

Press Background Paper on the 9th Ordinary Meeting of the Conference of the Parties to the Convention on Biological Diversity (COP 9) from 19 to 30 May 2008 in Bonn

The 9th Meeting of the Conference of the Parties to the **C**onvention on **B**iological **D**iversity (CBD) will take place from 19 to 30 May 2008 in Bonn. The 4th Meeting of the Parties to the Cartagena Protocol on Biosafety, which was established under the CBD, will take place a week earlier, from 12 to 16 May 2008.

1) The Convention

The CBD is one of three international conventions - together with the Framework Convention on Climate Change and the Desertification Convention - that were opened for signature at the United Nations Conference on Environment and Development in Rio de Janeiro in 1992. Germany has been a Party to the CBD since entry into force on 29 December 1993 (there are currently 189 Parties plus the EU). Within the German government, responsibility for the Convention lies with the Federal Environment Ministry (BMU).

The Cartagena Protocol entered into force on 11 September 2003. Germany was one of the first signatories. The Federal Agriculture Ministry (BMELV) is the lead ministry for the Protocol. The Cartagena Protocol regulates the transboundary movement of genetically modified organisms.

2) Objectives of the Convention

The Convention has three main objectives:

- the conservation of biological diversity
- a sustainable use of biological diversity and its components and
- the fair and equitable sharing of the benefits arising out of the utilisation of genetic resources.

The Convention far exceeds "classic" nature conservation agreements in its objectives and scope. The CBD strengthens the principle under international law that countries have sovereign rights over their biological resources, but at the same time stressing the common interest of mankind in conserving and using these resources in a sustainable way.

The Strategic Plan of the Convention laid down the target of achieving a significant reduction in the current rate of biodiversity loss by 2010. This so-called 2010 biodiversity target was confirmed at the World Summit on Sustainable Development in 2002 in Johannesburg.

To achieve the first two objectives - the conservation and sustainable use of biodiversity - the CBD obligates Parties to conserve all components of biological diversity, both in their original habitat (in situ), and as supporting measures outside the habitat (ex situ), for example in herbariums or zoological gardens. Existing uses, for example agriculture, forestry and fishery, must comply with the principle of sustainability; research, education and public relations work must be used as instruments to promote the Convention. Environmental impact assessments need to be carried out in order to ensure that the negative impacts of projects on biodiversity are kept to a minimum. In addition, incentives for the conservation and sustainable use of biodiversity should be developed. These are just some examples aimed at implementing the first two objectives of the Convention.

To achieve the third objective – equitable benefit sharing – the countries of origin must have an appropriate share in the profits if they grant access to their genetic resources, for example for the development of agricultural or pharmaceutical products.

Not only plants, animals and their products are usable resources, but also the genetic information of each individual, e.g. as base material for pharmaceutical research. The Convention considers the genetic components of living beings as raw materials or resources that can be traded internationally and regulates this trade.

Under the CBD, access to the genetic resources of a country is tied to the prior informed consent of the resource holder and to mutually agreed terms regarding benefit sharing. Concrete conditions for access and benefit sharing are negotiated in accordance with national legislation, for example in so-called material transfer agreements. The 6th Meeting of the Conference of the Parties to the CBD in April 2002 laid down minimum standards in the "Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits arising out of their Utilisation". These internationally applicable, voluntary guidelines ensure greater legal clarity, especially in countries which do not yet have national legislation on access.

However, many developing countries feel that the voluntary Bonn Guidelines are still inadequate to prevent genetic resources being appropriated illegally (so-called bio piracy) or to ensure that the profits arising from the use of genetic resources are shared out fairly between the countries of origin and the resource users. Together they are calling for the establishment of an internationally binding regime.

3) CBD programmes of work

The CBD has a range of thematic programmes of work that correspond to the main bioregions of the Earth, such as forests, inland waters, oceans and coastal waters, islands, dry and sub-humid lands and mountains. Furthermore, numerous cross-cutting programmes of work have been adopted, for example on protected areas,

sustainable use, incentive measures, communication and education, technology transfer and technology cooperation.

Germany is particularly committed to the programme of work on protected areas adopted in Kuala Lumpur in 2004. The main goal of the programme is to establish a global, representative network of protected areas by 2010 on land and by 2012 at sea. The programme of work prescribes various steps with specific deadlines to this end.

