

Towards Inclusive Solutions

Discussions and decisions on complex marine ecosystems came up at the sixteenth meeting of the Conference of the Parties (COP16) to the biodiversity convention

The United Nations (UN) Convention on Biological Diversity (CBD) recently convened in Cali, Colombia, for the Sixteenth Conference of Parties (COP16) from October 21 to November 1, 2024. It monitored the progress made for biodiversity conservation worldwide. Unlike COP15, where the focus was to come up with an ambitious and transformative framework, the Kunming-Montreal Global Biodiversity Framework (KMGBF), COP16 was more about the implementation mechanisms and assessing the progress made by countries.

As a signatory to the CBD, India submitted its updated National Biodiversity Strategy and Action Plan (NBSAP) on October 30, 2024, just after the deadline. The plan outlines 23 Targets aligned with the KMGBF and allocates approximately ₹816,640 for biodiversity conservation during 2025-2030. India also commits to protecting 30 per cent of its terrestrial, inland waters and marine coastal areas while working towards the ambitious 30x30 target. India voiced a strong need for international financing to urgently mobilize and meet the financial resource needs from developed countries, as agreed upon in Target 19 of the KMGBF (at least US \$20 billion per year by 2025 and \$30 billion by 2030).

Apart from this, the Indian delegation actively participated in the discussions on Digital Sequence Information (DSI), which involved genetic information sourced from plants and animals for drug development, often from the Global South by Global North companies. Developing countries have for long called for the need to have an international mechanism where the benefits of DSI are shared with the people—countries, including indigenous peoples and local communities—from where the sequence was obtained. During the discussions in the closing plenary before the establishment of the Cali fund, India intervened strongly to push for a clause on national access and benefit sharing. India is one of only 16 countries with national laws on DSI and access-benefit sharing.

A number of contentious issues regarding marine and coastal biodiversity were finalized at COP16. Some of these took up to eight years to fructify over many working groups and inter-sessional meetings. Some of the important developments regarding

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The theme this year was 'Peace with Nature'. It was a call to improve the human-nature relationship by integrating the principles of human and nature rights, good governance and sustainable resource management. Even though the conclusion of COP16 was far from ideal, with a number of agenda items still to be finalized, good progress was made on a number of other fronts. For example, the setting up of the Subsidiary Body for indigenous peoples and local communities (IPLCs) ensures that they are now a part of the decision-making process. The setting up of the Cali fund for benefits arising out of the use of genetic resources was another highlight, as also the positive progress made for marine and coastal biodiversity. COP16 is considered to be the biggest 'Ocean COP' yet due to the significant strides taken, including the declaration of 27 October as a dedicated Ocean Day.

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COP16 - High-level thematic Ministerial Dialogue. While COP16 led to extensive discussions and decisions on marine ecosystems, integrating the complexities of these ecosystems into policy implementation remains a significant challenge

marine and coastal biodiversity and their implication in the Indian context are outlined below:

a) The finalization of the text on Ecologically and Biologically Significant Areas (EBSAs) was a significant turning point for COP16, after years of deliberations. This decision has direct links and enables countries to achieve progress towards the 30x30 target. Parties finally agreed on the guidelines for identifying and modifying areas designated as EBSAs, which provides flexibility to revisit not just the designated areas but also textual descriptions, and rework them as new scientific information/technology. Information on traditional knowledge, innovations and practices of IPLCs are also made available. The text makes it clear that identifying EBSAs does not designate a region as a Marine Protected Area (MPA) but only allows countries to identify areas that may be best candidates to be considered for MPAs. This is a significant step for several countries, including India, where MPAs are yet to be officially implemented. The idea of MPAs as no-take zones in most countries will not work for India where local

communities have close ties and traditional sustainable practices for the use of natural resources. This decision ensures that designation of EBSAs or even MPAs cannot be done without recognition/consultation of the local communities. As an example of such a step, researchers in India have been identifying and demarcating Important Shark and Ray Areas (ISRAs) that function exactly as EBSAs, putting such biologically important zones in focus for continuous monitoring.

