of the COP, such as in decision text. The contact group did not have the opportunity to consider all of the of the proposed elements of Section Bbis

considered at all stages[, including planning, monitoring, reporting, and review]. [The comprehensive implementation of the framework includes consideration of these [premises]/[principles]/[guidelines and approaches] at all stages. In that regard, the Goals and Targets are to be understood, acted upon, implemented, reported and evaluated, consistent with the followings]:]

Contribution and rights of indigenous peoples and local communities

9. [The framework acknowledges the important roles and contributions of indigenous peoples and local communities as custodians of biodiversity and partners in the conservation, restoration and sustainable use. Its implementation must ensure their [traditional] rights[, including their rights over land and territories that they traditionally [occupy]/[inhabit].] and that the knowledge, innovations, worldviews, values and practices of indigenous peoples and local communities are respected, documented, preserved [and maintained], [and that their traditional knowledge [associated with genetic resources is accessed and utilized]] with their free, prior and informed consent,⁵ including through their full and effective participation in decision-making, in accordance [with relevant national legislation and international [instruments]/[human rights law], [including]/[and] the United Nations Declaration on the Rights of Indigenous Peoples [and UNDRIP]]. [In this regard, nothing in this framework shall be construed to diminish or suppress any rights that indigenous peoples currently have or may acquire in the future].]

[Different value systems

10. Nature embodies different concepts for different people, including biodiversity, ecosystems, Mother Earth, and systems of life. Nature's contributions to people also embody different concepts, such as ecosystem goods and services and nature's gifts. Both nature and nature's contributions to people are vital for human existence and good quality of life, including human well-being, living in harmony with nature, living well in balance and harmony with Mother Earth. The framework recognizes and considers these diverse value systems as being an integral part of its successful implementation.]

[Whole-of-government and whole-of-society approach

11. This is a framework for all, for the whole of government and the whole of society. Its success requires political will and recognition at the highest level of government, and relies on action and cooperation by all levels of government and by all actors of society.]

National circumstances, priorities and capabilities

12. The implementation of the framework will be based on [[national circumstances, priorities and capabilities, including] / [the principle of CBDR in the form of]] national biodiversity strategies and action plans (NBSAPs) [[and on mainstreaming within and across sectors and at all levels of government], and will require [sound,] transparent and inclusive governance, and coherent and effective national legislation, policies and institutions[, including a well-functioning judicial and enforcement system]. [Each Party would contribute to attaining the [framework]/[targets], [according to the provision of financial resources, in the context of Article 20 of the Convention]. National contributions to goals and targets of the global biodiversity framework will be determined according to national circumstances, priorities and capabilities. The aggregate effect of[, and synergies among,] those national contributions as well as the contributions by relevant stakeholders, would collectively contribute to achieving the goals and targets of the framework.]]

Collective efforts towards the targets

13. [Targets are global in their scale.] Each Party would contribute to attaining the targets, in accordance with national circumstances, priorities and capabilities. The aggregate effect of, and synergies among, those national contributions as well as the contributions by relevant stakeholders, would collectively contribute to achieving the targets of the framework.

⁵[In this framework, free, prior and informed consent refers to the tripartite terminology of “prior and informed consent” or “free, prior and informed consent” or “approval and involvement]

[Right to development]

14. Recognizing the 1986 United Nations Declaration on the Right to Development, the framework enables responsible and sustainable socio-economic development that, at the same time, contributes to the conservation and sustainable use of biodiversity.]

[Human rights-based approach]

15. The framework acknowledges human rights, and the right to a clean, safe and sustainable environment, recognizing that a safe, clean, healthy and sustainable environment is important for the enjoyment of human rights. Its implementation should follow a human rights-based approach respecting, protecting and fulfilling these rights.]

[Gender-responsiveness]

16. Successful implementation of the framework will depend on ensuring gender equality and empowerment of women and girls and reducing inequalities, enhancing greater access to education and respecting the principle of intergenerational equity.]

[Fulfilment of the three objectives of the Convention and its Protocols and their balanced implementation]

17. The goals and targets of the framework are integrated and are intended to contribute in a balanced manner to the three objectives of the Convention on Biological Diversity. The framework is to be implemented in line with these objectives, with other provisions of the Convention on Biological Diversity, and with the Cartagena Protocol on Biosafety and the Nagoya Protocol on Access and Benefit-sharing, as applicable.]

[Consistency and synergies with international agreements or instruments]

18. The implementation of the framework needs to be aligned with the implementation of other relevant international agreements or instruments that address matters covered under the framework.]

[Principles of the Rio Declaration]

19. The framework recognizes that reversing the loss of biological diversity, for the benefit of all living beings, is a common concern for humankind. Its implementation should be guided by the principles of the Rio Declaration on Environment and Development.^{6]}

[Science and innovation]

20. The implementation of the framework should be based on scientific and other evidence, recognizing the role of science, technology and innovation and that of other knowledge and innovation systems including traditional knowledge and practices, in line with the precautionary approach and the ecosystem approach.]

[Ecosystem based approaches and Nature-based solutions]

21. This framework is to be implemented based on the ecosystem approach of the Convention⁷, taking also into account the resolution on nature-based solutions adopted at the fifth session of the United Nations Environment Assembly, which defines nature-based solutions.^{8]}

Other aspects identified by Parties during the Friends discussion drawn from the report of the fourth meeting of the Working Group⁹

⁶ Rio Declaration on Environment and Development (A/CONF.151/26/Rev.1 (vol.I)), United Nations publication, Sales No. E.93.1.8.

⁷ Decision V/6

⁸ See operative paragraph 1 of the United Nations Environment Assembly [resolution 5/5](#) on nature-based solutions for supporting sustainable development.

⁹ CBD/WG2020/4/4

[Rights of Mother Earth (drawn from Nairobi text of the Theory of Change):

22. It recognizes the importance of a [human] rights-based approach, including the respect, protection [promotion] and fulfilment of human rights, [and the rights of Mother Earth,] [gender equality] and foster intergenerational equity]

[Mother Earth Centred Action¹⁰]

[One Health Approach

23. Sound implementation of the framework will aim to generate co-benefits for the achievement of the goals established under the Paris Agreement, the United Nations Framework Convention on Climate Change, the UN Ocean Decade, and the promotion of a biodiversity inclusive One Health approach.]

[Inter-generational equity

24. Success will depend on ensuring gender equality and empowerment of women and girls and reducing inequalities, enhancing greater access to education and respecting the principle of intergenerational equity.]

[Formal and informal education

25. Implementation of the framework requires transformative, innovative and transdisciplinary education, formal and informal, at all levels, including science-policy interface studies and lifelong learning processes, recognizing diverse world views, values and knowledge systems of indigenous peoples and local communities.]

[Access to financial resources

26. The full implementation of the framework requires adequate, predictable and easily accessible financial resources from all sources, prioritizing public sources.]

[Provisions of the Convention

27. The goals and targets of the framework are integrated and are intended to balance the three objectives of the Convention on Biological Diversity. The framework is to be implemented in line with these objectives, with other provisions of the Convention on Biological Diversity, and with the Cartagena Protocol on Biosafety and the Nagoya Protocol on Access and Benefit-sharing as applicable.]

[Cooperation and synergies

28. The efficiency and effectiveness of the framework's implementation will be promoted by enhancing collaboration, cooperation and synergies between the Convention on Biological Diversity and its protocols and the Rio conventions, other biodiversity-related conventions, other relevant multilateral agreements and international organizations and processes, including at the global, regional, subregional and national levels.]

Other aspects identified by Parties during the Friends of the co-leads' discussion drawn from decision 14/34¹¹

[(a) **Participatory** – While being Party-led, acknowledging the principles of the Rio Declaration on Environment and Development with regard to participation, the process will enable the effective and meaningful participation of all those who desire to engage in the process, including through participation in relevant workshops, consultations, and formal meetings and by providing feedback and comments on discussion and official documents according to the rules of procedure of the Convention;]

¹⁰ Mother Earth Centered Actions: Ecocentric and rights based approach enabling the implementation of actions towards harmonic and complementary relationships between peoples and nature, promoting the continuity of all living beings and their communities and ensuring the non-commodification of environmental functions of Mother Earth.

¹¹ Decision 14/34, annex paragraph 2

[(b) **Inclusive** – The process will help enable all relevant groups and stakeholders to provide their views for consideration. This includes Parties, other Governments, indigenous peoples and local communities, United Nations organizations and programmes, other multilateral environmental agreements, subnational governments, cities and other local authorities, intergovernmental organizations, non-governmental organizations, women’s groups, youth groups, the business and finance community, the scientific community, academia, faith-based organizations, representatives of sectors related to or dependent on biodiversity, citizens at large, and other stakeholders. Efforts should be made to solicit views from a wide range of perspectives, going beyond those traditionally involved in the work of the Convention and the two Protocols;]

[(d) **Transformative** – The process will mobilize broad societal engagement to achieve accelerated and sustainable transformations to implement the three objectives of the Convention, whereby biodiversity and ecosystems are recognized as the essential infrastructure supporting life on Earth, without which human development and well-being will not be possible. It will place biodiversity, its conservation, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources, at the heart of the sustainable development agenda, recognizing the important linkages between biological and cultural diversity;]

[(f) **Catalytic** – The process will serve to catalyse a global-scale movement for biodiversity, emphasizing the sense of political urgency and mobilizing multi-stakeholder partnerships to implement concrete actions from local, national, regional and global levels;]

[(k) **Results-oriented** – The process will seek to identify at an early stage issues for further clarification, discussion and exploration. Relevant experts and stakeholders will be engaged to address potential issues and realistically achievable solutions, building on the experiences in implementing the Strategic Plan for Biodiversity 2011-2020;]

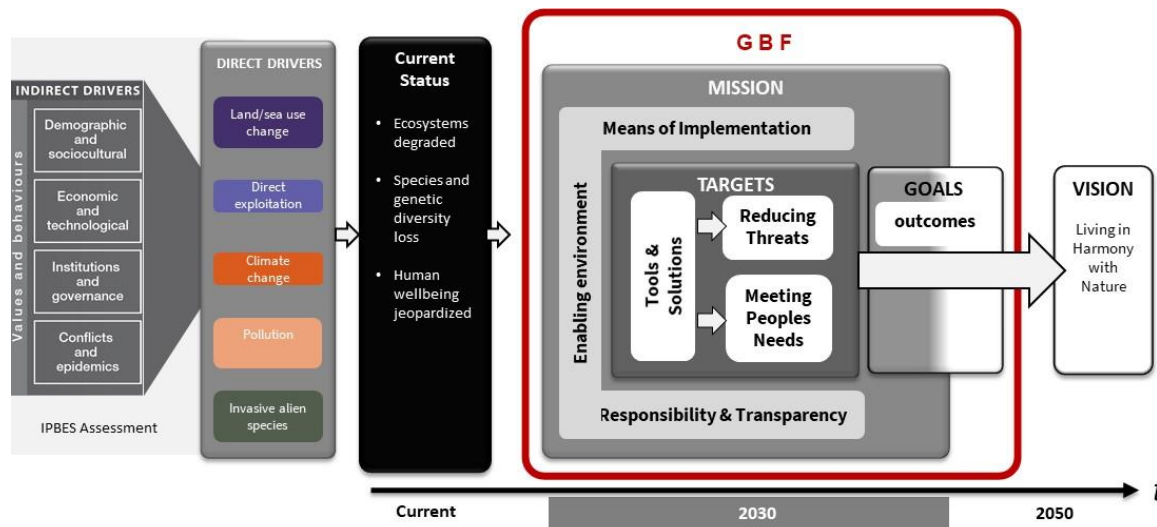
Section C. Relationship with the 2030 Agenda for Sustainable Development

29. The framework is a contribution to the achievement of the 2030 Agenda for Sustainable Development. At the same time, progress towards the Sustainable Development Goals and the achievement of sustainable development in all its three dimensions (environmental, social and economic) is necessary to create the conditions necessary to fulfil the goals and targets of the framework.

Section D. Theory of change

30. [The theory of change on which the framework is based [(see figure 1)] recognizes that urgent action at global, regional, subregional, national and subnational level is required, and assumes that transformative actions are taken to (a) address the drivers of biodiversity loss [and their [indirect drivers]/[underlying causes], (b) put in place tools and solutions for implementation and mainstreaming, (c) reduce the threats to biodiversity and , (d) ensure that biodiversity is used sustainably for the joint benefit of people and the planet[, consistent with diverse worldviews, including recognizing the rights of nature]/[and (e) recognize the rights of Mother Earth] and that these actions are supported by the necessary enabling conditions, and adequate means of implementation, [in particular in developing countries,] including financial resources, capacity-building, scientific cooperation, technology transfer, knowledge[, and effective responsibility and transparency mechanisms, including for planning, reporting and review of progress]. [. It also assumes that progress is monitored in a [more] transparent and responsible manner [with adequate periodic global stocktaking exercises based on [SMART] targets and indicators]]to ensure that, by 2030, the world is on a path to reach the 2050 Vision for biodiversity].]

Figure 1



Section E. 2050 Vision and 2030 mission

31. The vision of the framework is a world of living in harmony with nature where: “By 2050, biodiversity is valued, conserved, restored and wisely used, maintaining ecosystem services, sustaining a healthy planet and delivering benefits essential for all people.”

32. The mission of the framework for the period up to 2030, towards the 2050 vision is:

Option 1. To take urgent action [and provide the necessary resources] to halt and reverse biodiversity loss [[[to achieve a nature positive world][and]/[to put nature on a path to recovery]] for the benefit of [the planet]/[Mother Earth] and people];

Option 2. To take urgent action to halt and reverse biodiversity loss [[to achieve a nature positive world]/[to put nature on a path to recovery]], in a fair and equitable way, for the benefit of [the planet]/[Mother Earth] and people by conserving and sustainably using biodiversity, and ensuring the fair and equitable sharing of benefits from the use of genetic resources, while providing the necessary means of implementation.

Section F. 2050 Goals

33. The framework has four long-term goals for 2050 related to the 2050 Vision for Biodiversity.

GOALA

Option 1

The integrity, connectivity and resilience of [all] [vulnerable and threatened natural] ecosystems are maintained, restored or enhanced, increasing [or maintaining] [by at least 5 per cent by 2030 and [15] [20] per cent by 2050] the area, connectivity and integrity of the full range of natural ecosystems [taking into account a natural state baseline] [and the risk of collapse of ecosystems is reduced by [--] per cent].

The human-induced extinction of [all] [known] [threatened] species is halted [by 2030] [by 2050], [[and] extinction risk is reduced [by at least [10] [20] [25] per cent] by 2030 and [eliminated] [reduced [to a minimum] [by 50 per cent]] [halved] by 2050,] and the [conservation status]/[average population]/[abundance and distribution] of [depleted populations of] all [native] [wild and domesticated] [threatened] species is [increased [or maintained] by at least [10] [20] per cent by 2030 and] [increased to healthy and resilient levels by 2050].