4) CBD financing

A financing mechanism aims to help especially those countries which are financially weak and which face additional costs due to the implementation of the Convention on Biological Diversity. The Global Environment Facility (GEF), located at the World Bank, was appointed as a preliminary financing mechanism. This multilateral fund was established in 1991 and provides developing countries and countries in transition with grants for investments and technical support in the fields of biological diversity, climate protection, combating desertification, persistent organic pollutants, the conservation of international water bodies and the protection of the ozone layer. 148 biodiversity projects have been approved for the period 2005-2008, representing a volume of around US\$625 million. The GEF was replenished by around US\$3 billion in 2006 in order to ensure uninterrupted functioning as a financing mechanism from 2006 to 2010. Germany is the third largest donor to the GEF.

However, the objectives of the CBD can only be achieved if developing countries are given new and additional means, both financial and technical, as the GEF funds are insufficient. At the 9th Meeting of the Conference of the Parties to the CBD the financing of global nature conservation through existing instruments will be reviewed and new financing sources will be tapped.

5) Structure and bodies of the CBD

The Convention on Biological Diversity is a framework convention. This means that the conditions laid down in its paragraphs and articles are relatively general and must be followed up and specifically defined with decisions by the Conference of the Parties. The Conference of the Parties (COP) is the highest political decision-making body of the Convention. It is supported by a number of working groups and committees, including the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) and the working groups on review of implementation, access and benefit sharing, protected areas and on the rights of indigenous and local communities. All these CBD bodies make recommendations, which are then negotiated and adopted at the next COP.

6) 9th Ordinary Meeting of the Conference of the Parties to the CBD from 19 to 30 May 2008 in Bonn

The 9th Ordinary Meeting of the Conference of the Parties (COP 9) to the CBD will take place from 19 to 30 May 2008 in Bonn. The meeting will be held at the Hotel Maritim and in the surrounding buildings, primarily ministries (environment,

transport, research) and subsidiary authorities. The site around these venues will also be used for the meeting and accompanying activities (events, exhibitions, etc.)

As the organiser of the meeting, the United Nations – i.e. the CBD Secretariat and the current Executive Secretary Ahmed Djoghlaif – determines both the organisational and technical details and the general structure of the negotiations. The CBD Secretariat is supported by the COP Bureau, which is currently chaired by Brazil as host of the last meeting. Germany, as the next host and chair for the period from 2008 to 2010, is represented in the COP Bureau as an ex officio member. Germany will take over the CBD chair at the beginning of the 9th Meeting of the Conference of the Parties and will then preside over the meeting. During the two weeks of the meeting, negotiations will take place in the plenary and in two parallel working groups. Since all decisions have to be taken unanimously, the working groups will be accompanied by a variety of contact groups and informal consultations.

This is why the *High-Level Segment* is so important – particularly against the background of the often protracted character of the official consultations. The host country is relatively free to shape this part in coordination with the CBD Secretariat. The High-Level Segment in Bonn will take place from 28 to 30 May 2008 and will play a decisive role in the final stage of the meeting. A limited number of politically significant issues that were not resolved during the meeting will be decided with the help of this Segment. In addition, the High-Level Segment will serve as a forum for concrete voluntary contributions of individual Parties or groups of Parties that are aimed at drastically reducing or even halting the loss of biological diversity by 2010.

The High-Level Segment will be held at the World Conference Center Bonn, the former parliament building on the so-called UN Campus, around 4km from the meeting venue.

The usual large number of *side events* are an important part of COP meetings. Parties, associations, companies and scientific institutions organise small and large events on specific issues. The side events reflect the whole diversity of the CBD, they paint a colourful picture of an international community which cares very much about our common natural heritage. The side events in Bonn will be held at the meeting venue, on the meeting site and in surrounding buildings.

A *forum of exhibitions and events* will take place at the site between the Hotel Maritim and Robert-Schuman-Platz, which will showcase national and international companies, the scientific sector, major groups, UN institutions, federal and Länder authorities, research and education institutes and the city of Bonn. The target groups for these events are local people from Bonn and the region, experts, pupils and students, disseminators and the press. A large stage will be set up for presentations, panel discussions, etc, and a detailed programme will be drawn up and handed out.

