



CRITICAL ANALYSIS OF THE OUTCOMES OF THE RESUMED SESSION OF THE 16TH CONFERENCE OF PARTIES TO THE CBD AND THE 5TH MEETING OF THE PARTIES TO THE NAGOYA PROTOCOL WITH RESPECT TO ADVANCING GENDER AND HUMAN RIGHTS

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Parties to the Convention on Biological Diversity reconvened in Rome, Italy, from February 25 - 27, to concur on unfinished agendas from COP 16 at Cali, Colombia. This resumed session, also called COP16.2, was critical to ensure that Parties reached a consensus on a Resource mobilization strategy to support the implementation of Target 19 of the Kunming-Montreal Global Biodiversity Framework (KM-GBF), which could not be resolved at Cali due to the long-standing tussle between most developing country Parties and the developed country Parties on the operationalisation of Article 21 (Financial Mechanism), of the Convention on Biological Diversity (CBD).

Article 21 talks about the creation of a dedicated financial mechanism under the authority and guidance of and be accountable to the Conference of Parties of the CBD. Hinging on this were crucial

decisions related to the advancement of the Monitoring Framework and the Mechanism for Planning, Monitoring, Reporting, and Review, which are crucial to monitor and implement the KM-GBF and which were also called a ‘package of decisions’ deliberated by COP 15. The resumed session of the 5th meeting of the Nagoya Protocol was also convened to consider, with a view to its adoption, the draft decision on digital sequence information on genetic resources passed by the COP to the CBD at Cali. This reflective piece builds from the analysis of SBI-5 and COP16.

OUTCOMES

Agenda Item 10: Mechanisms for planning, monitoring, reporting and review

Monitoring Framework

At the 16th Conference of Parties in Cali, Parties agreed to “support, including resources for community-based monitoring

and information systems and approved annexes. Parties also approved the headline indicator 22.1 Land-use change and land tenure in the traditional territories of Indigenous Peoples' and Local Communities for Target 22 and requested the Executive Secretary to compile submissions from Parties and Indigenous Peoples' and Local Communities on inputs and relevant information to support the development of a methodology for headline indicator 22.1. Discussions in the contact group on headline indicator for Target 7 revolved around which of the two proposed indicators, viz. concerning "pesticide environment concentration" and/or "aggregated total applied toxicity," should be prioritised. In the end, these were bracketed. The component indicators for Target 16 included "global environmental impacts of consumption" and "ecological footprint". Finally, the entire text remained in brackets because a decision on resource mobilisation was needed before adopting the decisions on the monitoring framework, financial mechanism, and planning, monitoring, reporting, and review. These elements were considered a package and could not be adopted separately.

Negotiations at the resumed session were primarily focused on bracketed indicators. Parties could choose to report on pesticide environment concentration and/or aggregated total applied toxicity headline indicator for Target 7, depending on the availability of methodology and in accordance with their national circumstances and technical capacities, and choose to keep the ecological footprint indicator for Target 16. Of particular importance for women and Target 23 is that

the decision text of the COP has acknowledged the development of the methodology of the component indicator on the Gender Plan of Action and the set of binary questions proposed for Target 23. At the same time, it has also kept the development of the framework flexible for the inclusion of additional headline, component and complementary indicators while gathering inputs from Parties as well as women and youth to add more indicators that meet the criteria for inclusion in the monitoring framework to help to address the gaps in the monitoring framework.

Mechanisms for planning, monitoring, reporting and review

After protracted discussions in contact groups on the mechanisms for planning, monitoring, reporting and review, the draft text that came out from COP 16 in Cali was the COP President's text. This included the



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global review of collective progress in the implementation of the GBF to be conducted at COP 17 and COP 19, as well as commitments to be reported by non-state actors. At the resumed session, several developed countries expressed their support for the draft decision on the table, stating that it was balanced and well-worded and advocating for its adoption as is. However, some developing countries pointed out that the text, while all-encompassing, was missing some crucial text to define timelines leading up to the preparation of the global report.