[The genetic diversity and adaptive potential of [all] [known] [wild and domesticated] species is safeguarded and [all genetically distinct populations are] maintained [by 2030, at least [95] per cent of genetic diversity among and within populations of [native] [wild and domesticated] species is maintained by 2050].]

Option 2

Biodiversity is conserved, maintaining and enhancing the [area,] connectivity [, restoration] and integrity of all [terrestrial, freshwater, coastal and marine] ecosystems [and reducing the risk of ecosystem collapse], halting [from now] human-induced extinctions [and reducing extinction risk [to zero by 2050]], supporting healthy and resilient populations of [native] species, and maintaining genetic diversity of populations and their adaptive potential [numerical values to be added].

GOAL B¹²

Biodiversity is sustainably used and managed and nature's contributions to people, including ecosystem functions and services, [are valued], maintained and enhanced, [with those currently in decline being restored [by 2030]], supporting the achievement of sustainable development [and [an equitable] [a] reduction of the ecological footprint of [--%] by 2030] [within planetary boundaries is achieved].

GOAL C

[The monetary and non-monetary benefits from the utilization of genetic [and biological] resources, [derivatives] and traditional knowledge associated with genetic resources, as applicable [in any form] [including digital sequence information] are shared fairly and equitably, and, as appropriate, with indigenous peoples and local communities, [and [substantially] increased,] and traditional knowledge associated with genetic resources is appropriately protected, thereby contributing to the conservation and sustainable use of biodiversity, [and in accordance with internationally agreed access and benefit-sharing instruments].]

GOAL D¹³

Option 1

Adequate means of implementation, [including financial resources, capacity-building[, scientific cooperation] and access to and transfer of [appropriate environmentally sound] technology] [and resources] [numerical values to be added] to fully implement the post-2020 global biodiversity framework [and close the biodiversity finance gap] are [[addressed] [secured] [from all sources] and] [equitably] accessible to all Parties[, particularly developing countries [and small island developing States]] [, that are most environmentally vulnerable] [in accordance with Article 20 of the Convention] [with public and private financial flows [and increase the provision of [public] [financing from all] sources] aligned with the 2050 Vision [, and effective mainstreaming of biodiversity across all policies and sectors is achieved]].

Option 2

Adequate means of implementation to fully implement the post-2020 global biodiversity framework are secured and employed by [all] Parties with public and private financial flows aligned with the 2050 Vision.

¹² Parties may wish to come back to Goal B regarding the following text after other aspects of the framework have been discussed, specifically including Goal A and B.bis :

--“conserved”

--“the fulfilment of the right to a safe, clean, healthy and sustainable environment” or “human right to...”

--“multiple values”

--“for the benefit of present and future generations”

--“global sustainable development agenda”

¹³ The Conference of the Parties may also use the text produced by the informal group in its consideration

Section G. 2030 action targets^{14, 15}

34. The framework has 22 action-oriented targets for urgent action over the decade to 2030. The actions set out in each target need to be initiated immediately and completed by 2030. Together, the results will enable achievement of the 2030 milestones and of the outcome-oriented goals for 2050. Actions to reach these targets should be implemented consistently and in harmony with the Convention on Biological Diversity and its Protocols and other relevant international obligations, taking into account national socioeconomic conditions.¹⁶

1. *Reducing threats to biodiversity*

TARGET 1^{17, +}

1a) [Address land-use and sea-use change [by ensuring that [all] areas are under] comprehensive, participatory and integrated biodiversity-inclusive spatial planning and/or other effective management processes [across all areas],] ...

1b) [Ensure that [all] areas [ecosystems] are under participatory integrated biodiversity inclusive spatial planning and/or other effective management processes addressing land and sea use change.] ...

2a) ... [retaining] [and/or] [minimizing the loss] [retaining critical and intact ecosystems], of [intact] ecosystems and areas of high biodiversity importance,] ...

2b) ... [bringing the loss of [intact ecosystems] and areas of high biodiversity importance as close to zero as possible] ...

2c) ... [to halt or minimize the loss of [intact ecosystems] and areas of high biodiversity importance, particularly retaining those that are hard to restore],] ...

... enhancing ecological integrity and connectivity and maintaining ecosystem functions [and services], , while respecting the rights of indigenous peoples and local communities[, [and acting] in accordance with the United Nations Declaration on the Rights of Indigenous Peoples and international human rights law].

TARGET 2^{18, §}

Ensure that at least [20] [30] [per cent]/ [at least [1] billion ha] of areas of degraded terrestrial, inland waters, coastal and marine ecosystems are under restoration [, taking into account their natural state as a baseline [reference]].

¹⁴ The text in this introductory paragraph of this section was taken from the first draft of the post-2020 global biodiversity framework and was not negotiated by the Working Group at its third, fourth or fifth meetings.

¹⁵ For those targets that were not discussed during the fifth meeting of the Working Group, text has been included in the framework based on either the text contained in the report of the fourth meeting of the Working Group (Nairobi meeting) and/or the text developed by the informal group without prejudice to further amendments by Parties.

¹⁶ Countries will establish national targets/indicators aligned with this framework and progress towards the national and global targets will be periodically reviewed. A monitoring framework (see [CBD/SBSTTA/24/3](#) and [Add.1](#)) provides further information on indicators of progress towards the targets.

⁺ Text developed by the Working Group on the basis of a text prepared by a Friends of the Co-leads Group as the basis the way forward.

[§] Text from the Informal Group recommended as the basis for the way forward on the understanding that text from Nairobi may be incorporated as required.

TARGET 3 ^{19, †, 20}

Ensure and enable at least [30 per cent] of [all [---] and of [---]] [globally] [at the national level] especially [key biodiversity areas[, ecologically or biologically significant areas, threatened ecosystems] and other] areas of particular importance for biodiversity [and ecosystem functions and services] are [effectively] conserved through [effectively] [well] managed, ecologically representative, well-connected and equitably governed [systems] [networks] of [highly and fully] protected areas [including a substantial portion that is strictly protected] and other effective area-based conservation measures, [and [indigenous] [traditional] territories] [, where applicable,] [which prohibits environmentally damaging activities] and integrated into the wider land[-]/[scapes] and seascapes [and national and regional ecological networks], [in accordance with national priorities and capabilities,] [including the right to economic development, will not affect the right or ability of all Parties to access financial and other resources required for the effective implementation of the whole framework,] [while ensuring that [sustainable use] of these areas, if in place, contributes to biodiversity conservation,] [recognizing the contribution of indigenous peoples and local communities to their management] and [respecting] the rights of indigenous peoples and local communities.

Temporary placeholder:

[[all land and of [seas] [ocean²¹] areas [including] all ecosystems²²] [all terrestrial, inland waters, coastal and marine ecosystems] [ecosystems as defined by Article 2 of the Convention] [terrestrial, marine and other aquatic ecosystems],

Subject to B.Bis and other relevant targets:

[including] [over their lands, territories and resources] [, with their free, prior and informed consent] [, [and [including] acting] in accordance with [United Nations Declaration on the Rights of Indigenous Peoples and international human rights law] [national [circumstances and] legislation [and] [as well as] relevant international instruments] [, where applicable]].

TARGET 4^{23, ‡}

Ensure urgent [sustainable] management actions for the recovery and conservation of species, in particular threatened species, [to prevent human induced extinctions and reduce extinction risk] as well as to maintain and restore the genetic diversity within and between populations of native, wild and domesticated species [to maintain their adaptive potential], including through in situ and ex situ conservation, and effectively manage human-wildlife interactions to minimize human-wildlife conflict for coexistence.

TARGET 5[‡]

Ensure that [exploitation][harvesting,] trade and use of wild species is sustainable, safe and legal, [effectively regulated,] [and traceable][and eliminate all harvesting, trade and use of wild species that is illegal unsustainable or unsafe], [preventing overexploitation,] minimizing impacts on non-target species and ecosystems,[and applying ecosystem based approaches] [and prevent and eliminate [biopiracy and other][all]

[‡] Text from Nairobi.

[†] Text from Nairobi.

²⁰ The Conference of the Parties may also use the text produced by the Informal Group in its consideration of this target.

²¹ Includes all marine, sea and coastal areas.

²² [all terrestrial, inland waters, coastal and marine ecosystems] [ecosystems as defined by Article 2 of the Convention] [terrestrial, marine and other aquatic ecosystems] [list of all ecosystems] [Aichi Biodiversity Target 11].

[‡] Text developed by the Working Group on the basis of the proposal from the Informal Group.

[†] Text developed by the Working Group on the basis of the proposal from the Informal Group.

[‡] Text developed by the Working Group on the basis of the proposal from the Informal Group.

forms of illegal access to and transfer of genetic resources and associated traditional knowledge], while respecting [and protecting] customary sustainable use [by indigenous peoples and local communities].

TARGET 6[±], 24

[Eliminate or reduce the impacts of invasive alien species on native biodiversity by managing pathways for the introduction of alien species, preventing the introduction and establishment of all priority invasive species, reducing the rate of introduction of other known or potential invasive species by at least 50 per cent, and eradicating or controlling invasive alien species.]

TARGET 7[§]

Reduce [pollution from all sources [and pollution risks]/[[emissions and deposits of pollutants [including light and noise]] and plastic pollution], to levels that are not harmful to biodiversity and ecosystem functions [and human health], [considering cumulative effects,] including by [[significantly] reducing excess nutrients lost to the environment [by at least half] and through more efficient nutrient cycling and use, and reducing the overall [risks associated with the use of]/[use of and risks from][[pesticides and highly hazardous chemicals]/[highly hazardous chemicals]/[pesticides,] [by at least half]/ [by at least two thirds], [taking into account food security and livelihoods] and [preventing[, reducing and eliminating] plastic pollution] [eliminating the discharge of plastic [and electronic] waste.]

TARGET 8[§]

Minimize the impact of climate change [and ocean acidification] on biodiversity and increase its resilience through mitigation, adaptation, and disaster risk reduction actions, including through [nature-based solutions] [and other ecosystem-based approaches], [based on common but differentiated responsibilities and respective capabilities], [contributing [by 2030] to at least 10 Gt CO₂ equivalent per year to global mitigation efforts].

2. Meeting people's needs through sustainable use and benefit-sharing

TARGET 9[‡], 25

Ensure that the management and use of wild species are sustainable, thereby providing social, economic and environmental benefits for people, especially those in vulnerable situations and those most dependent on biodiversity, [including through the promotion of sustainable biodiversity-based products and services] [that enhance biodiversity] [including sustainable trophy hunting], and protecting and encouraging customary sustainable use by indigenous peoples and local communities.

[±] Text from Nairobi.

²⁴ The Working Group recommended using Target 6 *Alt. 1* as the basis for the way forward on this target but without prejudice to the rights of Parties to include other elements, including elements from Target 6 of the draft post-2020 global biodiversity framework in the report of the fourth meeting of the Working Group.

[§] Text from the Informal Group recommended as the basis for the way forward on the understanding that text from Nairobi may be incorporated as required.

[§] Text from the Informal Group recommended as the basis for the way forward on the understanding that text from Nairobi may be incorporated as required.

[‡] Text developed by the Working Group on the basis of the proposal from the Informal Group.

²⁵ It was requested that the term “wild species” be added to the glossary and that it be understood to include terrestrial, freshwater and marine species. It was also requested that the term “vulnerable situations” be explained in the glossary.

TARGET 10[‡]

Ensure that [all] areas under agriculture, aquaculture, [fisheries], forestry, [and other productive uses] are managed sustainably, in particular through the sustainable use of biodiversity, contributing to [the long-term] [efficiency, productivity and] resilience of these production systems, conserving and restoring biodiversity and maintaining nature's contribution to people, including ecosystem services and functions.

[including ecosystem services especially in the places most important for these productive uses.]

[and by applying agroecological principles and biodiversity-friendly practices]

[substantially increasing sustainable intensification through innovation, including by scaling up beneficial biotechnology applications for agricultural productivity and stimulating the development of climate-resilient crops, eliminating and phasing out trade-distorting agricultural subsidies, supporting the establishment of seed banks in developing countries]

[and develop sector-specific action plans for sustainable use based on agro-ecology and ecosystem approaches and environmental principles and in close cooperation with custodians of biodiversity, in particular smallholder farmers, indigenous food systems and women]

[at least 25 per cent of agricultural land is managed under agro-ecological or other biodiversity-friendly practices]

TARGET 11^{‡, 26}

Restore, maintain and enhance nature's contributions to people, including ecosystem functions and services, such as regulation of air, water, [and climate], soil health, and pollination, as well as protection from natural hazards and disasters, through [nature-based solutions and ecosystem-based approaches], [and Mother-Earth centric actions,] [especially in the places most important for delivering these services,] [through payment for environmental services] for the benefit of all peoples and nature.

TARGET 12[±]

Significantly increase the area and quality and connectivity of, access to, and benefits from green and blue spaces in urban and densely populated areas sustainably, by mainstreaming the conservation and sustainable use of biodiversity, and ensure biodiversity-inclusive urban planning, enhancing native biodiversity, ecological connectivity and integrity, and improving human health and well-being and connection to nature and contributing to inclusive and sustainable urbanization and the provision of ecosystem functions and services.

TARGET 13[§]

Take effective legal, policy, administrative and capacity-building measures at all levels, as appropriate, in accordance with applicable international access and benefit-sharing instruments, that are consistent with and do not run counter to the objectives of the Convention on Biological Diversity [and the Nagoya Protocol] to [facilitate] [ensure] [a substantial increase in] the fair and equitable sharing of benefits that arise from the utilization of genetic resources [in any form] [including digital sequence information on genetic resources] [and biological resources] [and derivatives] and traditional knowledge associated with genetic resources, [[including] by facilitating] [and to facilitate] [appropriate] access to genetic resources [for environmentally sound uses] [, and by increasing capacity-building and development, technical and scientific cooperation],

[‡] Text developed by the Working Group on the basis of the proposal from the Informal Group.

[‡] Text developed by the Working Group on the basis of the proposal from the Informal Group.

²⁶ Parties requested that the terms “nature-based solutions” and “ecosystem-based approaches” be included in the glossary.

[±] Text from Nairobi.

[§] Text from the Informal Group recommended as the basis for the way forward on the understanding that text from Nairobi may be incorporated as required.

[by appropriate transfer of relevant technologies, respect for all rights involved, and by appropriate funding] [contributing to generating new and additional resources for biodiversity conservation and sustainable use].

[*Target 13 bis.* By 2023 establish a global multilateral benefit-sharing mechanism that is fully operational by 2025 [2030].]

