

Twentieth Session of the African Ministerial Conference on the Environment (AMCEN-20)

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Theme “Four Decades of Environmental Action in Africa: Reflecting on the Past and Imagining the Future.”

Implementing AMCEN Decision SS.X/2, Key Outcomes of COP 16 CBD and future implications for Africa

An AGN Biodiversity Report for Agenda Item 3

1) INTRODUCTION

This document is a report by the African Group of Negotiators (AGN) Biodiversity, on its intersessional work from AMCEN 10th Special Session. In aligning with the theme and Agenda for AMCEN 20th Ordinary Session, it presents progress made in implementation of AMCEN Decision SS.X/2- Omnibus decision on advancing Africa’s common positions at conferences of parties and meetings, adopted during AMCEN Tenth Special Session that held in Abidjan from the 3-6th of September 2024. Based on AMCENs guidance for engagement in the 10th Conference of Parties, the report gives a focus on the preparatory process and Africa’s engagement, negotiation outcomes on Africa’s defined priorities and implications for Africa. As annexes to this report are proposed elements for a Draft Decision and Key messages on priorities for biodiversity to be taken into consideration in the 2025/2027 biennium of AMCENs planning.

It is important to recall that the 16th Conference of Parties of the CBD (COP-16 CBD), the 11th Meeting of Parties for the Cartagena Protocol (MoP 11-CP), and the 5th Meeting of Parties for the Nagoya Protocol (MoP 5-CP) took place from the 21 October – 01 November, 2024 in Cali-Colombia. Organised two years after the adoption of the Kunming-Montreal Global Biodiversity Framework’ (KM GBF), COP 16 provided the opportunity for a global assessment on progress in implementation of the KMGBF, challenges and options to enhance performance.

2) Process Outcomes in implementation of AMCEN Decisions

a) *Africa’s leadership and the high-level political engagement in implementation of the KM GBF was globally established*

The high-level political momentum of African Ministers has been recognized as a key drive for the AGN performance in the COP 16 negotiations.

- Recalling that under Decision SS X/2. 3-9, 11, the African Ministers of Environment, ahead of COP 16, mandated the AGN on biodiversity to advance Africa’s common position and interests in the negotiations, providing guidance which specifically listed Africa’s priorities in developing the common position and speaking in one voice during the COP negotiations.

- Recalling further that in specific compliance with AMCEN Decision SS.X/2.9, the highly attended Africa Ministers Debrief Meeting organised on the 20th of October 2024



in Cali-Colombia by the AGN on biodiversity, African Ministers provided further guidance with significant inputs of great influence in the High-Level Thematic Dialogues. This is evidenced in the technical papers prepared and reviewed on the four dialogue themes of, Urgent Action for Implementation of the Kunming-Montreal Global Biodiversity Framework; Financial System Reform and the Global Responsibility to Biodiversity; Synergies between Biodiversity and Climate Change; and on Peace and Nature.

- Of key relevance was AMCEN Decision SS.X/2.5, urging member states to update and submit National Targets, and the resultant outcome which established Africa's leadership in implementing global goals. As a finding from the global assessment conducted at SBI/COP 16 on progress in implementation of the KM GBF, over 44 (75%) of African countries had communicated updated National Targets in alignment with the global biodiversity targets.

Highly guided by these Decisions, AMCEN continued in its influence for informed preparations on Africa's common position and negotiations in defence of Africa's rich biodiversity. Africa's participation in the negotiation with one voice further demonstrated the strength of Africa's unity and influence in global decision-making processes.

b) An impressive attendance and participation of African country delegates in COP 16 online/physical preparatory sessions and a highly coordinated and informed representation of Africa by lead countries in the negotiation

Africa saw a highly impressive participation and attendance of its country delegates in two online preparatory meetings, a physical preparatory meeting organised on the 15th of October, 2024 in Cali, and the strategic daily coordination meetings at COP 16, all organised by the AGN Coordination team with the technical/administrative support of AU NEPAD and technical/financial support of UNEP through its Regional Office for Africa. Innovative and inclusive approaches were adopted in establishing lead and supporting African countries to work in safe spaces on key agenda items, developing a matrix with gap analysis and capturing negotiations of common positions. In a highly consultative and advocacy approach, the AGN Coordination engaged in a wide range of informal consultations including with the UN Secretary General, representatives of the EU, co-Chairs for DSI, the Minister of Environment for Colombia, delegation from Armenia and Azerbaijan, and representatives of NGOs including the Forest Stewardship Council (FSC). On COP Administrative matters, M. Mikisa of Gabon was elected as Chairperson for SBSTTA Bureau, while M. and Ms Eloundou Josephine of Cameroon were elected representatives of Africa in the Bureau of the Convention