b) Parties agreed to the revised marine and coastal biodiversity programme of work at COP16, focusing on conservation and sustainable use of marine, coastal and island biodiversity. This is a cross-cutting section that is interlinked to other items in CBD, especially the monitoring framework. Marine ecosystems have been historically overlooked in national policies and so having dedicated indicators in the monitoring framework, particularly headline indicators, will ensure progress is reported in national strategies. The monitoring framework is crucial for measuring progress towards the KMGBF, but many indicators are optional and

require voluntary integration by national governments. Even though this is far from ideal, India has a few marine ecosystem-specific national indicators in its revised NBSAP targets, notably Target 1 (spatial planning), 2 (restoration), 3 (30x30), 5 (sustainable harvest and use), 9 (sustainable management), and 21 (communication and awareness). National indicators provide opportunities for countries to integrate local contexts, and these limited indicators underscore the need for India, with its complex fisheries landscape, to adopt more inclusive indicators that reflect the diversity of species and the livelihoods of fishing communities that are intrinsically linked to marine ecosystems.

- c) On the issue of geoengineering, CBD, in contrast to the UN Framework Convention on Climate Change (UNFCCC), reaffirmed its long-standing opinion on a precautionary approach. Geoengineering refers to a range of technologies that aim to reflect some of the incoming sunlight away from the Earth to control global temperature or to remove carbon dioxide from the atmosphere in the land/ocean systems. In the ocean systems it works as a way to increase carbon dioxide absorption, such as through ocean alkalinity enhancement, algae/biomass cultivation and sinking, ocean fertilization, and so on. While the agreement at UNFCCC already has begun to receive proposals for large-scale marine-based geoengineering technologies as a source of carbon credit/offset, CBD has taken a very decisive approach to employ precautionary measures or a moratorium as the scientific evidence for the impact on biodiversity and nature is uncertain and the stakes are very high. This was welcomed by most parties and will prove to be a boon for countries like India, which have great marine biodiversity.
- d) Synergy between climate and biodiversity was stressed throughout COP16, including the interlinking of decisions across the three Rio Conventions. These conversations

extended to include decisions “welcoming” the adoption of the High Seas Treaty (or Biodiversity Beyond National Jurisdiction, BBNJ) by member countries. India, which recently signed the BBNJ agreement, will soon ratify it. This is a significant step as the legally binding treaty deals with the sustainable use of marine resources beyond national jurisdiction, including access-benefit sharing of utilization of genetic resources, MPAs, area-based management, capacity building and marine technology. For a country like India, with a huge coastline and weather systems influenced significantly by the ocean, these synergies between UNFCCC and other conventions would prove critical.

- e) Ocean Day saw a number of ocean advocates, organizations and members participate and talk about the importance of conserving marine and coastal ecosystems, a topic that had been ignored for a long time. The day had a number of engaging and creative events, discussions on various subjects such as the importance of linking climate and biodiversity for marine ecosystems, the role of local communities in ocean conservation, and linking the different multilateral agreements such as BBNJ, UNFCCC and the United Nations Ocean Conference (UNOC) that will take place in Nice, France, in 2025.

While COP16 led to extensive discussions and decisions on marine ecosystems, integrating the complexities of these ecosystems into policy implementation remains a significant challenge. In India, where the waters are rich in marine biodiversity and fishing pressures are increasing across various scales and methods, it is more crucial than ever to mainstream coastal, inland and marine ecosystems not just in policy documents but through effective implementation of these decisions. Understanding the social and economic dimensions of fishing is essential, including ensuring meaningful participation from small-scale fishers, to create inclusive solutions that benefit both people and the ocean. 🌊

For more

Updated National Biodiversity Strategies and Action Plan: A Roadmap for Conservation of India's Biodiversity 2024-2030 by MoEFCC, 2024

<https://icsf.net/resources/updated-national-biodiversity-strategies-and-action-plan-a-roadmap-for-conservation-of-indias-biodiversity-2024-2030-by-moefcc-2024/>

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