3. Tools and solutions for implementation and mainstreaming

TARGET 14[‡]

Ensure the [full] integration of biodiversity and its multiple values into policies, regulations, planning and development processes, poverty eradication strategies, strategic environmental assessments, environmental impact assessments and, as appropriate, national accounting, within and across all levels of government and across all sectors, [in particular [those with significant impacts on biodiversity] [agriculture, forestry, fisheries, aquaculture, finance, tourism, health, manufacturing, infrastructure, and energy and mining, [and deep-sea mining with safeguards],] progressively aligning all relevant public and private activities, [fiscal] and financial flows with the goals and targets of this framework.

[through determining cross-sectoral goals and sector-specific goals for sustainable use]

[insurance, geo-engineering, and biotechnology]

TARGET 15[‡]

Take legal, administrative or policy measures to [encourage and enable] business and [ensure that] [significantly increase the number or percentage of] large [as well as][and] transnational companies and financial institutions [and companies with significant impacts on biodiversity,]:

- (a) [Through mandatory requirements] Regularly monitor, assess, and fully and transparently disclose their [[financially material] risks, dependencies and] impacts on biodiversity [along their operations, supply and value chains and portfolios];
- (b) [Provide information needed to consumers to enable the public to make responsible consumption choices];
- (c) [Comply and report on access and benefit-sharing, as applicable;]
- (d) [Take legal responsibility for infractions] [, including through penalties, and liability and redress for damage and addressing conflicts of interest;]
- (e) [Follow a rights-based approach] [, including human rights and the rights of Mother Earth.]

in order to [significantly] reduce [by half] negative impacts on biodiversity, increase positive impacts, reduce biodiversity-related risks to business and financial institutions, and [moving towards sustainable patterns of production] [foster a circular economy] [, consistent and in harmony with the Convention and other international obligations, together with Government regulations.

TARGET 16[§]

Ensure that people are encouraged and enabled to make sustainable consumption choices including by establishing supportive policy, legislative or regulatory frameworks, improving education, and access to relevant accurate information and alternatives, and [halve the global footprint [of diets]/[of consumption] per capita] halve per capita global food waste, and substantially reduce waste generation[, and, where

[‡] Text developed by the Working Group on the basis of the proposal from the Informal Group

[‡] Text developed by the Working Group on the basis of the proposal from the Informal Group

[§] Text from the Informal Group recommended as the basis for the way forward on the understanding that text from Nairobi may be incorporated as required.

relevant, eliminate overconsumption of natural resources and other materials in an equitable manner][, in order for all peoples to live well in harmony with Mother Earth].

TARGET 17[§]

Establish, strengthen capacity for, and implement [science-based] measures in all countries [based on the precautionary approach], [including through risk assessment and management and implementation of horizon scanning, monitoring and assessment]to prevent, manage or control potential [adverse] impacts of [living modified organisms resulting from] biotechnology [including synthetic biology and other new genetic techniques and their products and components] on biodiversity [and], [taking also into account the risks to] human health, [and socioeconomic considerations] [avoiding or minimizing] [the risk of these impacts], [while recognizing the potential benefits of biotechnology [towards achieving the objectives of the Convention and relevant sustainable development goals]].

TARGET 18^{±, 27}

Identify [by 2025] and [eliminate,] phase out [or reform] [all direct and indirect] [subsidies] [incentives] harmful for biodiversity, [taking into account national socioeconomic conditions,] [in a [proportionate,] just, effective and equitable way, while substantially and progressively reducing them [by at least 500 billion United States dollars per year,] [starting with the most harmful subsidies,]] [in particular fisheries and agricultural subsidies] [and[,as appropriate,] redirect and repurpose to nature-positive activities[, domestically and internationally,] [prioritizing the stewardship of indigenous peoples and local communities]] and [Ensure that all incentives are either positive or neutral for biodiversity and that positive incentives are scaled up], consistent and in harmony with the Convention and other relevant international obligations.

TARGET 19.1^{±, 28}

[In accordance with Article 20 of the Convention,] [Substantially] [Progressively] increase the level of financial resources made available from all sources, [domestic and international,] public and private, [aligning [financial flows] [them] with the post-2020 global biodiversity framework and towards nature-positive economies,] [for the implementation, by all Parties, of the Convention through the post-2020 global biodiversity framework.] [to implement national biodiversity strategies and action plans, building on national biodiversity finance plans or similar instruments] [by] [closing the global financing gap of] [reaching] [at least] [700 billion United States dollars, including a reduction of 500 billion United States dollars in harmful subsidies and conservation action amounting to 200 billion United States dollars through raising 1 per cent of GDP by 2030] [200 billion United States dollars [annual] per year] [including new, additional, innovative and effective[, timely and easily accessible] financial resources by:]

(a) [Progressively]increasing [new and additional] [new, additional, innovative, effective, timely and easily accessible] international [finance flows] [public financial resources from [[shall [to] be mobilized and provided by] [developed-country Parties] [countries with a capacity to do so and existing instruments and institutions, including international finance institutions and multilateral development banks to address the needs of the most vulnerable developing countries] [financial flows] to developing countries [in need of support to deliver on their national biodiversity strategies and action plans in the light of their capacities] [and all indigenous peoples and local communities] [and women and youth] [through direct

[§] Text from the Informal Group recommended as the basis for the way forward on the understanding that text from Nairobi may be incorporated as required.

[±] Text from Nairobi

²⁷ The Conference of the Parties may also use the text produced by the informal group in its consideration.

[±] Text from Nairobi

²⁸ The Conference of the Parties may also use the text produced by the informal group in its consideration.

access modalities] [including financial resources for Mother Earth-Centred Actions²⁹] [avoiding double counting] [reaching] [by] at least [--] billion United States dollars per year] [10 billion United States dollars per year [at an increasing percentage]] financial resources of at least 100 billion United States dollars annually until 2030, an amount to be revised for the period 2030–2050, to address the needs of developing countries] by 2030 [in the form of international grants [to developing countries]], [acknowledging common but differentiated responsibilities,] [to effectively implement the [Convention through the] post-2020 global biodiversity framework, in line with Article 20 of the Convention. Such financial mobilization and provision are [separate and distinct from those in] [aligned with] [maximize co-benefits and synergies with] the Paris Agreement concluded under the United Nations Framework Convention on Climate Change, as well as of [their] official development assistance [and other international finance flows];]

(b) Leveraging private finance [and strategies for raising new and additional resources, including payment for ecosystem services, global biodiversity impact funds and consumer-based approaches – for example, 1 per cent of retail and increasing domestic resource mobilization] [including the development of new and innovative financial instruments as well as the promotion of blended finance];

(c) [Progressively] [increasing] [doubling] domestic resource mobilization [, including] [through including biodiversity in national priorities,] [through mainstreaming biodiversity across sectors and institutions and strengthening the use of positive economic incentives stimulating innovative schemes such as payment for ecosystem services and calling on domestic development banks to increase their funding] [including through addressing sovereign debt in just and equitable ways] [considering the fiscal space and the levels of sovereign debt] [through preparation of national biodiversity finance plans or similar instruments] [by 2030] [, and

[(d) Establishing a new international financing instrument,] [By 2023, establish a global biodiversity fund that is fully operational by 2025, to serve as a dedicated mechanism for the provision of financial resources to developing-country Parties as determined in Articles 20 and 21 of the Convention, complemented by the Global Environment Facility;]

[(e) Building on climate financing] while enhancing the effectiveness[, efficiency and transparency] of resource use and [developing and implementing] [taking into account] national biodiversity finance plans or [similar instruments];]

[(f) Stimulating innovative schemes [domestically and internationally] such as [nature-based solutions and ecosystem-based approaches] payment for [environmental] [ecosystem] services[, green bonds, biodiversity offsets, carbon credits, benefit-sharing mechanisms in the context of digital sequence information on genetic resources, and debt-for-nature swaps.]]

TARGET 19.2[±],

Strengthen capacity-building and development, access to and transfer of technology, and promote development of and access to innovation and technical and scientific cooperation, including through South-South, North-South and triangular cooperation, to meet the needs for effective implementation, particularly in developing countries, fostering joint technology development and joint scientific research programmes for the conservation and sustainable use of biodiversity and strengthening scientific research and monitoring capacities, commensurate with the ambition of the goals and targets of the framework.

²⁹ Insertion to the glossary: Mother Earth-Centered Actions (MECA): Ecocentric and rights-based approach enabling the implementation of actions towards harmonic and complementary relationships between peoples and nature, promoting the continuity of all living beings and their communities and ensuring the non-commodification of environmental functions of Mother Earth.

[±] Text from Nairobi

TARGET 20[‡]

Ensure that the best available data, information and knowledge, are accessible to decision makers, practitioners and the public to guide effective and equitable governance, integrated and participatory management of biodiversity, and to strengthen communication, awareness-raising, education, monitoring, research and knowledge management and, also in this context, traditional knowledge, innovations, practices and technologies of indigenous peoples and local communities should only be accessed with their free, prior and informed consent³⁰, in accordance with national legislation.

TARGET 21[‡]

Ensure the full, equitable, inclusive, effective and gender-responsive representation and participation in decision-making, and access to justice and information related to biodiversity by indigenous peoples and local communities, respecting their cultures and their rights over lands, territories, resources, and traditional knowledge, as well as by women and girls, children and youth, and persons with disabilities and ensure the full protection of environmental human rights defenders.

TARGET 22[‡]

Ensure gender equality in the implementation of the framework through a gender [responsive] approach where all women and girls have equal opportunity and capacity to contribute to the three objectives of the Convention, including by recognizing their equal rights and access to land and natural resources and their full, equitable, meaningful and informed participation and leadership at all levels of action, engagement, policy and decision-making related to biodiversity.

[ADDITIONAL TARGET**

Implement biodiversity-inclusive One Health approaches, focusing especially on the risks of the emergence and transmission of zoonotic diseases, to avoid or reduce risks to the health of humans, wild and domesticated species, and ecosystems.]

[ADDITIONAL TARGET**

Fair and equitable benefit sharing for potentially pandemic pathogens, including improved access to zoonosis response tools, to be realized by adoption of a Specialized International Instrument by the World Health Assembly before 2025 and its recognition by the CBD at COP 17.]

Section H. Implementation and support mechanism

[35. Implementation of the framework and the achievement of its goals and targets will be facilitated and enhanced through [[adequate financing from all sources,] [aligning public and private financial flows with biodiversity objectives, eliminating or redirecting resources harmful to biodiversity to nature-positive activities, [in particular subsidies for agriculture and fisheries, in line with WTO rules], [enhancing the effectiveness and efficiency of resource use], / [enhancing the transparency of resource provision, avoiding double counting,] and through] support mechanisms and strategies under the Convention on Biological Diversity and its Protocols, including [its] financial mechanism[s], and strategies and plans for [strengthening [and fast tracking]] / [substantially and progressively increasing] and mobilizing resources, capacity-building and development, technical and scientific cooperation and technology transfer [and technology for horizon-

[‡] Text developed by the Working Group on the basis of the proposal from the Informal Group.

³⁰ Free, prior and informed consent refers to the tripartite terminology of “prior and informed consent” or “free, prior and informed consent” or “approval and involvement.

[‡] Text developed by the Working Group on the basis of the proposal from the Informal Group.

[‡] Text developed by the Working Group on the basis of the proposal from the Informal Group.

** Parties had divergent views on the inclusion of this target in the post-2020 global biodiversity framework.

** Parties had divergent views on the inclusion of this target in the post-2020 global biodiversity framework.

scanning, monitoring and assessment], knowledge management, [in accordance with Articles 16, 17, 18, 20 and 21 of the Convention,] [gender responsive implementation] and for mainstreaming biodiversity within and across policies and sectors, as well as through relevant mechanisms under other conventions and international processes combined under aligned programmes of work, and through national and regional biodiversity action plans[, national biodiversity finance plans or similar instruments, and national capacity-building and development plans, building upon the long-term strategic framework for capacity-building and development]. [The implementation of the framework will address the financial, capacity, technical, technological constraints faced by developing country Parties, in line with Article 20.4 of the Convention.]

[36. The implementation will also be supported by [the establishment of an additional financial mechanism in a form of a Global Biodiversity Fund; a global mechanism for sharing benefits arising from the utilization of genetic resources and digital sequence information on genetic resources;] an institutional mechanism to promote and facilitate technical and scientific cooperation, including [a global technical and scientific cooperation support centre that would work together with] a network of regional support centres; an institutional arrangement for a new programme of work on Article 8(j) and other provisions of the Convention related to indigenous peoples and local and communities; and [the clearing-house mechanism for [facilitating education and] implementing the knowledge-management component of the framework] / [a mechanism to facilitate education] and knowledge sharing among Parties and relevant stakeholders, and the Gender Plan of Action. [The framework, through the mechanisms, [shall] / [should] implement all of the elements referred to in section Bbis]].

37. The implementation of the framework will build on an urgent and renewed sense of international cooperation and solidarity. Parties and relevant stakeholders are encouraged to put in place the innovative solutions and strategic partnerships needed to accelerate the implementation of the framework after its adoption in order to ensure delivery on the ambition in its goals and targets.

38. All support mechanisms for implementation will be updated and aligned with the framework in a timely manner.]

[Section I. Enabling conditions*

39. [Recognizing that economic and social development and poverty eradication are the basis for the implementation of the framework and are the first and overriding priorities of developing countries.

40. The full implementation of the framework will require the provision of adequate, predictable and easily accessible financial resources from all sources on a needs basis, in line with Article 20 of the Convention. It further requires cooperation and collaboration in building the necessary capacity and transfer of technologies to allow Parties, especially developing country Party to fully implement the framework.

41. The full implementation of the framework requires adequate, predictable and easily accessible financial resources from all sources, prioritizing public sources.

* Section Bbis was only partially discussed by the contact group. There was a discussion that the elements of Bbis might fit into the following three categories: (i) premises/principles, (ii) approaches and (iii) enabling conditions. Additionally, some Parties identified elements reflected in the Nairobi text as well as in decision 14/34 which should be considered in the context of Section Bbis. These elements have been reflected in this document as they were found in the Nairobi text or decision 14/34 to serve as placeholders for further consideration by the Conference of the Parties. In the discussion there were divergent views on the inclusion or not of all the elements identified in Section Bbis (arising from the Informal Group discussions) as well as the additional aspects reflected in the Nairobi text and from decision 14/34. There were divergent views on whether the elements identified in Section Bbis (arising from the Informal Group discussions) as well as the additional aspects reflected in the Nairobi text and from decision 14/34 might better be reflected in other sections or outcomes of the COP, such as in decision text. The contact group did not have the opportunity to consider all of the of the proposed elements of Section Bbis.

42. It will require the implementation of conservation and sustainable use measures in a mutually reinforcing manner, and the creation of opportunities for sustainable bio-based products and services, in particular in developed countries' markets, as the most cost-effective action to implement the framework.]

[43. It will require a participatory and inclusive whole-of-society approach that engages actors beyond national Governments, including subnational governments, cities and other local authorities (including through the Edinburgh Declaration),³¹ intergovernmental organizations, non-governmental organizations, indigenous peoples and local communities, women's groups, youth groups, the business and finance community, the scientific community, academia, faith-based organizations, representatives of sectors related to or dependent on biodiversity, citizens at large, and other stakeholders.