- c) ***The African Ministers, welcomed the highly mobilised political and community engagement for biodiversity by the host country, Colombia, that gave COP 16 the recognition as the largest attended Conference in the history of the Convention. The outstanding display of the rich and diverse values of culture, demonstrated the great stewardship of IPLCs in achieving the goals of the CBD.***
- d) ***A reconvened COP 16.2 emphasized the critical importance for Africa to engage with one voice in consensus building in multilateral agreement.*** The non-consensus on Africa's negotiation position on resource mobilization and a dedicated global biodiversity fund

under the authority of COP, spilled over to a non- adoption of the Cali Conference draft decisions, resulting in the reconvening of a second session of COP 16 (COP16.2) which held on the of February in Rome, Italy. This further re-emphasized the importance for Africa to speak in one voice.

3) COP 16 Negotiation Outcomes and Africa's Priorities

COP 16 and 16.2 sessions concluded with the adoption of 36 key decisions which included Africa's interests and priorities for COP 16 negotiations, as listed in AMCEN Decision SS X/4-8, covering issues on NBSAP, digital sequence information on genetic resources, resource mobilization and financing mechanisms, the global review, mainstreaming of NBSAPs, biodiversity and climate change, marine and coastal biodiversity, capacity building and development and technology transfer.

The negotiation outcomes for each priority area and its implication for Africa provides an important foundation for defining AMCENs future intervention priorities, as examined below, in support of the conservation and sustainable use of Africa's rich biodiversity to contribute to the wellbeing of its people and achieving Africa's development vision.

a) Outcomes on the Development of NBSAPs and National Indicators

AMCEN guidance demonstrated an African common position in support of aligning with the goals/targets of the KM GBF, and thus the call for African countries to comply with revising national targets and NBSAPs.

COP 16 Outcomes: Decision 16/1 reflected a consensus position of all the parties to the Convention on the need to step up progress in implementation of the KM GBF based on the findings of the global assessment and open dialogue which highlighted an inadequate progress and challenges in implementation. The consensus decision thus called on parties to finalize their national target setting and updating of NBSAPs to align with the GBF, based on a whole of government and whole of society approach, and with the full participation of all key stakeholders.

Implications for Africa: Although Africa demonstrated leadership in the global assessment with regard to developing national targets, there is an urgency for countries that have not yet submitted national targets, to finalize the process and communicate. On the *NBSAP*, African countries will have to step up on-going efforts in the *revision/updating* of NBSAPs and the development of aligned indicators that reflect national circumstances. This is required to ensure not only a timely submission to the CBD in 2025, but most importantly to provide the national orientation for biodiversity integration and implementation actions that will be carried out in the next 5 years, across diverse national scales. Aligning the NBSAPs to the African Union BSAP orientation is a key consideration in this process. In this regard the AMCEN SS X/2 key Messages on updating NBSAPs remain valid

b) Outcomes on Resource Mobilisation and Financing mechanisms

There was great clarity on Africa's position on resource mobilisation as a critical dimension to ensure effectiveness in the implementation of the KM GBF. Africa's common position was for establishing a dedicated Global Biodiversity Fund to be placed under the authority of COP-CBD.

COP 16 Outcomes: COP 16 global assessment highlighted an increase in biodiversity financing, from total contributions/pledges of approximately \$3.1 billion of direct support to the KMGBF over the last two years. This however remained highly insignificant to meet up with developed country commitments to \$20 billion annually by 2025 in support of developing countries. This huge funding deficit emphasized the urgency to meet up with commitments made to support developing country efforts in implementation of the KMGBF.

Decision 16/34, adopted after a highly contentious negotiation that resulted in the convening of a second session of COP 16, break the long-standing stalemate on compliance with Article 20 and 21 of the Convention by,

- Establishing a permanent arrangement for the financial mechanism envisaged under Article 21 of the Convention, and putting in place an intersessional process to determine the responsible entity and operational nature of this new structure which brings in a major reform in the financial architecture of the UN system, and
- adopting a 2025-2030 Global Resource Mobilisation Strategy which provides guidance for mobilising new and additional resources in biodiversity financing for the implementation of the Convention and the KM GBF.