Ultimately, the discussions highlighted the complexities of balancing transparency and inclusivity in the reporting process with national sensitivities and potential burdens on the secretariat. Some Parties raised specific concerns about the short timeframe for submitting national reports and National Biodiversity Strategy and Action Plans (NBSAPs), the challenges in using national reports for the global stocktake as well as reporting of commitments by non-state actors, especially the need to clarify if no-objection of National Focal Point would be explicitly sought to publish the commitments. The Secretariat (SCBD) addressed some concerns, clarifying that the timeline for tasks was tight but necessary. The extended outline for the January-February 2026 report was an introduction and synthesis, not an executive summary. Furthermore, the of the Ad Hoc Scientific and Technical Advisory Group (ASTAG) for the Preparation of the Global Report on Collective Progress in the Implementation of the Kunming-Montreal Global Biodiversity Framework would involve nominations from parties and selection by the bureau.

A debate also emerged concerning including non-state actors' commitments in the reporting for the global report. Some Parties argued that the process should be party-led and that non-state actors should engage at the national level. In contrast, some argued against this, stating that this would exclude countries that rely on reports from other actors and that this provided an opportunity for exercising the whole-of-government and whole-of-society approach. To address concerns, a compromise was proposed: a footnote stating that all submissions by non-state actors would be subject to be available for national focal points to review for a period of four weeks, and the submitted commitment would be published if the relevant national focal point has not objected, with the understanding that the commitment could be withdrawn from publication at any time if there is an objection.

Discussions surrounding the Global Review process also involved concerns about the methodology of the mid-term review of the Gender Plan of Action. While the Secretariat confirmed during the plenary that the process would be led during the meeting of the Subsidiary Body on Implementation before COP 17, this was not reflected in the final timeline annexed to the decision text. The review of the previous Gender Plan of Action (2015-2020) was carried out by the Secretariat through a review of submissions received from a notification on progress in the implementation of the Gender Plan of Action; NBSAPs received by the Secretariat from the tenth meeting of the Conference of the Parties onwards; and an analysis of results of a survey on joint capacity-building needs for gender mainstreaming under the

the Rio Conventions. However, considering that the KM-GBF calls for the whole-of-society and whole-of-government approach and the GPA (2022-2030) lays out a comprehensive framework for achieving gender-responsive implementation of the framework by a range of actors, including Parties, and that the GPA (2023-2030), it is vital for this review to be comprehensive.

The final decision (CBD/COP/DEC/16/35) recognises the importance of strengthening cooperation and creating synergies between all relevant conventions, organisations, and initiatives to support and achieve global biodiversity goals. It encourages deeper collaboration between the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), the Intergovernmental Panel on Climate Change (IPCC), and the Science-Policy Interface of the UN Convention to Combat Desertification (UNCCD).

The decision further invites the governing bodies of the chemicals and waste conventions, the Food and Agriculture Organization (FAO) of the United Nations, including the Global Framework on Chemicals – For a Planet Free of Harm from Chemicals and Waste, among others, to collaborate with the three Rio Conventions on the implementation of Target 7 of the KM-GBF, which focuses on reducing pollution to levels that are not harmful to biodiversity. This collaboration is particularly relevant to strengthen the connection between the CBD and the Minamata Convention on Mercury. Mercury contamination is a global threat to biodiversity, ecosystems, and human health, with a disproportionate impact on women.



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Women are especially vulnerable because mercury exposure can affect their health and can also be passed on to their children during pregnancy and breastfeeding¹. The Minamata Convention has already developed a Gender Action Plan to address this issue, and it presents an important opportunity to build synergies with the Gender Plan of Action under the CBD. Aligning these two action plans can help ensure the mid-term review based on the information received from Parties and the support of other relevant partners. It would be crucial for the Secretariat to draw up a methodology that allows maximum participation in the mid-term review, which is missing from the decision text.

Agenda Item 11: Resource mobilisation and Financial Mechanism

Resource Mobilisation

This item was addressed in plenary and high-level informal consultations and closed groups. Throughout these negotiations, there was a recognised need to clarify certain elements to enhance common understanding and to align the Resource Mobilization Strategy with provisions on institutional capacity.

The fundamental debate was on ways and means to close the biodiversity finance gap and governance-related considerations. Discussions continued between developing countries, who consistently advocated for the full and immediate implementation of Article 21, including the establishment of a dedicated financial mechanism under the authority of the COP, and developed countries, who preferred to emphasise the role of existing instruments, particularly the Global Environment Facility (GEF), while prioritising improvements in efficiency and broadening the contributor base, especially by engaging private sector finance. Developed countries' position reflected efficiency, accountability, and fiduciary oversight concerns.