44. Efficiency and effectiveness will be enhanced for all by integration with relevant multilateral environmental agreements and other relevant international processes, at the global, regional and national levels, including through the strengthening or establishment of cooperation mechanisms.

45. Further, success will depend on ensuring greater gender equality and empowerment of women and girls, reducing inequalities, greater access to education, employing rights-based approaches, and addressing the full range of indirect drivers of biodiversity loss, as identified by the *Global Assessment Report on Biodiversity and Ecosystem Services* issued by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services,³² including those not directly addressed by the goals and targets of the Framework, such as demography, conflict and epidemics, including in the context of the 2030 Agenda for Sustainable Development.]

Section J. Responsibility and transparency³³

46. [The [successful] implementation of the framework [requires [strengthened] responsibility and transparency [of action and support] [from all Parties [in line with the obligations on all Parties under the Convention and] in line with Article 20 of the Convention, including responsibility and transparency in support provided to developing Parties], which] will be supported by [effective] [enhanced] mechanisms for planning, monitoring, reporting and review [forming a synchronised and cyclical system] [as described in decision 15/--] [the mechanisms shall provide flexibility in the implementation of the framework to developing country Parties according to their national circumstances including transparency of support provided and received and provide a full overview of aggregate support provided]. This includes the following elements:] [The successful implementation of the framework will be supported by effective enhanced mechanisms for planning, monitoring, reporting and review as described in decision 15/--. This includes the following elements:]

(a) National biodiversity strategies and action plans (NBSAPs) as the main vehicle for implementation, [reviewed], [as appropriate,] [revised] [upgraded] and updated, [in accordance with the provision of financial resources and means of implementation] [in line with national circumstances [and capabilities]] [including [its] national targets aligned] [[to align] with the post-2020 global biodiversity framework [including national targets] [guided by the headline indicators]] [and then] communicated [in a standardized format [and synthesized]] [[as soon as possible but] no later than] [in time for] [by] [COP 16] [with a view to contributing to collective global efforts to reach the global targets] [and national targets [and including national targets reflecting contributions to each of the global goals and targets of] [aligned to] the global biodiversity framework [, aligned with global indicators were possible] [identify the indicators to be used] and [communicated] [reported] [as part of the NBSAP or separated from them in time for consideration at COP 16 and] in a standardized format];

³¹ CBD/SBI/3/INF/25.

³² IPBES (2019): *Global Assessment Report on Biodiversity and Ecosystem Services*. E. S. Brondizio, J. Settele, S. Díaz, and H. T. Ngo (editors). IPBES secretariat, Bonn. 1,148 pages. <https://doi.org/10.5281/zenodo.3831673>.

³³ A schematic on the review mechanism could be added to this section once the elements are agreed. This could show the relationships and the timing.

(b) National reports [as the main reporting instrument [for Parties to report on their implementation of the Convention, on their progress against their NBSAPs and on their contribution to the global goals and targets of the global biodiversity framework] [under the Convention]], submitted in [2025 and 2029], [[including] [using] the headline indicators [contained in the monitoring framework] adopted in decision 15/--, [and information on support provided [and/or received] including tracking financial commitments and responsibilities and avoiding double counting] [and supplemented by component, complementary and national indicators] [as well as other indicators] [and using, when possible, modular reporting tools, such as DaRT];

(c) Voluntary peer review processes available for all Parties in order to facilitate the sharing of lessons learned and best practices, challenges and solutions [in action and support], including with regards to the means of implementation [, monitoring and reporting] [and enhancing implementation over time];³⁴

(d) [Voluntary commitments from] non-State actors [encouraged] [aligned with [NBSAPs and/or] GBF] to cooperate with [and complement the efforts undertaken by] Parties [and to contribute [to the implementation of the framework] through their commitments [and actions] aligned with [NBSAPs and/or] the GBF] [and communicated through the Sharm El-Sheik to Kunming Action Agenda for People and Nature];

(e) [Global analysis of collective [ambition] [Synthesis of NBSAPs including national targets based on the global goals and targets] [on both action and support] [based on NBSAPs and national targets] to be carried out [by COP 16 and COP 18] and] [periodic] global [stocktake]/[conducting] review[s] of [the collective] [progress in the] implementation of the GBF,[including [the provision of] [domestic and international] means of implementation [from all sources] [capacity and resource needs as well as the tracking of funding related responsibilities of developed country Parties]] [made available for consideration at every other COP, beginning at COP 17] [to be carried out at COP 17 [mid-term review] and COP 19 [final review]] [on the basis of an [aggregate] [comprehensive] analysis of information from [NBSAPs,] national reports [and scientific, technical and technological advice provided by the Subsidiary Bodies of the Convention] [and other relevant information sources, [such as the NBSAP and contributions] [including] from [biodiversity related conventions,] non-state actors [and in light of the latest IPBES [conceptual framework and its deliverables] [reports and best available science] [and other relevant evidence based on different knowledge systems]]];³⁵

(e) *alt.* [[Global analysis of collective ambition [to be carried out by COP 16 and COP 18] and] global [stocktake]/review [to be carried out by COP 17 and COP 19] of the implementation of the GBF;]

(e) *alt 2.* [Review of progress in the implementation of the GBF on the basis of national reports and scientific, technical and technological advice provided by the Subsidiary Bodies of the Convention, in line with the provisions of the Convention;]

(e) *bis* [[In response to the above global stocktake an encouragement to Parties to periodically review] [Parties [should] [are] [may, on a voluntary basis,] [encouraged to] review [their NBSAPs] and] progressively [update] [increase] [their national targets and[/or]] [the ambition of] [domestic] implementation [as needed to contribute to the achievement of the global goals and targets] [following the global biodiversity stocktake], as appropriate;]

(e) *bis alt.* [Consideration by the Parties of the need to respond in appropriate and a commensurate way to the output of the mid-term review on implementation;]

(f) Each meeting of the Conference of the Parties to review progress [and identify gaps] in implementation of the post-2020 global biodiversity framework [, [including the identification of gaps in]

³⁴ Note that the next steps in terms of the adoption of the modus operandi of an SBI open-ended forum for country-by-country review will be determined in decision 15/--. This footnote will be deleted from the next version of this document.

³⁵ Note that the next steps in terms of the items in this paragraph will be informed by discussions on item 14 of the fifteenth meeting of the Conference of the Parties. This footnote will be deleted from the next version of this document.

[and provision of] [domestic and international] means of implementation [from all sources], [and also resources, [obstacles,] capacities and technological needs,]] and to make a recommendation for further action as necessary.

[46 *alt.* The successful implementation of the framework requires responsibility and transparency, which will be supported by effective mechanisms for planning, monitoring, reporting and review forming a synchronized and cyclical system. This includes the following elements:

(a) National biodiversity strategies and action plans (NBSAPs) as the main vehicle for implementation, aligned with the post-2020 global biodiversity framework and reviewed, updated and communicated in time for [COP 16] in a standardized format as elaborated in decision 15/--. Parties are encouraged to review and progressively increase their national targets and domestic implementation, as appropriate;

(b) National reports, submitted in [2025 and 2029], including the headline indicators adopted in decision 15/--, as well as other indicators;

(c) Facilitative, non-punitive, and respectful sharing of collective lessons learnt, and best practices, challenges and solutions through voluntary peer review and open-ended forum for country-by-country review avoiding placing an undue burden on Parties;

(d) Non-State actors encouraged to cooperate with Parties and to contribute through their commitments aligned with the GBF;

(e) Global analysis of collective ambition to be carried out [by COP 16 and COP 18] and global stocktake/review of progress in the implementation of GBF [to be carried out at COP 17 and COP 19] on the basis of an aggregate analysis of information from NBSAPs, national reports and other relevant information sources, including from non-State actors;

(f) Each meeting of the Conference of the Parties to review progress in implementation of the post-2020 global biodiversity framework, including the identification of gaps in means of implementation, and a recommendation for further action as necessary.]

47. [The mechanism of implementation will be undertaken in a facilitative, non-intrusive, non-punitive manner, respecting national sovereignty, and avoiding placing undue burden on Parties. [It will consider the common but differentiated responsibilities between developed and developing country Parties and provide flexibility for developing country Parties which is to be self-determined.]]

48. These mechanisms are aligned with, as appropriate, the planning, monitoring, reporting and review processes under the Cartagena and Nagoya Protocols, other relevant multilateral conventions and the 2030 Agenda for Sustainable Development, as well as the Gender Plan of Action.

49. These mechanisms will utilize a practical, easily communicated and adaptable monitoring framework, comprised of a set of headline indicators, as well as component, complementary and other indicators, which can be used to track national and global progress towards post-2020 global goals and targets.

50. Capacity, technology and resource support will be provided to Parties to enable the implementation of these mechanisms for responsibility and transparency based on the principles in [B.*bis*] [from all Parties in line with Article 20 of the Convention, including responsibility and transparency in support provided to developing Parties].

Section K. Communication, education, awareness and uptake

51. [Enhancing communication, education, and awareness on biodiversity and the uptake of this framework by all actors is essential to achieve its effective implementation [and behavioural change], promote sustainable lifestyles and biodiversity values, including by:

(a) Increasing awareness, understanding and appreciation of the knowledge systems, [considering nature's contributions to people, including ecosystem functions and services] / [multiple values of nature and its benefits, including biodiversity and ecosystem functions and services,] / [diverse values of biodiversity and ecosystems services], including associated traditional knowledge, [approaches, and [cosmobiocentric] worldviews] of indigenous peoples and local communities [while ensuring [the exercising of their right to self-determination, including by] their free, prior and informed consent, as well as of biodiversity's contribution to sustainable development];

(b) Increasing awareness on the importance of conservation and sustainable use of biodiversity and of the fair and equitable sharing of the benefits arising out of the utilization of genetic resources for [economic development] / [improving sustainable livelihoods and poverty eradication efforts and its overall contribution to global and/or national sustainable development strategies];

(c) Raising awareness among all [sectors][and][/] [actors] of the need for urgent action to implement the framework, while enabling their active engagement in the implementation and monitoring of progress towards the achievement of its goals and targets;

(d) [Targeting communication] / [Facilitating understanding of the framework], including by adapting the language used, level of complexity and thematic content to relevant groups of actors, considering their socioeconomic and cultural context, including by developing material that can be translated into indigenous and local languages;

(e) Promoting or developing platforms, partnerships and action agendas, including with media, civil society and educational institutions, including academia, to share information on successes, lessons learned and experiences and to allow for adaptive learning and participation in acting for biodiversity;

(f) Integrating transformative education on biodiversity into formal, non-formal and informal educational programmes, promoting curriculum on biodiversity conservation and sustainable use in educational institutions and promoting [lifestyles] / [knowledge, attitudes, values and behaviours] that are consistent with living in harmony with nature;

(g) Raising awareness on the critical role of science, technology and innovation to strengthen scientific and technical capacities to monitor biodiversity, address knowledge gaps and develop innovative solutions to improve the conservation and sustainable use of biodiversity.]

5/2. Digital sequence information on genetic resources

The Open-ended Working Group on the Post-2020 Global Biodiversity Framework,

Recommends that the Conference of the Parties at its fifteenth meeting adopt a decision taking into account the following:

[The Conference of the Parties,

Recalling that the Convention on Biological Diversity and the Nagoya Protocol and other access and benefit-sharing instruments provide the legal framework for access to genetic resources and the fair and equitable sharing of the benefits arising from their utilization,

Recalling decision 14/20,

Noting the outcomes of the science- and policy-based process on digital sequence information on genetic resources established in decision 14/20,³⁶

Noting also the Informal Co-Chairs' Advisory Group on digital sequence information on genetic resources established by the Co-Chairs of the Open-Ended Working Group on the Post-2020 Global Biodiversity Framework and the Executive Secretary, and the work on digital sequence information on genetic resources undertaken by the Advisory Group, including consideration of policy options,³⁷

Recognizing that digital sequence information on genetic resources is under consideration in other United Nations bodies and instruments and *desiring* to develop a solution on fair and equitable benefit-sharing from the use of digital sequence on genetic resources that may be adaptable to other fora and contribute to deliberations therein,

Acknowledging that greater generation of, access to, and use of digital sequence information on genetic resources supports research and innovation and contributes to achieving the three objectives of the Convention and sustainable development,

Recognizing the importance of digital sequence information on genetic resources for the post-2020 global biodiversity framework,

Welcoming the efforts of databases, including the International Nucleotide Sequence Database Collaboration, to encourage the tagging of records with information on the geographical origin,

Emphasizing the importance of capacity-building and development, technology transfer and technical and scientific cooperation to support access to, and generation, analysis and use of digital sequence information on genetic resources,

Recognizing that a solution on benefit-sharing from the use of digital sequence information on genetic resources may include innovative revenue generation measures,

Noting that the differences between public and private databases should be considered in the development of a solution on benefit-sharing from the use of digital sequence information on genetic resources,

1. *Agrees* that a solution for fair and equitable benefit-sharing on digital sequence information on genetic resources should, inter alia:

(a) Be efficient, feasible and practical;

³⁶ CBD/DSI/AHTEG/2020/1/2; CBD/DSI/AHTEG/2020/1/3; CBD/DSI/AHTEG/2020/1/4; CBD/DSI/AHTEG/2020/1/5; Report of the Ad Hoc Technical Expert Group on Digital Sequence Information on Genetic Resources, CBD/DSI/AHTEG/2020/1/7.

³⁷ CBD/WG2020/5/INF/1.

- (b) Generate more benefits, including both monetary and non-monetary, than costs;
- (c) Be effective;
- (d) Provide certainty and legal clarity for providers and users of digital sequence information on genetic resources;
- (e) Not hinder research and innovation;
- (f) Be consistent with open access to data;
- (g) Not be incompatible with international legal obligations;
- (h) Be mutually supportive of other access and benefit-sharing instruments;
- (i) Take into account the rights of indigenous peoples and local communities, including with respect to the traditional knowledge associated with genetic resources that they hold;

2. *Recognizes* that the monetary and non-monetary benefits arising from the use of digital sequence information on genetic resources should, in particular, be used to support conservation and sustainable use of biodiversity and inter alia benefit indigenous peoples and local communities;

3. *Agrees* that the approach set out in this decision to fair and equitable benefit-sharing from the use of digital sequence information on genetic resources does not affect existing rights and obligations under the Convention and the Nagoya Protocol, including, as applicable, those related to traditional knowledge and the rights of indigenous peoples and local communities, and is without prejudice to national access and benefit-sharing measures taken under the Convention and the Nagoya Protocol;

4. *Also agrees* that benefits arising from the use of digital sequence information on genetic resources shall be shared fairly and equitably;

5. *Considers* that the distinctive practices in the use of digital sequence information on genetic resources require a distinctive solution for benefit-sharing;

6. *Recognizes* that a purely bilateral approach to benefit-sharing from the use of digital sequence information on genetic resources is unlikely to meet the criteria identified in paragraph 1, and that a multilateral approach has the most potential to meet these criteria;

7. *Agrees* to develop a solution for the sharing of benefits arising from the use of digital sequence information on genetic resources;

8. *Acknowledges* the different understandings of the concept and scope of ‘digital sequence information’, and *agrees* on the continuing use of the term as a placeholder;

9. *Encourages* those depositing digital sequence information on genetic resources in databases to provide information on geographical origin and other relevant metadata, and to deposit more digital sequence information on genetic resources;

10. *Welcomes* section H of the post-2020 global biodiversity framework, the long-term strategic framework for capacity-building and development³⁸ and the strengthening of technical and scientific cooperation in support of the post-2020 global biodiversity framework³⁹ and *calls for* specific and targeted capacity-building and development, technology transfer and technical and scientific cooperation to support the access, use, generation and analysis of digital sequence information on genetic resources;

³⁸ Decision 15/--.