Implications for Africa: This new reform imposes on African countries a wide range of responsibilities, to ensure adequate financial resources are effectively mobilised in support of efforts across the continent. African countries will be required to develop National Financial Plans aligned to the priorities of NBSAPs, and based on an assessment of national biodiversity expenditure and financing needs. To provide an effective continent-wide orientation and support in this process, the African Union is expected to internalize the Global Resource Mobilisation Strategy for Biodiversity to address the financing needs of the African Union BSAP. This requires finalizing the AU BSAP Resource Mobilization Strategy, and further providing relevant guidance on Financing the AU BSAP and NBSAPs in Africa, that highlights and builds on existing, additional and innovative financing opportunities and options from all sources, including avenues for uptake at national level. Within their mandates, AU and UNEP will be expected to provide guidance for cooperation and coherence of UN CCA/UNSDCF processes to integrate and support implementation of NBSAP priorities and the AU BSAP. The importance of intersessional processes put in place will further require the continued support of African delegates to actively engage in the ensuing negotiations

c) Equity in benefits from Digital Sequencing of Information from Genetic Resources

Africa's common position was to have a robust legally binding international framework on DSI that ensures Africa secures a fair and equitable share of benefits from the use of its genetic resources, and to have clear procedures defined for sharing benefits under the Global Multilateral Benefit Sharing Fund, established in COP 15.

COP 16 Outcomes: Decision 16/2 emerged as a land mark decision which, in alignment with Africa's long standing common position, adopted the modalities for operationalizing the global multilateral mechanism, and established a Global fund, called the Cali Fund, and operational under the authority of COP CBD. This fund operationalizes the Global Benefit sharing mechanism for the use of DSI on Genetic Resources committed to under COP 10 and COP 15, and is expected to shape a new landscape for equity and fairness by pharmaceutical, biotechnology, cosmetic industries and others benefiting commercially from the use of DSI from Africa's GR, to contribute a share of their profits or income towards the Cali Fund. While

discussions on the disbursement process for the newly established Fund are expected to continue, there was consensus on an equitable share of 50% of the funds' to be allocation to IPLCs, for their longstanding stewardship to conservation.

Implications for Africa: African countries desiring to benefit from direct allocations are expected to designate a National Entity for DSI or establish a National Biodiversity fund to receive and distribute funds. As a matter of urgency, African countries are encouraged to develop or reform national legislation with clarity on access and benefit sharing schemes, to ensure benefits from the use of DSI from GR under their national jurisdiction, noting that COP Decision 19/2 on DSI from Genetic Resources applies where sovereign rights cannot be determined. From a Regional perspective, Africa is expected to be very engaged in intersessional dialogue on allocation or disbursement procedures.

d) Biodiversity and Climate Change

Africa's common position recognised the need for synergy in efforts especially in building national capacities to address the interconnected crisis of biodiversity loss and climate change and to further increase understanding on the interlinkages. Developing a common position on the biodiversity and climate change agenda saw an increasing consensus that was further emphasized by the African Ministers in Cali, during the dialogue on biodiversity and climate change, to integrate the interlinkages with land degradation and desertification.

COP 16 Outcomes: Decision 16/22 calls for synergy and alignment across Rio Conventions and Relevant MEA goals especially in implementation of the KMGBF, and further calls on partner collaboration to support coherent and integrated approaches in addressing biodiversity loss-climate change-land degradation.

Implications for Africa: African countries are expected to adopt integrated approaches that will require building awareness and commitment across the biodiversity, climate change, and desertification communities to ensure alignment of the goals of the three Rio Conventions and other biodiversity related MEAs to which the countries are committed. Specific to on-going processes, African countries will be expected to strengthen coherence across NBSAPs, NDCs and LDNs, with emphasis on processes of goal and target setting, designing aligned indicators for monitoring and reporting, and developing joint work programs and joint projects that relate to the interlinkages and will enable collaboration with partners. Aligning with AU BSAP regional orientation, and based on UNEP's mandate for MEAs, UNEP can galvanize the required cooperation and collaboration in support of African National Focal Points of the Rio Conventions of UNFCCC/Paris Agreement, UNCCD, and other conventions including CITES, CMS, Ramsar, BBNJ, INC on Pollution, IPBES, UNF on Forests, IPBES, etc.

e) Marine and Coastal Biodiversity

The Africa common position negotiated within the AGN focused on Africa's support for the review of the CBD POW on Marine and Coastal Biodiversity and support for the adoption of modalities to describe new EBSAs. With regards to collaboration with the new Treaty on BBNJ, Africa's position favoured joint initiatives of experts and at programming levels.