Developing countries' position reflects long-standing dissatisfaction with the current financial architecture, particularly the GEF, which is perceived as structurally inequitable and insufficient to address the unique needs of biodiversity finance. Several Parties pointed out that the Convention continues to operate under Article 39 (Financial Interim Arrangements), and not Article 21. In this regard, a proposal was put forward for a dedicated financial instrument accountable to the COP to be designed or decided upon by COP17, with its operating entity and governance

arrangements to be confirmed by COP18.

In the final hours of negotiations, a small group of representatives from negotiating and regional groups, led by the COP Presidency, worked to bridge the remaining gaps. The non-paper presented by the Presidency built upon previous proposals, structuring the decision into two parallel workstreams: one focused on improving global biodiversity finance and the other on establishing the permanent financial mechanism envisioned by Article 21.

Notably, a compromise was reached to delete Annex II B (assessment of the effectiveness of the GEF and possible elements for its reform), contingent on its inclusion in the decision on the financial mechanism. This compromise unlocked progress, resulting in the lifting of brackets in key sections of the text.

During the closing plenary, the Secretariat introduced CBD/COP/16/L.34/Rev.2, highlighting the amendments made to the previous version. Delegates adopted the decision by acclamation. The decision includes,

A road map with tangible outcomes

- By COP17: Further develop institutional criteria and identify impediments to effective finance mobilisation.
- By COP18: Review the progress in the reform of relevant existing financial entities; decide whether to establish a new financial entity. Review GEF reform progress, assess the performance of existing instruments, and, if appropriate, establish an inter-sessional process to develop the terms of reference and modalities of a new entity.

- By COP19: Integrate with the strategy for resource mobilisation the set of measures required to enhance global biodiversity finance.

Annex I: Revised Strategy for resource mobilisation (2025-2030)

Aiming to facilitate the mobilisation of resources or the implementation of the CBD and the KM-GBF, by substantially and progressively increasing the level of financial resources from all sources – including domestic, international, public, and private – consistent with Article 20 (Financial Resources) of the CBD. The strategy targets mobilising at least USD 200 billion per year by 2030, aligning financial flows to the KM-GBF while phasing out harmful subsidies in accordance with Target 18.

Annex II: Working towards enhancing global biodiversity finance

Outlining possible criteria towards the development of an instrument on biodiversity finance, which is a compilation made by the Advisory Committee on Resource Mobilization and, subsequently, by the contact group during COP16. They were not negotiated.

Regarding women and gender

It was reiterated that the provision and mobilisation of resources for implementing the CBD and achieving the KM-GBF should follow a human rights-based and gender-responsive approach. Parties and other relevant actors are urged to improve access to and increase financial resources for Indigenous Peoples' and Local Communities, women, and youth. The strategy for

resource mobilisation underscores the need for comprehensive, fair, timely, inclusive, simplified, and equitable access to all financing sources by all Parties, as well as Indigenous Peoples' and Local Communities, women, youth, and other stakeholders. Specifically, in Annex I of the revised strategy, it is noted that one of the actions is to:

- (b) Simplify access modalities for biodiversity funding provided by international financial institutions, including multilateral development banks and philanthropic organisations, in particular for Indigenous Peoples' and Local Communities, women, and youth; and
- (e) Direct more rapidly accessible international resources to key implementation partners, particularly Indigenous Peoples' and local communities, women, and youth, at the regional, national, and local levels.



However, the absence of clear integration between the Resource Mobilization Strategy and the Gender Plan of Action presents a critical gap, risking that gender considerations may be sidelined in finance discussions. While the text refers to a human rights-based and gender-responsive approach, it lacks specific measures such as gender-responsive budgeting, dedicated monitoring frameworks, or explicit safeguards to ensure that financial mechanisms effectively advance gender equality and women's rights in practice.

Financial Mechanism

The deliberations on the financial mechanism (CBD/COP/16/L.31/Rev.1) particularly focused on the textual formulation of requests to the GEF, with an emphasis on enhancing synergies between the CBD and other biodiversity-related conventions and increasing flexibility in project cycles to facilitate access for eligible countries.

During the closing plenary, the COP President introduced the revised draft decision. Some Parties requested that "the GEF and the Council of the GBF Fund explore ways to enhance and strengthen predictability in financing the timely implementation of the Framework, including through multi-annual pledges and voluntary indicative scales of contribution." Others suggested requesting the Secretariat to commission a study benchmarking the GEF against other financial mechanisms. Delegates adopted the decision without further comments.