³⁹ Decision 15/--.

11. *Noting* the policy options set out in the annex to this decision, and taking into account the information in the note by the Executive Secretary on digital sequence information on genetic resources (CBD/WG2020/5/3), *decides*:

(a) To establish a fair, transparent, inclusive, participatory and time-bound process involving, inter alia, stakeholders and rights-holders, to further analyze, against the criteria identified in paragraphs 1 and 2 above, [a number of] the policy option[s] to identify a solution on benefit-sharing from the use of digital sequence information on genetic resources;

(b) To pilot or test a potential solution and assess it according to the criteria in paragraphs 1 and 2 above; and/or

(c) To establish a solution for benefit-sharing from the use of digital sequence information on genetic resources, with the understanding that the solution will be regularly reviewed, adapted and improved, with the following characteristics: [the solution is global; the solution is multilateral; ...];

12. *[placeholder for description of process to COP16].*

Annex

PROPOSED POLICY OPTIONS ON BENEFIT-SHARING FROM THE USE OF DIGITAL SEQUENCE INFORMATION ON GENETIC RESOURCES

A. Policy options contained in annex I to document CBD/WG2020/3/4/Add.1

Option 0: Status Quo

Under this option it is recognized that some Parties have adopted domestic measures that regulate access to and use of digital sequence information on genetic resources (DSI), however, there is still a divergence of views among Parties regarding benefit-sharing from the use of DSI.

Option 1: Digital sequence information on genetic resources fully integrated into domestic access and benefit-sharing measures

In this case, DSI is subject to each Party's ABS legislation. It is the traditional bilateral approach to access and benefit-sharing (ABS). Access is regulated similarly to how genetic resources are accessed under the Convention on Biological Diversity and the Nagoya Protocol, meaning that depending on the national legislation in place, access to DSI could be subject to prior informed consent (PIC) and mutually agreed terms (MAT) (i.e., essentially, GR = DSI). The utilization of DSI is to be regulated by MAT, as are benefit-sharing obligations, and MATs are negotiated for each DSI access. According to the study on ABS measures made available for the consideration of the AHTEG on DSI, some countries are already including DSI within the scope of their national ABS measures, and more are planning to do so in the near future.

Under this option, a tracking and tracing system would be required to not only determine the country of origin of each DSI record uploaded to the database but also how the DSI was being utilized and by whom so researchers could comply with that country's ABS obligations.

Option 2: Standard mutually agreed terms

This more general grouping of options enables benefit-sharing from the use of DSI, but it is decoupled from access to DSI (MAT but no PIC). Access is therefore not restricted, but benefit-sharing is determined by some type of standard MAT/license/standard multilateral transfer agreement/terms and conditions. The fact that the MAT is standardized implies that there is no need for individual negotiation of a contract for each DSI utilization, but one or a limited number of standard contracts. This alternative requires downstream monitoring of DSI use for implementation or enforcement, and monitoring. The difference between the two

sub-options is the way that MATs are dealt with, one at the national level and the other at the international level.

Option 2.1: Standard mutually agreed terms/licence at the national level

In this scenario, each Party establishes a policy system with one or a limited number of standard MAT/licences in their domestic ABS legislation with which users need to comply. This system goes through each country's domestic legislation. Triggers can occur at commercialization, for example, and the benefits would be shared bilaterally. In a similar policy, benefit-sharing obligation is triggered when a patent is registered and starts after successful commercialization of a product developed using DSI. Researchers whose activity is subject to such national legislation must comply with the national system and trace the DSI back to the country of origin of the genetic resource. If a researcher uses multiple DSI from different countries, he/she is required to potentially comply with a number of MAT/licences, depending on which standard MAT/licence the country has decided upon for their DSI.

Option 2.2: Standard mutually agreed terms/licence at the international level

This option addresses benefit-sharing at the international level, as opposed to going through each country's national system as presented under option 2.1. One or more standard licences are agreed upon and adopted by Parties, in which the terms and conditions depend on the licence attached to the DSI. The benefits from the use of DSI are handled by an international system that redirects them to the country of origin of the genetic resource. This means that the researcher/user does not have to approach each country individually.

This option offers the possibility to integrate the licences in the DSI database itself, and the terms and conditions are communicated to the user upon access (for example, obligations for commercial and non-commercial uses of a particular DSI). Another possibility is the integration of the terms and conditions or licences in the intellectual property system (for example, when seeking intellectual property protection, on the basis of a disclosure requirement on the use of DSI). In this option, benefits consist of pre-negotiated fixed royalties on the successful commercialization of a product.

A collaboration with journals, patent offices, databases, or any other point along the value chain of DSI should help enforce the reporting back to the DSI provider. In this case, the user is responsible for complying with the licence terms and conditions, and a downstream utilization tracking/monitoring mechanism will ensure the enforcement of these ABS measures.

Option 3: No prior informed consent, No mutually agreed terms

This general grouping of options involves a payment or contribution to go into a multilateral fund. It avoids the need for tracing the origin of the genetic resource from which the DSI was extracted, or the need to monitor the downstream utilization of the product or service derived from DSI. This option includes various possible forms of payments and contributions, with one sub-option being linked to the DSI itself, and the other being separate from the information itself.

Option 3.1: Payment for access to digital sequence information on genetic resources

Here, the principle of a payment for access to the sequences itself is central and can be set up in several ways:

One way is to collaborate with databases to help introduce a membership fee/subscription to access DSI. This fee can be determined following pre-negotiated criteria, such as, but not limited to research application, sector of research, revenue, or a flat rate annual fee.

Another way is to introduce a very small payment for access to individual DSI in the database. An account is created, and each sequence download results in a pre-determined fee being charged to the account.

Finally, a different arrangement is to provide free access to the sequence data itself, including some minimal data around it, such as species name, but introduce a fee to be paid on the associated data resulting from the analysis and processing of the data, such as protein function or gene association, as this associated data is

estimated to be valuable for research and development. The BioSample database currently links sequence data with other data associated with the sequence itself, or the genetic resource from which it comes. In this policy sub-option, a collaboration with the BioSample database would lead to a charge for access.

Option 3.2: Other payments and contributions

Several ways in which payments and contributions can be established to be paid into a multilateral fund for benefit-sharing from the use of DSI have been proposed in the literature, all stemming from agreements with external entities. One proposal includes payment for a DSI-related service, such as storage, processing, expertise, and analysis of the sequences, offered in return for a payment.

Another proposal imposes a levy on products or services associated with DSI. One example is the imposition of a micro-levy on laboratory equipment linked with the production of DSI, while another is on the cloud-computing space rented for the purpose of sequence storage and/or processing.

Yet another proposal revolves around biodiversity bonds, as experiences from other fields, such as payments for the use of wildlife images, or climate change green bonds could be used to inform options for DSI. Another option involves a marketing programme whereby a label or badge is used on products to boost their sale and convey an idea around biodiversity conservation, while the companies selling these products would redirect a negotiated percentage of benefits to a multilateral fund. Finally, voluntary contributions could fuel a multilateral fund and come from the private sector, database users, countries, private donors, subnational governments, or observers, etc.

Option 4: Enhanced technical and scientific capacity and cooperation.

Under this option, systematic and mandated technical and scientific cooperation and capacity development related to DSI are promoted. Enhanced capacity support for developing countries will democratize the access and use of DSI, making it more equitable so that each country has improved/expanded capacity and opportunity to generate, access and use DSI to its full potential. This could take the form of research collaborations, training, knowledge platforms, technology transfer, technology co-development, database satellites, database infrastructure, and more. This option is almost always presented in combination with other policy options.

Option 5: No benefit-sharing from digital sequence information on genetic resources

This option entails that the international community decides that no explicit benefit-sharing is necessary from the use of DSI from genetic resources and, thus, no additional mechanisms are proposed for benefit-sharing to be implemented.

Option 6: 1 per cent levy on retail sales of genetic resources

Under this option, a multilateral fund would be established and financed through a 1 per cent levy on all retail sales of goods in developed countries arising from the utilization of genetic resources in cases where the bilateral PIC and MAT system is not implementable or practicable. Funds would be distributed through a competitive project-based approach for conservation and sustainable use by indigenous peoples and local communities and others, guided by scientists and governed by the multilateral governing body.]

B. Proposal for the establishment of a multilateral benefit-sharing mechanism

1. A multilateral benefit-sharing-mechanism may operate as follows:⁴⁰

(a) Each developed country Party shall, in accordance with Articles 20 and 15.7 of the Convention, take legislative, administrative or policy measures, as appropriate, to ensure that 1 per cent of the retail price of all commercial income resulting from all utilization of genetic resources, traditional knowledge associated with genetic resources or digital sequence information on genetic resources is shared

⁴⁰ The inclusion of this suggested option is without prejudice to discussions at the Conference of the Parties and is not intended to indicate any preference among potential options/solutions.

through the multilateral benefit-sharing mechanism to support the conservation and sustainable use of biological diversity, unless such benefits are otherwise being shared on mutually agreed terms established under the bilateral system;

(b) All monetary benefits shared under the multilateral benefit-sharing mechanism shall be deposited in a global biodiversity fund operated by the Global Environment Facility, as the financial mechanism of the Convention, or in the new Global Biodiversity Fund if one is created and this global fund shall also be open for voluntary contributions from all sources;

(c) The global biodiversity fund shall be used, in an open, competitive, project-based manner, to support on the ground activities aimed at the conservation of biological diversity and the sustainable use of its components, in line with the ecosystem-based approach, carried out by indigenous peoples, local communities and others, in pursuit of spending priorities identified from time to time by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services through scientific assessments.

2. The Executive Secretary would be requested, in consultation with all Parties and the Global Environment Facility, to prepare options for national legislative, administrative or policy measures to implement a multilateral benefit-sharing system and to report to the Conference of the Parties at its sixteenth meeting.

C. Possible approaches for a hybrid solution on access and benefit-sharing arising out of the use of digital sequence information on genetic resources

- No Previous Informed Consent (PIC) would be required, just Mutually Agreed Terms (MAT) required when the triggering point for benefit-sharing is reached.

The sequences in the databases will remain public for access and without payments associated with their use for non-commercial purposes. This proposal does not intend to make significant changes to the ecosystem of public databases or to the dynamics of using DSI for research processes and development processes before the commercialization stage.

- The triggering point for benefit-sharing will be the commercialization of a product developed from DSI or the obtention of a patent associated with DSI.
 - For the sharing of benefits, there would be four alternatives depending on the country of origin identified in the “country tag” of the passport data of the DSI, or if it is traditional knowledge involved:

*The country of origin must be understood as the country of origin of the genetic resource from which the DSI was obtained.

Bilateral:

a) When the DSI subject of development (single or multiple) has a single and known country of origin, the sharing of benefits must be negotiated directly with that country. In this case monetary and/or non-monetary benefits may be agreed, and this could be done according to its national provisions.

To avoid jurisdictional shopping, increase legal certainty for users and providers, and seeking for expedite negotiation processes, it is desired to establish and agree international standardized Mutually Agreed Terms (MAT) to be implemented individually by countries. However, those MAT should be flexible enough to give countries the possibility to adapt them to their national provisions, needs and interests.

b) In respect of and the recognition of the rights of indigenous peoples and local communities, when it is used traditional knowledge associated with genetic resources held in databases or any other digital media, whoever intends to make use of this information must obtain the respective “prior and informed consent”, “free, prior and informed consent” or “approval and involvement” (language agreed in decision XIII/18) and carry it out under mutually agreed terms negotiated with the Community. In this sense, the

distribution of benefits would also negotiated and shared in a bilateral way directly with IPLCs; an approach similar to what its representatives have proposed in the negotiations.

Multilateral

c) When the DSI subject of development has more than one, but known, countries of origin, the sharing of benefits is handled through a multilateral mechanism that directs the benefits to the countries of origin.

d) When the DSI subject of development has no country of origin identified the sharing of benefits is also handled through a multilateral mechanism. However, in this case the benefits are used for global efforts for the conservation and sustainable use of biodiversity, mainly with developing countries and those with economies in transition.

- For both cases under the multilateral mechanism, internationally standardized mutually agreed terms must be used, i.e., the percentages and types of benefits to be distributed are homogeneous and agreed internationally.
- Despite it is more practical to share only monetary benefits through a multilateral mechanism. Taking as an example the provisions of Article 5 of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization and its Annex, through a multilateral mechanism there would be the possibility to share also non-monetary benefits, i.e., actions for capacity-building or to support efforts for biodiversity conservation.

Indeed, when the countries of origin are known it would be feasible to direct these actions to those countries. However, even when the origin of the DSI is not known, it would be desirable that the sharing of mechanisms is based on criteria different from competitiveness that allow the benefits to be directed towards the countries that needed it the most. For example, developing countries, the ones with economies in transition, countries facing environmental emergencies, etc.

- The multilateral component of the proposal is compatible with any other proposal of a multilateral benefit-sharing mechanism. However, even if some desired details of the operation of the multilateral component are mentioned, those details are subject for further development, and they must be agreed at the international level in the context of the CBD negotiations.
- The proposal does not intend to impose traceability obligations for authorities. It is based on the information that users disclose when registering a product for commercialization or to obtain a patent.
- There is no need to trace back the information on the country of origin, or that this information is attached to the sequence at every step of the value chain. The information of the “country tag” is available at one click trough the unique identifier of the DSI (i.e., the accession number, DOI or its equivalent) at any stage of the development and it must be provided by the user, not identified by the authorities.
- The proposal does not intend that users must disclose the origin of every single sequence when they register the product for commercialization or to obtain a patent. The way in which benefits should have been distributed could be identified by simple yes or no questions at the registration point, or, with future developments, by just providing the accession number(s) of the DSI. However, the easiest way for authorities to determine if the benefit-sharing obligations were met is to request the mutually agreed terms obtained by the user.
- The proposal is also based on the “good faith” principle of users. Even if for making it fully operational it could be though that the proper identification of the origin of every single sequence would be needed, this won’t be technical and administrative feasible for any authority. The same currently happens for physical genetic resources. At the end, it mostly relies on users’ practices.