COP 16 Outcomes: The adoption of Decision 16/16 also provided a breakthrough on a wide range of legal and sovereign complexities in the agreement to new modalities for the description and identification of Ecologically or Biologically Significant Marine Areas or modification of existing EBSAs, and provided a major mandate or step towards attaining the

30x30 target for the conservation of oceans by 2030 and preparation for engagement with the BBNJ Treaty expected to go operational soon.

Implications for Africa: African country parties are required to be more engaged by providing comments and ensuring the respect of sovereignty with regards to proposals submitted for modification or description of these hotspots, and to be further engaged in the work of the Informal Advisory Group of the CBD. Of importance, the effective engagement of parties will require the ratification of the BBNJ Treaty, prepare for its early entry in force and to set up appropriate institutional frameworks to coordinate these processes.

f) Article 8 J

Although Article 8J of the CBD did not feature as a priority in the development of a common position, this agenda item received great attention during the negotiations with major outcomes and implications for Africa.

COP 16 Outcomes: Decisions 16/4-8 set one of the most significant milestones of COP 16 with the transformative recognition of IPLC stewardship to conservation and role in achieving the goals of the Convention through the embedding of IPLC contribution and traditional knowledge into a revised program of work for Article 8J adopted, a new Subsidiary Body for Implementation dedicated to IPLCs established, with its modus operandi to be developed for adoption at COP 17, recognition of people of African descent (afro-descendants) as key actors, and the protection and preservation of languages.

Implications for Africa:

These decisions emphasize the need for African countries to define with clarity, based on national circumstances, in several policy reforms, issues related to the status and rights of Indigenous People and Local communities. The key decisions require parties among others to designate National Focal Points for 8J, to integrate elements of the new 8J PoW into national priorities, to increase funding for IPLCs activities, and to report on progress in implementation. The IPLC NFPs will be expected to play a key role in SBI -IPLC negotiations. Engaging with IPLCs across all thematic areas and levels of intervention should constitute a priority approach by African countries on which they will be expected to report

g) Capacity Building and Technology Transfer

Africa's defined priority for the negotiation included, the option of the Secretariat of the CBD to host the Global Coordination entity, the approval of Africa's five proposed Technical Support Centres, and the design of Capacity building tools to be tailored to the needs of the African countries in implementation of the KM GBF.

COP 16 Outcomes: **Decision 16/3** on Capacity building adopted measures of CB plans, programs, indicators and sharing of experiences to ensure implementation of the global long-term strategic framework for capacity-building and development and the technical and scientific cooperation mechanism. A highly welcomed decision which fully aligned with Africa's common position, was the approval of the Global Coordination entity for the Technical Support Centres to be hosted by the Secretariat of the CBD and accountable to the COP, and further approval of 18 Technical and Scientific Cooperation Support Centers (TSCSCs) of which 05 were selected from Africa.

Implications for Africa: African countries are required to determine their capacity needs and to communicate this through the designated portal. This calls for National Capacity Building needs assessments and action plans to be developed and costed as a matter of urgency to ensure the prioritization process and work of the TSCSC's are informed by the priorities of the member states within their jurisdictions. African countries and the regional processes to be engaged with the TSCSC in alignment with the AU BSAP regional perspective.

4) AGN Intersessional Priorities

Based on the mandate and defined priorities for the continent by the African Ministers of Environment, and the CBD intersessional processes adopted by COP 16, the Coordination Team of the African Group of Negotiators on Biodiversity envisages within the CBD intersessional period to COP 17 scheduled for 2026 in Armenia, to carry out the following coordination activities as part of its work plan:

- Coordination of AGN engagement in SBSTTA 27/28 and SBI 6/7 negotiations, and considering the importance of intersessional processes put in place, to actively engage in the ensuing dialogues on the modalities for the global biodiversity financing arrangement, the modalities for the allocation or disbursement procedures for the Cali fund, and other adhoc Working Groups set up by COP 16.
- a) Coordination of AGN Biodiversity participation and input in related MEAs including UNFCCC, UNCCD and BBNJ processes to ensure joint expert exchanges and opportunities for joint work
- b) Organisation of Regional Trainings for new AGN Biodiversity Negotiators, considering the increasing number of new AGN Negotiators and the need to strengthen Africa's capacity for negotiation.
- c) Organisation of AGN Biodiversity debriefings and communication activities within relevant processes
- d) Coordination of regular online communication of information and exchange of experiences by AGN Biodiversity on KM GBF implementation progress,