The final Decision (CBD/COP/16/L.31/Rev.1) contains the following key components:

GEF Trust Fund

- The COP requests the GEF to encourage eligible countries to submit project proposals to support the implementation of GBF Target 17 (biosafety) and the implementation and capacity-building action plans for the Cartagena Protocol on Biosafety.
- The GEF is further encouraged to explore opportunities to maximise contributions from its integrated programmes towards implementing the GBF, maintaining the contribution of the international waters focal area and extending this practice to other focal areas.
- Relevant Parties to the Cartagena and Nagoya Protocols are invited to proactively access their notional allocations. Additionally, developed country Parties are urged to participate in the ninth replenishment of the GEF Trust Fund (GEF-9).

GBF Fund

- The decision underscores the urgent need to scale up the mobilisation of adequate and predictable resources for the GBF Fund, inviting developed country Parties and other contributors to increase their financial commitments.
- The COP welcomes the aspirational programming share of 20% by 2030 allocated to supporting actions by Indigenous Peoples' and Local Communities (IPLCs), urging the GEF to ensure that projects are implemented in full consultation and partnership with IPLCs.

Four-Year Outcome-Oriented Framework of Biodiversity Programme Priorities of the CBD and its Protocols

- The COP adopts the four-year outcome-oriented framework of biodiversity programme priorities of the CBD and its Protocols as the main guidance for GEF-9.
- GEF is requested to report how those responses contribute to the achievement of each GBF target.

Funding needs assessment

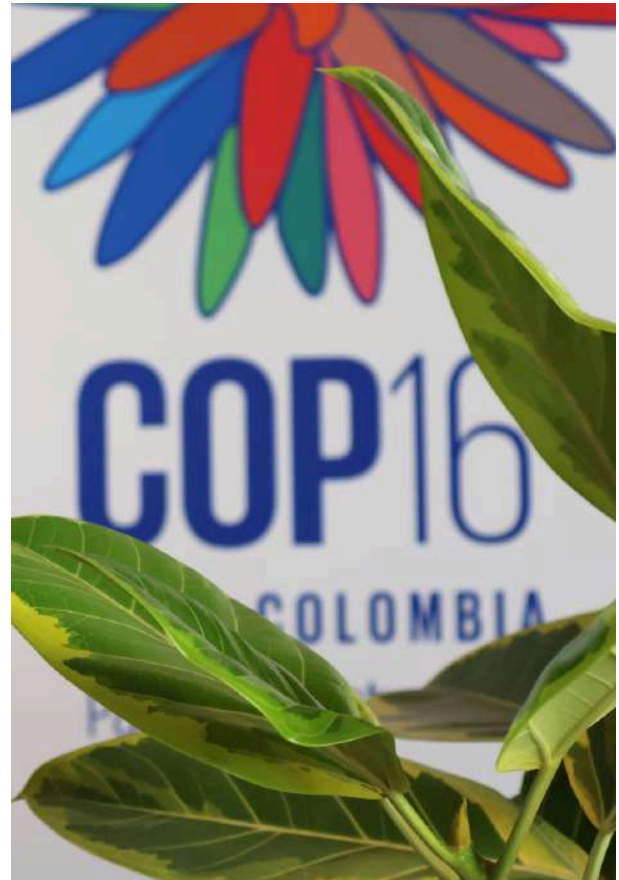
The Secretariat is tasked with compiling and transmitting funding needs information received from all eligible developing country Parties, particularly LDCs, SIDS, and economies in transition, to inform GEF-9 negotiations. The Secretariat is also requested to prepare draft terms of reference for the fifth determination of funding needs for GEF-10.

Further guidance to the GEF

- The COP requests the GEF to continue supporting partnerships with IPLCs, women, and youth, emphasising the need to improve, facilitate access to, and increase direct funding for these groups.
- Additionally, the GEF is to report on how it applies the voluntary guidelines on safeguards in biodiversity financing mechanisms, ensuring that financial flows uphold human rights and safeguard vulnerable communities.

Review of the effectiveness of the financial mechanism

- The Secretariat is requested to prepare draft terms of reference for the seventh quadrennial review of the financial mechanism's effectiveness, taking into



account views annexed to the decision, including those of IPLCs, women, and youth, for consideration by the SBI before COP 17.