D. Proposal for how to address digital sequence information on genetic resources in the post-2020 global biodiversity framework

Recommends to the Conference of the Parties that digital sequence information on genetic resources be included in the post-2020 global biodiversity framework under goal C, target 13, target 13bis, target 15 and in the monitoring framework for the post-2020 global biodiversity framework. Further recommends that it be included in the decision adoption the global biodiversity framework with a clear subsequent interpretive agreement that utilization of genetic resources is equivalent to utilization of biodiversity, a decision to establish a global multilateral benefit-sharing mechanism and a call on all society to start contributing a 1 per cent of the retail price of all biodiversity products.

E. Proposal for a hybrid solution to promote access and benefit-sharing from digital sequence information on genetic resources

The ABS gap

The rapid evolution on research and utilization of genetic resources shows a clear tendency to resort almost entirely to genetic sequences in international data banks. As the collections in these banks grow, the research and industrial sectors become less dependent on physical samples of biodiversity, creating a gap between the letter of the Convention on Biological Diversity and the practice of the utilization of genetic resources.

The restriction of the third pillar of the Convention on Biological Diversity to only those situations in which there is a utilization of genetic matter will result in the extinction of the ABS regime. Hence, it is of utmost importance that the object of international discussions should not focus on the format of the genetic resource but in its core object: the genetic information being utilized, and more than that, the resulting outcomes from the use of genetic information.

Monitoring results of DSI use is easier and cheaper than controlling individual DSI access through databanks that are not under providers jurisdiction. Results of use will be sooner or later registered, published and/or explored (through Scientific publications, IPR and Products commercialization), and monitoring such utilization could be built from the already established instruments under the Convention (Checkpoints, CAN, NFP, ABSCHM etc) and compliance would be achieved through the registration of results on an electronic platform, governed by parties, and managed by the Secretariat of the Convention, a “DSI clearing-house and compliance mechanism”.

The funding gap

Discussions on resource mobilization under the Convention on Biological Diversity are currently focused on mobilizing resources from all sources and innovative mechanisms, including from the private sector. There is a broad recognition that the interim financial mechanism does not currently cover the needs to implement the post-2020 global biodiversity framework under negotiation. Therefore, the possibility of implementing a fund under Article 10 of the Nagoya Protocol must be seriously considered. Even if the resources mobilized through ABS would not be substantial, comparing to other funds, all sources should be welcomed to support the implementation of the global biodiversity framework.

Filling the ABS and funding gaps – hybrid solution for DSI

A decision on DSI must follow the recommendation adopted by the Working Group at its third meeting, in which Parties recognize that a solution for fair and equitable benefit-sharing on digital sequence information on genetic resources should, inter alia:

- (a) Be efficient, feasible and practical;
- (b) Generate more benefits, including both monetary and non-monetary, than costs;
- (c) Be effective;
- (d) Provide certainty and legal clarity for providers and users of digital sequence information on genetic resources;

- (e) Not hinder research and innovation;
- (f) Be consistent with open access to data;
- (g) Not be incompatible with international legal obligations;
- (h) Be mutually supportive of other access and benefit-sharing instruments, namely, for instance the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRA);
- (i) Take into account the rights of indigenous peoples and local communities, including with respect to the traditional knowledge associated with genetic resources that they hold.” (recommendation WG2020-3/2, para.5)

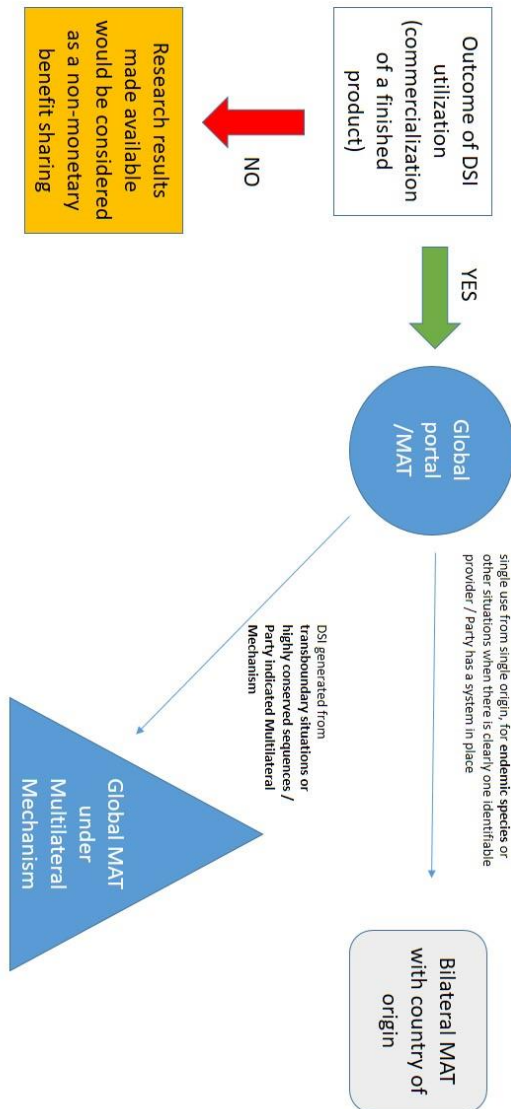
For such solution, Parties should change the focus from regulating processes/procedures, like controlling access, towards regulating results, publications, patents, cultivars, and marketable products and processes. This shift relieves the bureaucratic burden of research and development and focuses on the end of the chain, the economic exploitation of products and reproductive material.

Predictable rules will allow users to foresee their costs and obligations, in the short and long term, and will provide legal clarity to users and thus encourage the use of genetic resources. Legal measures that facilitate and foster research and development will generate more benefits, which can be channelled to biodiversity conservation and sustainable use, fulfilling the objectives of the international agreements on ABS.

Understanding that a hybrid solution offers flexibility to couple a multilateral system with national systems, a hybrid solution (mixing policy options 2.1, 2.2 and 3.1 from the Co-leads’ report on the work of the Informal Co-Chairs’ Advisory Group on digital sequence information on genetic resources since the fourth meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework, (CBD/WG2020/5/INF/1)) could be adopted with the following general understanding:

1. DSI falls under the purview of the Convention of Biological Diversity;
2. Open access, under terms and conditions, for research and development. Research results made available would be considered as a non-monetary benefit-sharing;
3. Requires monetary benefit-sharing from the economic exploitation of final products arose from the use of DSI;
4. The **trigger for benefit-sharing** is the registration of the **finished product** for commercialization and is calculated over the **net revenue** from sales (economic benefits are shared when they exist) – **predictability and legal certainty for researchers, users and business**;
5. **Hybrid system**, with a **single point of entry** (“**global portal**”), composed by **bilateral mechanisms** (national legislation compatible) and a **multilateral mechanism** (Nagoya compatible)
6. **Multilateral mechanism** (Nagoya compatible) – applies for DSI generated from **transboundary situations or highly conserved sequences**. No PIC, and no requirement of MAT when there are multiple sources, or the source is an open access public data base (**no mandatory tracking**);
7. In the case when multiple sequences or highly conserved sequences are used in the research phase, only the genetic information utilized in the **finished product** or **reproductive material** will trigger benefit sharing obligations. All the genetic information utilized in the research phase but not effectively used in the finished product or reproductive material are exempt from benefit-sharing obligations;
8. In the case of the multilateral mechanism, the manufacturer of a product should share benefits through a global multilateral benefit-sharing mechanism functioning under the Global MAT in a fixed percentage of the net revenue as agreed by Parties;

9. **Bilateral mechanisms** require MAT (without or with PIC, for instance when traditional knowledge is involved) – single use from single origin, for **endemic species** or other situations when there is clearly one identifiable provider;
10. For single uses or from a single origin, endemic species, or other situations when the origin is known, the producer should share benefits under bilateral negotiations such as under nationally established policy models or under the Global MAT, as per previously determined by the Party;
11. In the case of food and agriculture products – after registration to allow marketing, benefit-sharing is calculated over the **net revenue** from sales of **reproductive material** (seeds/seedlings/other forms of reproductive materials of **protected varieties** or semen/embryos of registered animal breeds), except for those under the SML of ITPGRA;
12. Benefit-sharing obligations are applicable while revenues are being obtained from the market;
13. Monitoring and compliance are less complex due to the single trigger point and single point of entry (“global portal”), well established rules and direct relation to net revenue.



The Brazilian experience with ABS and DSI

The Convention on Biological Diversity (CBD) explicitly recognized the authority of States to determine access to genetic resources as part of their sovereign rights over natural resources under their jurisdiction. Furthermore, it obliges all contracting parties to take legislative, administrative or policy measures, to share in a fair and equitable way the results of research and development and the benefits arising from the commercial and other utilization of genetic resources.

For more than 20 years now, Brazil has put in place an ABS System which regulates the use of genetic information, even if disengaged from the physical sample since its first legal framework on ABS. Law No 13,123/2015 defines genetic heritage as the genetic information from plants, animals, and microbial species, or any other species, including substances originating from the metabolism of these living organisms. Therefore, Law 13123/2015 already includes in its scope the use of digital genetic information, and users are subject to the need for registration and, according to the case, sharing of benefits from economic exploitation

of products or reproductive material arising from it, since the economic exploitation of a finished product or reproductive material was established as the single point of incidence of benefit-sharing obligations.

A systemic reading of the CBD and the International Treaty on Plant Genetic Resources for Food and Agriculture (Plant Treaty) strongly influenced the elaboration of Law 13,123/2015 and its Decree No. 8,772/2016. The CBD defines “genetic material” as any material of plant, animal, microbial or other origin containing functional units of heredity.

According to the Oxford Dictionary, the word “material” can be defined as “information or ideas for use in creating a book or other work”. The definition of the word “matter” is “physical substance in general, as distinct from mind and spirit; (In physics) that occupies space and possesses rest mass, especially as distinct from energy”. The term “material” should not be confused with the term “matter”. The definition of the word “material” allows the interpretation of the term to include the set of information associated with the genetic resource, that is, the substrate information or working material. Restricting the meaning of the word “material” to the word “matter” jeopardizes the obligation to share benefits, the sovereignty of the countries parties over their genetic resources, and contradicts the CBD and the Plant Treaty.

Even if genetic information obtained digitally is to be considered as excluded from the concept of genetic material, a systemic interpretation of the CBD and the Nagoya Protocol leaves no doubt that the utilization of this information is subject to benefit sharing. The means of transmission of genetic information, whether in the form of matter from a DNA sample or as information stored in silico, is irrelevant to the fulfilment of this obligation. Since there was “utilization” of a physical sample to access this type of information, its application and subsequent commercialization should be shared in a fair and equitable way, in line with Article 5 of the Nagoya Protocol and article 10 of the Plant Treaty.

The new ABS Legislation entered into force in November 2017, when the ABS electronic registration system “SisGen” started to operate. The National System for Genetic Heritage and Associated Traditional Knowledge Management (SisGen)⁴¹ is the electronic system maintained and operated by the Executive – Secretariat of CGEN, under the Ministry of Environment, it is the “one stop shop” for the registration of ABS activities. In general, there is no need for a prior authorization to start a research or development activity on Brazilian genetic heritage. The prior authorization was replaced by a registry made with the system, which is declaratory.

SisGen manages the registry of access to genetic heritage or associated traditional knowledge; Notifications of finished product or reproductive material and benefit-sharing agreements. Additionally, the SisGen issues the Certificates of lawful access, that, to be granted, the access (research and development activity) registration must be carried out previously to:

- I – the remittance of samples of genetic material;
- II – the application for any intellectual property rights;
- III – the commercialization of the intermediate product;
- IV – the disclosure of final or partial results in scientific or communication circles; or
- V – the notification of finished product or reproductive material developed because of the access.

Users are free to choose the best moment to do the registration as long it is before the above-mentioned triggering events. Moreover, since there is no need for a prior registration, if a given access activity does not have any results, any intellectual property right applications, products or processes developed, that access activity does not have to be registered. The main idea is to promote and facilitate access and to only demand information when a concrete result has been achieved, which is moment the user must declare what activities took place (i.e. research and technological development) and provide all the required information.

⁴¹ <https://sisgen.gov.br>

It is through the notification that users of the Genetic Heritage declare to comply with the requirements of the Law and indicates the preferred modality of benefit-sharing to meet their legal obligations. The modality is up to the User to decide and are “monetary”, through a payment to the National Fund, or “non-monetary”, with the user directly funding a conservation project or activity, in accordance with the National Benefit Sharing Programme created by the Law nº 13.123/2015. In the non-monetary modality, a Benefit-Sharing Agreement must be signed with the Ministry of Environment, foreseen all the activities that the user declare to execute as benefit-sharing.

The Notification of a Finished Product equals to the celebration of mutually agreed terms, in accordance with Article 15 of the Convention, since the user agrees with the terms and conditions required by the national legislation. Briefly explained, Users must adhere to the ABS Terms and conditions pre-set in Law/Decree. Users accept the predefined conditions by registering their ABS activities in an online system – the SisGen. Users adhere to the pre-set rules (ABS contract) by registering/notifying ABS activities through the SISGEN website.

A finished product is defined by Law as a Product which is apt to be used by the final consumer, whether it is an individual or legal entity. Moreover, the benefit-sharing obligations applies only to a finished Product, that must arise from access (research and technological development in the Brazilian Law), independently if it was produced in the country or abroad, and finally, the Genetic Heritage should be one of the main elements adding value to the product.

According to the Law, it does not matter who has conducted the access on DSI or who is selling the finished product, it is the manufacturer of the finished product that must meet the benefit-sharing obligation.

Out of the almost 68.300 registered access activities in the SisGen by now, 1.411 declared in silico origin, from which 336 declared commercial intention activities, through the registration of Technological Development activities arising from the utilization of digital sequence information/genetic information on Genetic Resources. The other 1.075 are equivalent to “access activities from commercial and non-commercial use of digital sequence information on genetic resources”.

The conclusion of the registration of a Research activity by the user equals to the obtaining of a non-commercial access permit. Thereto, the registration of a Technological Development activity by the user, which in the Law is considered as a “systematic work on genetic heritage carried out with the objectives of developing new materials, products or devices, or improving or developing new processes, for economic exploitation”, equals to the obtaining of a commercial access permit. Almost 800 Legal Persons (60% companies) and more than 25 thousand individuals concluded their registrations and are providing information on their research and development activities arising from genetic heritage (including from in silico origin) and ATK in the SisGen.

In order to provide concrete examples on the “benefit-sharing arrangements from commercial use of digital sequence information on genetic resources”, one could refer to a Technological Development activity registered in the SisGen, which proposes the use of bioinformatics to find pharmacological receptors (proteins), deposited in the Protein Data Bank PDB, of natural products from the Brazilian Biodiversity.

