Analysis from Conservation International

Outcome of Cancun Biodiversity Negotiations
Thirteenth meeting of the Conference of the Parties (COP 13)
Convention on Biological Diversity (CBD)
4 - 17 December 2016
Cancun, Mexico

CONTEXT

In 2010, Parties to the Convention on Biological Diversity adopted the 20 Aichi Targets, a comprehensive set of aims to protect biodiversity by 2020. Negotiations since that point have focused on supporting greater action to achieve the Aichi Targets, including by committing to double financing to biodiversity conservation. This year, countries focused on mainstreaming biodiversity into other sectors as a way to ensure and speed up full achievement of the Aichi Targets. Additionally, with the recent agreement of the new Sustainable Development Goals (SDGs) and the Paris Climate Agreement, the negotiators agreed that countries should aim to integrate implementation of the interdependent and mutually supportive goals set out in each of these three international agreements.

Many negotiators and participating organizations did, however, note a lack of urgency at this point in the implementation of the Aichi Targets, and ambition will need to be increased to achieve the Targets. Conservation International (CI) worked with several other organizations to produce an analysis, based on Parties’ own reporting, on their ambition and progress to highlight the need for greater action. While progress has been lackluster, there’s still sufficient time for Parties to increase their ambitions and accelerate their actions to achieve these global goals for biodiversity.

This document contains a detailed readout and analysis of the outcomes of COP 13 that are particularly relevant to CI’s mission and strategies.

COP 13 KEY OUTCOMES

Countries:
- Agreed top priorities for mainstreaming biodiversity into agriculture, forestry, fisheries and tourism as a necessary strategy to speed up implementation of the Aichi
Targets. Notably countries agreed that they should align their biodiversity aims with action plans for the Sustainable Development Goals and the Paris Climate Agreement.

- Adopted an early action plan on ecosystem restoration to encourage concrete actions to recuperate degraded ecosystems, which is intended to help countries and organizations to accelerate and expand ecosystem restoration activities.
- Highlighted the need to take biodiversity and healthy ecosystems into consideration when undertaking climate change mitigation, adaptation and disaster risk reduction measures, including when developing their Nationally Determined Contributions under the Paris Agreement.
- Discussed approaches to enhance scientific methodologies to describe ecologically or biologically significant marine areas (EBSAs).

**BIODIVERSITY AND CLIMATE CHANGE**

Agenda Item 10

Relevant Documents: UNEP/CBD/SBSTTA/20/INF/1, UNEP/CBD/SBSTTA/20/INF/2, UNEP/CBD/SBSTTA/20/INF/3

Final Decision: UNEP/CBD/COP/13/L8

**Summary:**
With the adoption of the Paris Climate Agreement last year, Parties to the CBD took the opportunity to emphasize the importance of biodiversity and ecosystems in addressing climate mitigation and adaptation as well as disaster risk reduction. Parties discussed key actions for maximizing the role of biodiversity in climate action as well as addressing the climate risks to biodiversity and the need to avoid any activities that may undermine the resilience of natural systems.

**Analysis:**
CI’s recommendations on this topic were to encourage governments to integrate the role of nature, which can provide at least 30% of the mitigation solution. This includes encouraging governments to consider the importance of the integrity of ecosystems when developing their nationally determined contributions (NDCs), which was discussed and maintained in the decision. Parties also highlighted the inclusion of “positive incentives” for activities relating to REDD+ in the Paris Agreement, the importance of protecting and managing marine and coastal ecosystems for climate results and the contribution of protected areas. This decision
complements the Paris Agreement and should serve to guide countries toward actions that simultaneously achieve their commitments under both the CBD and the Paris Agreement.