- A benchmarking study comparing the GEF to other financial mechanisms of relevant MEAs will also be commissioned to inform future reforms.

Furthermore, the COP requests the GEF to,

- Strengthen support for IPLCs, ensuring disaggregated reporting and effective engagement of women, youth, and IPLCs in decision-making.
- Contribute to the implementation of the whole-of-government and whole-of-society approach essential for the successful delivery of the GBF.

Agenda Item 13: Cooperation with international organisations and bodies established under other conventions

Following discussions on various elements of the draft decision, including references to a future legally binding instrument on plastic pollution, the invitation to the FAO to continue its work on biodiversity for food and nutrition, and proposals to remove mentions of different value and knowledge systems within the invitation to UNEP on the rights of nature, as well as deleting the reference to collaboration with the UN Department of Economic and Social Affairs and UN-Water regarding the 2026 UN Water Conference on SDG 6 implementation, the plenary decided to adopt the decision in a sense of compromise. Nonetheless, disappointment was noted by some Parties regarding that gender-responsive actions to reduce mercury pollution and conserve biodiversity are coordinated and more effective.

Agenda Item 28: Multi-year programme of work of the Conference of Parties

The Secretariat announced that the draft decision on the MYPOW of the COP will be deferred to COP 17 due to a lack of time. Plenary agreed. Decision (CBD/COP/DEC/16/36) requests the Secretariat to prepare a list of issues for consideration at COP 17 and to review and update the MYPOW up to 2030 at COP 17.

The Secretariat informed the plenary that the draft decision regarding the Multi-Year Programme of Work (MYPOW) of the Conference of the Parties would be deferred for consideration to COP 17, citing time constraints during the session. The plenary subsequently agreed to this proposal without objection. In the adopted Decision 16/36, the Conference of the Parties requests the Secretariat to prepare

a list of priority issues for deliberation at COP 17 and to undertake a review and update of the MYPOW, ensuring alignment with the goals of the Convention and the Kunming-Montreal Global Biodiversity Framework up to 2030.

Agenda Item 14 (5th Meeting of the Parties to the Nagoya Protocol): Digital Sequence Information on Genetic Resources

Decision CBD/NP/MOP/DEC/5/14 on Digital Sequence Information (DSI), on genetic resources was adopted on 27 February and takes note of decision CBD/COP/DEC/16/2. The adoption of this decision represents a significant milestone in advancing the operationalisation of the multilateral mechanism for fair and equitable benefit-sharing from the use of DSI, including the establishment of the Cali Fund. However, some Parties reflected on the decision text, highlighting concerns that it does not sufficiently guarantee fair and equitable benefit-sharing for countries providing the genetic resources from which DSI is derived.

Regarding gender, the decision adopted aims for a gender-responsive implementation, it mentions that funding allocation will be gender-responsive, which means taking into account the different needs and situations of women and men to ensure equitable outcomes. It also has to ensure that local and indigenous women should benefit from the funding. The effectiveness of these measures, including the global fund, will likely be assessed in COP 18 and at every subsequent second meeting.

Conclusion

The resumed session of COP16 provided a

crucial platform for advancing the implementation of the KM-GBF. Significant progress was made, particularly with adopting key decisions on resource mobilisation, the financial mechanism, and the monitoring framework, as well as in cooperation with other biodiversity-related conventions. Positive steps included recognising the role of Indigenous Peoples' and Local Communities, women, and youth in biodiversity governance, with several decisions reaffirming commitments to a human rights-based and gender-responsive approach. However, the negotiations also underscored critical gaps and unfinished business. The structural divide between developing and developed countries on issues of financial governance and equity was evident throughout.

Gender considerations were referenced across several decisions. Yet, the absence

of a clear integration between the Resource Mobilization Strategy, the Gender Plan of Action, and financial instruments raises concerns that gender commitments risk being sidelined in practice. The decision to cooperate with other international bodies and conventions, particularly the inclusion of collaboration with the Minamata Convention on Mercury, offered an opportunity to address gender-differentiated impacts of pollution, especially concerning women's health.

The forthcoming processes present critical opportunities to close gaps, strengthen accountability, and operationalise the whole-of-society and whole-of-government approaches envisioned in the KM-GBF.

References

¹Mercury and Gender Equality. 2021. Minamata Convention on Mercury