Nevertheless, since there is in general no prior authorization to use Genetic Heritage from Brazil, anyone using that proteins sequences would have to register their results or notify products only when there is a concrete result and before some triggering events, such as the publication of a Scientific Paper, a Patent Application, a By Product commercialization or a finished Product Notification.

In other words, Brazilian genetic heritage can be openly accessed, under terms and conditions, but the results and products of its utilization must be regularized by a registration or notification procedure, in the proper moment and according to each case. Its paramount for Brazil to foster research and development arising from its genetic diversity and, having in mind the evolution of the techniques available to do so, it is the national understanding that access, including through the utilization of genetic resources from an in-silico origin, must be facilitated to generate the benefits that will fund biodiversity conservation and sustainable use. Hence, to do so, the regulation should focus on results rather than procedures.

With the SisGen, the Brazilian ABS system evolved from a case-by-case prior authorization and MAT celebration, to focus on end-users for benefit-sharing, for monitoring of access outcomes, and for results and value chain regularization through an online registration system.

In summary, Brazil has adopted:

- A facilitated mechanism for access to genetic resources, with a change in the focus of regulation, previously focused on the control of access to genetic resources, now shifted towards control of the economic exploitation of products or reproductive materials arising from access;
- The development of an online declaratory registration system to trace, track and oversee access to genetic resources and associated traditional knowledge activities – SisGen;
- The registration is an obligation only in specific trigger points, such as shipment, request for intellectual property rights, publication of results and commercialization. Research and development activities that do not result in any of the above-mentioned activities are not demanded to register;
- Prior Informed Consent for access to traditional knowledge (TK) is mandatory and should be obtained directly with indigenous peoples and local communities (IPLCs);
- The single point of incidence of benefit-sharing obligations is the economic exploitation of a finished product or reproductive material: this is the link of the value chain with the highest value added, discharging any research and development activity. Therefore, economic benefits are to be shared when they do exist;
- The percentage of monetary benefit-sharing from products or reproductive material derived from the use of genetic resources is established as 1% of net revenues from the product or reproductive material sales. Hence, there is no speculation of values and no surprises for genetic resources users. It gives predictability and legal certainty to invest in Bio-based products arising from access;
- The clearly established point of incidence combined with a defined percentage of benefit-sharing to be valued under a specific concept such as “net revenue” make the monitoring of compliance feasible, since they are based on fiscal and accounting principles and rules;

Brazil also have positioned in favor of using the Global Multilateral Benefit-Sharing Mechanism to resolve issues of benefit-sharing relating to situations in which prior informed consent cannot be obtained, such as lack of origin information, transboundary situations or products and reproductive material resulting from multiple access from different origins.

]

II. ACCOUNT OF PROCEEDINGS

A. Background

1. The fifth meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework was held in Montreal, from 3 to 5 December 2022, back-to-back with the second part of the fifteenth meeting of the Conference of the Parties.

B. Attendance

2. The meeting was attended by representatives of the following Parties and Governments:

Algeria	Dominican Republic	Madagascar
Angola	Ecuador	Malawi
Antigua and Barbuda	Egypt	Malaysia
Argentina	Eritrea	Maldives
Armenia	Estonia	Mali
Australia	Ethiopia	Malta
Austria	European Union	Marshall Islands
Bahamas	Fiji	Mauritania
Bahrain	Finland	Mauritius
Bangladesh	France	Mexico
Barbados	Gabon	Micronesia (Federated States of)
Belarus	Gambia	Monaco
Belgium	Georgia	Mongolia
Belize	Germany	Morocco
Benin	Ghana	Mozambique
Bhutan	Grenada	Namibia
Bolivia (Plurinational State of)	Guatemala	Nepal
Bosnia and Herzegovina	Guinea-Bissau	Netherlands
Botswana	Guyana	New Zealand
Brazil	Haiti	Nicaragua
Burkina Faso	Holy See	Niger
Cabo Verde	Hungary	Nigeria
Cambodia	Iceland	North Macedonia
Cameroon	India	Norway
Canada	Indonesia	Oman
Chad	Iran (Islamic Republic of)	Pakistan
Chile	Ireland	Palau
China	Israel	Panama
Colombia	Italy	Papua New Guinea
Comoros	Jamaica	Paraguay
Congo	Japan	Peru
Cook Islands	Jordan	Philippines
Costa Rica	Kenya	Poland
Cuba	Kiribati	Portugal
Czech Republic	Kuwait	Republic of Korea
Côte d'Ivoire	Lao People's Democratic Republic	Republic of Moldova
Democratic Republic of the Congo	Lebanon	Romania
Denmark	Lesotho	Russian Federation
Djibouti	Liberia	Saint Kitts and Nevis
	Luxembourg	Saint Lucia

Samoa	State of Palestine	United Arab Emirates
Sao Tome and Principe	Sudan	United Kingdom of Great Britain and Northern Ireland
Saudi Arabia	Suriname	
Senegal	Sweden	
Serbia	Switzerland	United Republic of Tanzania
Seychelles	Syrian Arab Republic	United States of America
Sierra Leone	Thailand	Uruguay
Singapore	Togo	Uzbekistan
Slovakia	Tonga	Vanuatu
Solomon Islands	Trinidad and Tobago	Venezuela (Bolivarian Republic of)
Somalia	Tunisia	
South Africa	Turkmenistan	Viet Nam
South Sudan	Tuvalu	Yemen
Spain	Türkiye	Zambia
Sri Lanka	Uganda	Zimbabwe

3. Observers from the following United Nations bodies, specialized agencies, convention secretariats and other bodies also attended:

Convention on International Trade in Endangered Species of Wild Fauna and Flora	UNEP World Conservation Monitoring Centre
Convention on the Conservation of Migratory Species of Wild Animals	UNEP-GEF BCH III Project
Food and Agriculture Organization of the United Nations	UNEP/MAP Regional Activity Centre for Specially Protected Areas
Global Environment Facility	United Nations Conference on Trade and Development
Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services	United Nations Development Programme
International Treaty on Plant Genetic Resources for Food and Agriculture	United Nations Educational, Scientific and Cultural Organization
Secretariat of the Carpathian Convention	United Nations Environment Programme
UN Women	United Nations Permanent Forum on Indigenous Issues
World Intellectual Property Organization	World Health Organization

4. The following organizations were also represented:

ABS Capacity Development Initiative	ASEAN Centre for Biodiversity
Advanced Conservation Strategies	Asia Indigenous Peoples Pact Foundation
African Centre for Biodiversity	Asociación Ak'Tenamit
African Indigenous Women Organization (Nairobi)	Asociación de Cabildos Indígenas del Municipio de Villa Garzón, Putumayo
African Union Development Agency-NEPAD	Asociación de la Juventud Indígena Argentina
African Wildlife Foundation	Assembly of First Nations
AJEMALEBU Self Help	Association des biologistes du Québec
Albert-Ludwigs-Universität Freiburg	Association of Fish and Wildlife Agencies
Alliance of Bioversity International & International Center for Tropical Agriculture (CIAT)	Association Tinhinan Canada
Amazon Cooperation Treaty Organization	Australian Conservation Foundation
Amazon Watch	Avaaz
Andes Chinchasyo	Barnes Hill Community Development Organization
Anglican Diocese of Montreal	Beijing Chaoyang District Yongxu Global Environmental Institute
Aotearoa Indigenous Rights Charitable Trust	

Beijing Greenovation Institute for Public Welfare Development
 Beijing Haidian Shanshui Conservation Center
 Bhumi Global
 Bioconciencia A.C.
 BirdLife International
 BirdLife International – KBA Secretariat
 Born Free Foundation
 Canadian Committee for the International Union for Conservation of Nature
 Canadian Council on Ecological Areas
 Canadian Parks and Wilderness Society
 Canadian Wildlife Federation
 CANEUS International
 Capitals Coalition
 Caribbean Community Secretariat
 Catholic Youth Network for Environmental Sustainability in Africa (CYNESIA)
 CBD Alliance
 CDP Worldwide
 Center for Biological Diversity
 Center for International Forestry Research
 Center for Large Landscape Conservation
 Center for Support of Indigenous Peoples of the North/Russian Indigenous Training Centre
 Centers of Distinction on Indigenous and Local Knowledge
 Central Research Institute of Electric Power Industry
 Centre for Indigenous Peoples Research and Development
 Centre québécois du droit de l’environnement
 Centro de Estudios Multidisciplinarios Aymara
 Centro nacional-promoción y defensa de los derechos Indígenas YANAPANAKUY
 Centro para la Investigación y Planificación del Desarrollo Maya
 CGIAR
 Change Our Next Decade
 Chartered Institute of Ecology and Environmental Management
 Chibememe Earth Healing Association
 China Biodiversity Conservation and Green Development Foundation
 ClientEarth
 Climate Action Network Canada
 Coastal Oceans Research and Development in the Indian Ocean
 Collectif de recherche écosanté sur les pesticides, les politiques et les alternatives
 College of the Atlantic
 Concordia University
 Conseil des relations internationales de Montréal
 Conseil Patronal de l’Environnement du Québec
 Conservation International
 Cooperativa Autogestionaria de Servicios Profesionales para la Solidaridad Social, R.L.
 Coordinadora Andina de Organizaciones Indígenas
 Coordinadora de las Organizaciones Indígenas de la Cuenca Amazónica
 Cornell University - College of Agriculture and Life Sciences
 Council of Elders of the Yukaghir People
 Cree Nation Government
 CropLife Canada
 CropLife International
 Cultural Survival
 Dalberg Catalyst
 David Shepherd Wildlife Foundation
 David Suzuki Foundation
 Deep-Ocean Stewardship Initiative / University of Southampton
 Defenders of Wildlife
 Derecho, Ambiente y Recursos Naturales
 DHI Water & Environment
 Duke Kunshan University
 Duke University
 Durham University
 Earth Island Institute
 Earthday Everyday
 Ecojustice Canada
 EcoNexus
 ECOROPA
 Enda Santé
 Environmental Defense Fund
 ETC Group
 European Bureau for Conservation and Development
 European Network of Scientists for Social and Environmental Responsibility
 Every Woman Hope Centre
 Expertise France
 Fauna & Flora International
 Federación Indígena Empresarial y Comunidades Locales de México
 Finance for Biodiversity Foundation
 Fondation Franz Weber
 Food Secure Canada
 Forest Peoples Programme
 Forest Stewardship Council
 Forest Watch Indonesia
 Forum for Environment and Development

Foundation of Future Farming (Zukunftsstiftung
 Landwirtschaft)
 Four Paws International
 Friends of Nature
 Friends of the Earth - Malaysia
 Friends of the Earth Europe
 Friends of the Earth International
 Friends of the Earth US
 Fundación Ambiente y Recursos Naturales
 Fundación Gaia Amazonas
 Fundación para la Promoción del Conocimiento
 Indígena
 Fundación Suma Kausai Colombia
 Fur Institute of Canada
 Future Earth
 Gawis Indigenous Rights Inc.
 Ghent University
 Global Biodiversity Information Facility
 Global Forest Coalition
 Global Industry Coalition
 Global Plant Council
 Global Youth Biodiversity Network
 Global Youth Online Union
 Greater Virunga Transboundary Collaboration
 Greenpeace International
 Griffith University
 Group on Earth Observations Biodiversity
 Observation Network
 Helmholtz Centre for Environmental Research -
 UFZ
 Heriot-Watt University
 ICCA Consortium
 ICLEI - Local Governments for Sustainability
 Ifakara Health Institute
 iGEM Foundation
 Imperial College London
 Indigenous Climate Action
 Indigenous Environmental Network
 Indigenous Information Network
 Indigenous Peoples of Africa Co-ordinating
 Committee
 Indigenous Reference Group of the Fisheries
 Research and Development Corporation
 Indigenous Women's Biodiversity Network
 Indigenous World Association
 Institut de la Francophonie pour le
 développement durable
 Institut du développement durable et des
 relations internationales
 Institut Hydro-Québec en environnement,
 développement et société
 Institute for Biodiversity Network
 Institute for Global Environmental Strategies
 Institute of Environmental Studies (IVM) - Vrije
 Universiteit Amsterdam
 Inter Mountain Peoples Education and Culture
 in Thailand Association
 Inter-American Institute for Cooperation on
 Agriculture
 International Buffalo Relations Institute
 International Center for Integrated Mountain
 Development
 International Chamber of Commerce
 International Collective in Support of
 Fishworkers
 International Council on Mining and Metals
 International Federation of Pharmaceutical
 Manufacturers and Associations
 International Fund for Animal Welfare
 International Indian Treaty Council
 International Indigenous Forum on Biodiversity
 International Institute for Environment and
 Development
 International Institute for Sustainable
 Development
 International Livestock Research Institute
 International Partnership for the Satoyama
 Initiative Secretariat
 International Planning Committee for Food
 Sovereignty
 International Service for the Acquisition of
 Agri-biotech Applications
 International Union for Conservation of Nature
 (IUCN)
 International Union for Conservation of Nature
 Regional Office for West and Central Africa
 International Union for Health Promotion and
 Education
 International University Network on Cultural
 and Biological Diversity
 International Whaling Commission
 International Work Group for Indigenous
 Affairs
 International Youth Council
 Invasive Species Council of BC
 IPIECA
 Island Conservation
 Italian Climate Network (ItaliaClima)
 J. Craig Venter Institute
 Jabalbina Yalanji Aboriginal Corporation
 Jane Goodall Institute of Canada
 Japan Committee for IUCN
 Japan Environmental Lawyers for Future
 Japan Wildlife Research Center