ECOSYSTEM RESTORATION
Agenda Item 10
Relevant Documents: UNEP/CBD/COP/13/INF/11
Final Decision: UNEP/CBD/COP/13/L10

Summary:
Parties focused on improving the institutional enabling environment for ecosystem restoration, including adding content on promoting and strengthening educational systems and consolidating lessons learned from previous ecosystem restoration activities. Related to this focus on enabling environments for action on rehabilitating ecosystems, Parties adopted a short-term plan of action on ecosystem restoration, which is intended to help Parties and organizations accelerate ecosystem restoration activities and support the achievement of the Strategic Plan.

Analysis:
The short-term action plan on ecosystem restoration will support activities that reverse loss of biodiversity. It’s a promising next step in ecosystem protection as it aims to accelerate restoration activities through increased support of knowledge and best practices, thereby increasing the likelihood that related Aichi Targets will be achieved. Parties also considered relevant activities and methods for restoration in relation to the drivers of climate change, reflecting increased recognition of the role ecosystems can play in climate solutions.

PROTECTED AREAS AND SPECIES CONSERVATION (AICHI TARGETS 11 & 12)
Agenda Item 10
Relevant Documents: UNEP/CBD/COP/13/INF/17, UNEP/CBD/COP/13/INF/19, UNEP/CBD/COP/13/INF/20
Final Decision: UNEP/CBD/COP/13/L18

Summary:
Negotiations focused on priority actions to speed achievement of the Aichi Targets 11 and 12 on protected areas and conservation of species, respectively. The major focus of discussions was on protected area planning and effective management, including in marine environments.
and in areas controlled by Indigenous Peoples and Local Communities (IPLCs). Parties discussed how the achievement of Target 11 on protected areas will contribute to the achievement of a number of other international goals, including the SDGs and select articles of the Paris Agreement.

Analysis:
Parties agreed that focusing efforts on protecting areas of particular importance for biodiversity and ecosystems is key. They affirmed the need to develop guidelines on identifying and recognizing areas managed by IPLCs and acknowledging their contributions to achieving the Aichi Targets. Parties also called on the Global Environment Facility (GEF) to support efforts to develop protected areas and “other effective area-based conservation” in line with national biodiversity strategies and action plans.

Discussions under this item were not as robust as they could have been. CI would like to see more discussion around how protected areas are impacted by, but can also help respond to, climate change. Additionally, threats to current protected areas through increasing downsizing, downgrading and degazettlement (PADDD) were not adequately addressed.

MAINSTREAMING OF BIODIVERSITY
Agenda Item 10
Relevant Documents: UNEP/CBD/COP/13/10, UNEP/CBD/COP/13/24
Final Decision: UNEP/CBD/COP/13/L31

Summary:
Progress thus far on achieving the Targets has been slow, as evidenced by the an analysis that CI and partners carried out on country ambition and progress. At COP 13 governments discussed options for accelerating achievement of the Aichi Targets through mainstreaming biodiversity into the key sectors of agriculture, forestry, tourism and fisheries. Discussions were based on understanding that biodiversity underpins these sectors and thus mainstreaming is the only way to make substantial progress on the Aichi Targets. Parties called on countries and donors to increase their financial investment in mainstreaming activities.
Analysis:
Natural capital accounting, agricultural and fisheries practices that ensure ecosystem health, private sector efforts to reduce the footprint of their supply chains, policy frameworks to enable mainstreaming including the removing of perverse incentives and integration of Indigenous Peoples and Local Communities were all agreed as top priorities. Additionally, the special role of forest biodiversity in maintaining ecosystem services and the importance of Protected Areas (including Marine Protected Areas) were highlighted. Parties also agreed that countries should align their biodiversity aims with action plans for the Sustainable Development Goals and the Paris Climate Agreement.

The complexity of this topic made this a challenging negotiation and implementation will be equally challenging. A current window exists for countries to identify and begin implementing activities that simultaneously achieve the Aichi Targets, the new Sustainable Development Goals and national commitments under the Paris Climate Agreement. Countries should ensure that they are identifying the full contribution of natural capital to both climate and sustainable development objectives and prioritizing appropriate management of such resources.