Jeunes Volontaires pour l'Environnement
 Kahnawa:ke Environment Protection Office
 Kumasi Institute of Tropical Agriculture (KITA)
 Land is Life
 League of Arab States
 Leibniz-Institute DSMZ (German Collection of
 Microorganisms and Cell Cultures)
 Lund University
 Manchester Institute of Innovation Research -
 Manchester University
 McGill University
 McMaster University
 Meridian Institute
 Mount Holyoke College
 Mouvement d'Organisation des Ruraux pour le
 Développement
 Muskrat Collective
 National Institute for Environmental Studies
 Natural History Museum
 Natural Resources Defense Council
 Nature and Biodiversity Conservation Union
 NatureFinance
 NatureServe
 Nepal Indigenous Nationalities Preservation
 Association
 Nía Tero
 Nigerian Conservation Foundation
 Non-Timber Forest Products - Exchange
 Programme
 Nordic Council
 Nordic Council of Ministers
 Norwegian Forum for Development and
 Environment
 Nsombou Abalghe-Dzal Association
 One Tree Planted
 Organización Nacional de los Pueblos Indígenas
 de la Amazonía Colombiana
 Pacific Environment
 PACOS TRUST
 Pan African Sanctuary Alliance
 Pan-African Mosquito Control Association
 (PAMCA)
 Panthera
 Partners for Indigenous Knowledge Philippines
 PBL Netherlands Environmental Assessment
 Agency
 Pesticide Action Network UK
 POLLINIS
 Première Nation Abitibiwiinni
 Public Research and Regulation Initiative
 Quaker Earthcare Witness
 Quebec: Subnational and Local Authority Group
 Ramsar Convention on Wetlands
 Ramsar Network Japan
 Rare
 Re:wild
 Red de Cooperación Amazónica
 Red de Mujeres Indígenas sobre Biodiversidad
 para América Latina y el Caribe
 Reef and Rainforest Research Centre
 Réseau des gestionnaires d'aires marines
 protégées en Méditerranée
 Resources Legacy Fund
 Rights and Resources Initiative
 Rockefeller Philanthropy Advisors
 Royal Society for the Protection of Birds
 Saami Council - Norway
 Sea to Cedar
 Secretariat of Environment, Nuevo Leon,
 Mexico
 Secretariat of the Pacific Regional Environment
 Programme
 Senckenberg Nature Research Society
 (Senckenberg Gesellschaft für
 Naturforschung)
 Sierra Club Canada Foundation
 Sierra Club of British Columbia Foundation
 Société de promotion économique de Rimouski
 Society for the Preservation of Natural History
 Collections
 Society for Wetland Biodiversity Conservation -
 Nepal
 Soka Gakkai International
 South Asia Co-operative Environment
 Programme
 Southeast Asia Regional Initiatives for
 Community Empowerment
 Southern African Development Community
 Secretariat
 Stand.earth
 Stockholm Resilience Centre
 Sustainable Development Solutions Network
 Sustainable Environment Food and Agriculture
 Initiative
 SVS/BirdLife Switzerland
 Syndicat de professionnelles et professionnels
 du gouvernement du Québec
 Tebtebba Foundation
 The Nature Conservancy
 The Nature Conservation Society of Japan
 The Pew Charitable Trusts
 Third World Network
 Tourisme Montréal
 TRAFFIC International

Uganda Virus Research Institute	Weizenbaum Institute e.V.
UNESCO Chair on Ocean Sustainability	Whale and Dolphin Conservation
Union Economique et Monétaire Ouest Africaine	WhyWeCraft Association
United Nations Association in Canada	WILD Foundation
United States Council for International Business	Wilder Institute – Calgary Zoo Foundation
Université de Montréal	Wildlife Conservation Society
Université de Sherbrooke	Wilfrid Laurier University
Université du Québec à Montréal	Women’s Environment & Development Organization
Université Saint-Louis - Bruxelles	World Animal Protection
University of Arizona College of Law	World Benchmarking Alliance
Indigenous Peoples Law and Policy (IPLP) Program	World Federation for Animals
University of Cambridge, Conservation Leadership Alumni Network	World Future Council
University of Guelph	World Indigenous Tourism Alliance
University of Sheffield	WWF International
University of Sydney	Yellowstone to Yukon Conservation Initiative
University of Vienna	Youth Biotech
Ville de Baie D’Urfé	Youth4Nature Foundation
Vitae-planeta Ltd	Yunnan Province
	Zoo and Aquarium Association Australasia
	Zoological Society of London

ITEM 1. OPENING OF THE MEETING

5. The meeting was opened at 10.15 a.m. by the Co-Chair, Francis Ogwal (Uganda), who welcomed the participants to the fifth meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework. The Co-Chair, Basile van Havre (Canada), also welcomed the participants and thanked the President of the Conference of the Parties, Huang Runqiu, represented by Zhou Guomei (China), and all the members of the Bureau of the Conference of the Parties for their guidance in the preparation of the meeting, as well as Elizabeth Maruma Mrema, the Executive Secretary of the Convention on Biological Diversity, for her support in organizing it.

6. Mr. van Havre mentioned that in view of the very short period available to the participants to be able to complete their substantive work, no general opening statements would be made.

ITEM 2. ORGANIZATION OF WORK

A. Adoption of the agenda

7. At the first plenary session of the meeting, on 3 December 2022, the Working Group adopted the following agenda on the basis of the provisional agenda (CBD/WG2020/5/1):

1. Opening of the meeting.
2. Organization of work.
3. Reports from the Co-Chairs on intersessional work.
4. Post-2020 global biodiversity framework.
5. Digital sequence information on genetic resources.
6. Other matters.
7. Adoption of the report.
8. Closing of the meeting.

B. Election of officers

8. At the first plenary session of the meeting, on 3 December, the Working Group noted that the Bureau of the Conference of the Parties would serve as the Bureau of the Working Group, and confirmed that Eugenia Arguedas Montezuma, the Bureau member from Costa Rica, would act as Rapporteur for the meeting.

C. Organization of work

9. At its first plenary session, on 3 December, the Working Group considered and adopted the organization of work set out in the annotated provisional agenda (CBD/WG2020/5/1/Add.1) and in the scenario note prepared by the Co-Chairs in consultation with the secretariat and the Bureau (CBD/WG2020/5/1/Add.2).

ITEM 3. REPORTS FROM THE CO-CHAIRS ON INTERSESSIONAL WORK

10. At its first plenary session, on 3 December, the Working Group heard reports on intersessional work.

11. The Co-Chairs presented the report of the Informal Group on the Post-2020 Global Biodiversity Framework (CBD/POST2020/OM/2022/1/2) and an additional note prepared by the Co-Chairs on the outcomes of the work of the Informal Group on the post-2020 global biodiversity framework (CBD/WG2020/5/2).

12. The Working Group also heard from the Chair of the Subsidiary Body on Scientific, Technical and Technological Advice, on intersessional work on the development of the monitoring framework, including the outcome of the Expert Workshop on the Monitoring Framework for the Post-2020 Global Biodiversity Framework (CBD/ID/OM/2022/1/2); and from the Chair of the Subsidiary Body on Implementation, on work on resource mobilization and the mechanisms of planning, monitoring, reporting and review.

ITEM 4. POST-2020 GLOBAL BIODIVERSITY FRAMEWORK

13. At the first plenary session of the meeting, on 3 December, the Working Group took up agenda item 4. In considering the item, the Working Group had before it the report of its fourth meeting (CBD/WG2020/4/4), the outcomes of the work of the Informal Group on the Post-2020 Global Biodiversity Framework (CBD/WG2020/5/2) and the updated glossary for the framework (CBD/WG2020/5/4). It also had before it the first draft of the post-2020 global biodiversity framework (CBD/WG2020/3/3).

14. The Co-Chair recalled that the Working Group was expected to complete the development of a final draft of the post-2020 global biodiversity framework for consideration and adoption by the Conference of the Parties at the second part of its fifteenth meeting.

15. The Co-Chair of the Working Group recalled that under agenda item 3, the Working Group had considered the outcomes of the Informal Group, which was convened to streamline the text of the post-2020 global biodiversity framework (CBD/WG2020/5/2). The Co-Chairs suggested that in view of the very limited time available, the Working Group should use the outcome of the Informal Group, including the technical rational section and the streamlined version of the proposed framework, as the working basis for its deliberations. The Co-Chairs assured the Working Group that the use of the text of the Informal Group would be without prejudice to the right of Parties to propose changes to it, which could include reintroducing some elements that had been proposed at the fourth meeting of the Working Group.

16. Statements were made by the representatives of Australia, Bolivia (Plurinational State of), Brazil, China, the Democratic Republic of the Congo, Eswatini, Indonesia, Mexico, Namibia, Nigeria, Panama, the Russian Federation, Senegal, Switzerland and the United Kingdom of Great Britain and Northern Ireland.

17. Some Parties noted that while many of the elements contained in the text proposed by the Informal Group could be used as a starting point for the discussions, the official text of the meeting should remain the text that had been developed at the meeting in Nairobi, contained in document CBD/WG2020/4/4.

18. Following consultations, the Co-Chair said that both the text proposed by the Informal Group and the official text developed at the meeting in Nairobi would be displayed side-by-side during the meetings of the contact groups; however, the co-leads of the contact groups were urged to start their discussions with the text that had been provided by the Informal Group. After some discussion, the Working Group agreed to the Co-Chairs' proposal.
19. The Co-Chairs then reminded participants of the progress in the preparation of the framework. They outlined the approach that they proposed with a view to enhancing the pace of the work. They announced that the same set of contact groups that were used at the fourth meeting of the Working Group would be re-established to facilitate the work.
20. Contact group 1 would consider goals A, B and C of the post-2020 global biodiversity framework, with Gao Zhiang (China) and Norbert Baerlocher (Switzerland) as co-leads.
21. Contact group 2 would initially consider targets 1, 4, 5 and 6, on reducing threats to biodiversity, having Teona Karchava (Georgia) and Rosemary Patterson (New Zealand) as co-leads.
22. Contact group 3 would initially consider targets 9, 10 and 11, on meeting people's needs through sustainable use and benefit-sharing, with Gillian Guthrie (Jamaica) and Gabriele Obermayr (Austria) as co-leads.
23. Contact group 4 would initially consider targets 14 to 17, 20 to 22 and new targets, on tools and solutions for implementation and mainstreaming, with Anne Teller (European Union) and Jorge Murillo (Colombia) as co-leads.
24. Contact group 6 would initially consider sections A, B, Bbis, D, E, H, I and K, with Carolina Caceres (Canada) and Marie-May Muzunguile (Seychelles) as co-leads.
25. At its second plenary session, on 5 December, the Working Group heard reports by the co-leads of the contact groups and considered a set of draft recommendations submitted by the Co-Chairs, on the various sections of the post-2020 global biodiversity framework.
26. The Working Group first considered a draft recommendation for section F of the post-2020 global biodiversity framework, on the 2050 goals, as orally amended by the representative of the secretariat.
27. Statements were made by the representatives of the European Union, also on behalf of its member States; and Namibia, on behalf of the African States.
28. The Working Group approved the draft recommendation, as orally amended, for transmission to the plenary as part of the annex to draft recommendation CBD/WG2020/5/L.2.
29. The Working Group then considered a draft recommendation on section G of the post-2020 global biodiversity framework, 2030 action targets 1 to 8 on reducing threats to biodiversity, as orally amended by the representative of the secretariat.
30. A statement was made by the representative of the European Union, also on behalf of its member States.
31. Statements were also made by the representatives of Argentina, Bolivia (Plurinational State of), Brazil, the Dominican Republic, the Russian Federation, Togo and Uganda.
32. The Working Group approved the draft recommendation, as orally amended, for transmission to the plenary as part of the annex to draft recommendation CBD/WG2020/5/L.2.
33. The Working Group then considered a draft recommendation on section G of the post-2020 global biodiversity framework, 2030 action targets 9 to 13 on reducing threats to biodiversity, as orally amended by the secretariat.
34. A statement was made by the representative of Cameroon.

35. The Working Group approved the draft recommendation, as orally amended, for transmission to the plenary as part of the annex to draft recommendation CBD/WG2020/5/L.2.
36. The Working Group then considered a draft recommendation on section G of the post-2020 global biodiversity framework, 2030 action targets 14 to 22 on reducing threats to biodiversity, and an additional target, as orally amended by the representative of the secretariat.
37. Statements were made by the representatives of the European Union, also on behalf of its member States; and Togo, on behalf of the African States.
38. Statements were also made by the representatives of Argentina, Bolivia (Plurinational State of), Chile, Colombia, Costa Rica, Mexico, Namibia, Norway and the Russian Federation, the United Kingdom and Uruguay.
39. The Working Group approved the draft recommendation, as orally amended, for transmission to the plenary as part of the annex to draft recommendation CBD/WG2020/5/L.2.
40. The Working Group then considered a draft recommendation on sections A through E and H through K of the post-2020 global biodiversity framework.
41. Statements were made by the representatives of Bolivia (Plurinational State of), the Democratic Republic of the Congo and Uganda.
42. The Working Group approved the draft recommendation, as orally amended, for transmission to the plenary as part of the annex to draft recommendation CBD/WG2020/5/L.2.
43. The Working Group subsequently considered a draft recommendation on the post-2020 global biodiversity framework as a whole and approved it for transmission to the plenary as draft recommendation CBD/WG2020/5/L.2.
44. The Working Group then adopted draft recommendation CBD/WG2020/5/L.2, including its annex, as recommendation 5/1.

ITEM 5. DIGITAL SEQUENCE INFORMATION ON GENETIC RESOURCES

45. At its first plenary session, the Working Group took up agenda item 5. In considering the item, the Working Group had before it a note by the Executive Secretary on digital sequence information on genetic resources (CBD/WG2020/5/3).
46. Lactitia Tshitwamulomoni (South Africa), co-lead of the Informal Co-Chairs' Advisory Group on digital sequence information on genetic resources, presented the co-leads' report on the work of the Informal Advisory Group since the Working Group's fourth meeting (CBD/WG2020/5/INF/1).
47. Statements were made by the representatives of Argentina (on behalf of the Latin American and Caribbean States), Brazil, Colombia, the Democratic Republic of Congo, European Union (also on behalf of its member States), Guatemala, Japan, Namibia, Norway, Türkiye and the United Kingdom.
48. The Working Group agreed that the contact group would continue to work on the recommendation that was intended to be submitted to the Conference of the Parties, taking into account recommendation 4/2 of the Working Group, document CBD/WG2020/5/3 and the written submissions received during the first plenary session of the present meeting.
49. At its second plenary session, on 5 December, the Working Group heard a report by the co-leads of the contact group and considered a draft recommendation on digital sequence information on genetic resources, as submitted by the Co-Chairs.
50. Statements were made by the representatives of Argentina, on behalf of the Latin American and Caribbean States Latin American and Caribbean States;

51. Statements were also made by the representatives of Brazil, Colombia, Iran (Islamic Republic of), Japan, Namibia and Switzerland.

52. The Working Group approved the draft recommendation, as orally amended, for transmission to the plenary as draft recommendation CBD/WG2020/5/L.3.

53. During consideration of the draft recommendation, the representatives of Argentina, Colombia and Japan⁴² provided comments on the recommendation that they wished to have taken into consideration when the Conference of the Parties considered the matter during its fifteenth meeting.

54. The Working Group then adopted draft recommendation CBD/WG2020/5/L.2, including its annex, as recommendation 5/2.

ITEM 6. OTHER MATTERS

55. No other matters were raised.

ITEM 7. ADOPTION OF THE REPORT

56. The present report was adopted at the second plenary session of the meeting, on 5 December, on the basis of the draft report presented by the Rapporteur (CBD/WG2020/5/L.1).

ITEM 8. CLOSING OF THE MEETING

57. After the customary exchange of courtesies, the Co-Chair declared the fifth meeting of the Working Group closed at 11.20 p.m. on 5 December 2022.

⁴² The relevant statements are available at <https://www.cbd.int/conferences/post2020/wg2020-05/documents>.