RESOURCE MOBILIZATION AND FINANCIAL MECHANISM
Agenda Item 11
Relevant Documents: UNEP/CBD/COP/13/11/Rev1
Final Decision: UNEP/CBD/COP/13/L27, UNEP/CBD/COP/13/L37

Summary:
Parties highlighted the impact of financial gaps on progress in achieving the Aichi Targets and stressed the need for continued efforts for effective mobilization and utilization of resources from all sources. Countries discussed how to increase funding flows to biodiversity as well as how to better assess financial needs and progress towards the financial targets agreed at COP 11. A major topic of negotiations was the discussion on guidance for countries to assess the contribution of collective action of IPLCs to achieving the Aichi Targets at the national level.

Analysis:
The main approaches identified for increasing funding to biodiversity, in addition to developed countries meeting the target of doubling financial flows to developing country efforts as agreed to at COP 11, were mainstreaming and the removal of harmful subsidies (Aichi Target 3). Additionally, Parties agreed to the establishment of regional nodes for the Biodiversity Finance Initiative (BIOFIN) project that is helping countries to identify their financial needs, gaps,
priorities and baselines. Parties also urged all countries to improve reporting on their financial investment in biodiversity and agreed to guiding principles and methodologies for reporting on the contributions of IPLCs that takes into account the means of holding and transmitting traditional knowledge. These decisions are all in line with CI’s goals for the topic.

**MARINE**

Agenda Item 15

Relevant Documents: [UNEP/CBD/COP/13/18](#)

Final Decision: [UNEP/CBD/COP/13/L6](#), [UNEP/CBD/COP/13/L11](#), [UNEP/CBD/COP/13/L35](#), [UNEP/CBD/COP/13/L35/ADD1](#)

**Summary:**

Parties discussed several topics related to marine issues, including guidance on how to use marine spatial planning (MSP), preventing and mitigating the adverse impacts of marine debris on marine and coastal biodiversity and habitats, and the creation of ecologically or biologically significant marine areas (EBSAs). Related to marine debris, Parties called for the provision of capacity-building opportunities to developing countries for the prevention and mitigation of the impacts of marine debris on marine and coastal biodiversity and habitats.

Marine spatial planning can be used as a tool to implement ecosystem-based approaches for the management of ocean and coastal resources. During COP 13, Parties discussed the participatory nature of the process, as well as how to establish mechanisms for sharing knowledge and experiences across geographies and building linkages among existing efforts on area-based conservation measures.

For ecologically or biologically significant marine areas, negotiations focused on approving new additions to the list of officially recognized EBSAs and improving the methodologies for describing new EBSAs and revising existing EBSAs within and beyond national jurisdiction.

**Analysis:**

While the discussions around EBSAs were heated, the COP agreed on the criteria for these areas and began a process of identifying all such areas. The COP also agreed on establishing ‘voluntary practical options’ for enhancing scientific methodologies and creating an informal advisory group to provide technical guidance on information management and experience sharing.
In discussions on marine and spatial planning, Parties invited long term investment to support implementation of MSP and related capacity development activities through the Sustainable Ocean Initiative. CI was encouraged by this necessary focus on funding for MSP initiatives and encourages further exploration of how this funding will support implementation at multiple scales of management.

INDIGENOUS PEOPLES AND LOCAL COMMUNITIES

Agenda Item 2

Relevant Documents: UNEP/CBD/COP/13/INF/5, UNEP/CBD/COP/13/INF/5/Add.1
Final Decision: UNEP/CBD/COP/13/L13, UNEP/CBD/COP/13/L22

Summary:
There were two main topics of discussion under Article 8(j). The first was a glossary of key terms under Article 8(j) - the first such glossary of terms related to the traditional knowledge of indigenous peoples and local communities within the United Nations (UN) system. The second was the use of the word “Free” in the phrase “Free Prior and Informed Consent (FPIC)” in voluntary guidelines on access and benefits sharing arising from the use and application of indigenous peoples’ and local communities’ traditional knowledge, innovations and practices. Parties reached consensus that the glossary of terms requires further consultation with communities in Party countries, and will therefore be revised at the next Article 8(j) meeting, to be finalized at COP 14. Regarding the issue of prior informed consent vs. free, prior and informed consent, the language required consultations with several country capitals about whether they could accept FPIC language or not. After extensive discussions, Parties decided to use all of the following language: “prior informed consent or free prior and informed consent or approval and involvement.”

Analysis:
Regarding the glossary of key terms, several Parties wished to be finished with the topic at this COP and move on to more substantive issues regarding indigenous peoples and local communities. However, because a glossary of terms related to the traditional knowledge of indigenous peoples and local communities does not exist in the UN, this glossary may come to form a baseline that is used in other Conventions, UN bodies and international law. For this reason, it is important to ensure time for real consultations so the glossary reflects an understanding of the terms that both Parties and indigenous peoples and local communities are
satisfied with. When the glossary re-opens for consultation, CI will work with other NGO partners in the Conservation Initiative on Human Rights to provide feedback.

Regarding the language in the voluntary guidelines, the compromise that Parties reached was disappointing but not unexpected. Of the three options Parties have to choose from, free, prior and informed consent (FPIC) is by far the strongest language, conferring not only the strongest rights but also the greatest weight in terms of international best practices. However, that FPIC is included as one of the choices is encouraging, as “free” is not found elsewhere in the Convention. Beyond the stated definition of being free from manipulation or coercion, to many indigenous peoples, free implies freedom to make decisions as a sovereign nation. Beyond the PIC/FPIC language, the voluntary guidelines offer useful advice for effectively and respectfully engaging indigenous peoples and local communities. CI staff may also wish to share CI’s own guidelines on Free, Prior and Informed Consent with governments and other partners seeking more detailed guidance than the CBD guidelines offer.

OTHER RELEVANT COP DECISIONS

In addition to the issues that CI was following, COP 13 saw outcomes in several other important discussions. Parties agreed to an action plan to support capacity-building, based on country needs, to increase achievement of the Aichi Targets, and discussed efforts to better manage pollinators. In discussions on climate-related geoengineering, Parties reiterated the importance of a cautious approach given the need to research and understand the impacts of this field.

Perhaps some of the most notable and contentious discussions were in relation to synthetic biology, including digital genetic data. The discussion is significant because synthetic biology techniques can reproduce genetic material, making benefit-sharing much more complicated. This is a complex and constantly evolving issue that CI does not engage in, but worth noting as the discussions are fairly high-profile.

CONCLUSION AND POST-CANCUN EXPECTATIONS

The host country of Mexico did an excellent job in highlighting sectors that depend on biodiversity to remain productive, including in their ministerial-level Cancun Declaration. Despite these efforts it remains uncertain whether Parties will take notable steps to increase integration in these sectors, particularly in the face of limited resources.
Four years remain in the CBD’s Strategic Plan, and countries still have the opportunity to increase their ambitions to achieve the Aichi Targets. Current levels of effort will not be sufficient to achieve all the Targets, so monitoring and supporting country efforts toward the integration discussed during COP 13 will be crucial to ensure this level of effort is raised. In part, success will depend on finding effective ways to align biodiversity goals with goals under the Paris Climate Agreement and Sustainable Development Goals, allowing for these aims to be achieved together.

ADDITIONAL RESOURCES

CBD COP 13 Outcomes:
- CBD website outcome documents
- Earth Negotiations Bulletin CBD COP 13 Report

CI’s blogs during Cancun:
- In protecting the diversity of life on Earth, the world is behind schedule
- To protect nature and boost economy, Cambodia must follow Costa Rica’s lead
- The trees that could make or break Mexico City’s future

Aichi Target Progress Report

CI COP 13 Conference Page