The whole forum will be called the "Plaza of Diversity" and is being organised by the Federal Environment Foundation "Deutsche Bundesstiftung Umwelt" (DBU).

An event platform for the Business and Biodiversity Initiative will be integrated into the forum. The aim is to have industry present its activities for the conservation and sustainable use of biological diversity.

7) Meeting participants

In addition to government delegations, participants in the COP meetings include environment and development NGOs, scientific institutes and other actors. Around 4000 delegates and observers from 190 countries took part in the last COP. Around 5000 participants and a large number of media representatives and visitors are expected to attend the meeting in Bonn.

8) Contents of the meeting

The contents and the key topics of the 9th Meeting of the Conference of the Parties to the CBD in Germany in 2008 are determined by the multi-year programme of work and the decisions of previous COP meetings.

In Germany's view, progress in the following areas is crucial to the success of the meeting:

► Access and Benefit Sharing (ABS)

Progress on access to genetic resources and equitable benefit sharing is required to ensure that work on an international regulatory framework for ABS can be concluded by 2010.

Not only plants, animals and their products are usable resources, but also the genetic components of each individual. These are especially significant for science, agriculture, medicine and the cosmetics industry, for example.

While the richest biological diversity and thus also the majority of genetic resources are found in developing countries, it is primarily industrialised countries which have the relevant technologies to use these resources. One objective of the CBD is therefore to ensure access to genetic resources and enable the countries of origin to share fairly in the benefits arising from the use of genetic resources.

This can take different forms, including: cash payments, involvement or training of national researchers, transfer of biotechnology equipment or a share in profits.

In the upcoming negotiations, Germany and the EU as a whole are striving for the identification of fundamental elements of an international ABS regime to ensure that work on an international regulatory framework on ABS can be concluded by 2010. Such an element could be, for example:

- an internationally recognised certificate confirming the legal ownership of genetic resources
- international minimum requirements for national access regulations
- standardised material transfer agreements for individual sectoral users (research, pharmaceutical industry).

The Federal Environment Ministry attaches particular importance to the fair and equitable sharing with the country of origin of the benefits arising out of the utilisation of genetic resources. Against this background, Federal Environment Minister Gabriel invited the five major newly industrialising countries to the G8 meeting in Potsdam in March 2007, where biodiversity was a focal issue. A constructive, collaborative dialogue was launched in Potsdam, without which it would not be possible to overcome the blockades and achieve a breakthrough in the negotiations in Bonn.

The loss of biodiversity in developing and newly industrialising countries is considerably influenced by the consumption patterns of the North and by trade globalisation. Our energy and resource consumption is leading to overexploitation of natural resources in developing countries, for example due to the cultivation of monocultures for the production of soya, palm oil and cellulose, resulting in the destruction of forest areas or other natural and semi-natural habitats. This is why international biodiversity conservation has to be advanced in cooperation with the countries in the South in order to safeguard nature's riches for future generations.

► **Additional financing mechanisms for global nature conservation**

The development of additional, innovative financing mechanisms for global nature conservation is crucial since the lack of financing is one of the main reasons for the insufficient implementation of the CBD to date.

When adopting the Johannesburg target of a significant reduction of the loss of biological diversity by 2010 the developing countries made clear that they are not able to shoulder this burden alone. This is why the decision also states that the provision of new and additional financial and technical resources to developing countries will be required in order to achieve this target. This obligation on the part of the industrialised countries needs to be implemented.

The 9th Meeting of the Conference of the Parties to the CBD will therefore review financing through existing instruments and tap new sources of financing. The CBD is aiming to achieve more targeted funding through clear recommendations to the Global Environment Facility (GEF) - the CBD's financing instrument - thus contributing to setting priorities for funding.

► **Establishing a global network of protected areas**

Progress is being striven for in establishing a comprehensive global network of terrestrial and marine protected areas and in combining, harmonising and utilising criteria, data and instruments.

The network of protected areas is one of the central instruments for halting the global dramatic loss of species and habitats and for providing a solid basis for the conservation of natural resources. The network will comprise a combination of protected areas from different protection and use categories and will primarily comprise and promote sustainable use by local and indigenous populations; in this way the network can lead to strengthening local communities and combating poverty.

Intact habitats such as forests, wetlands and coral reefs are also important sinks for climate gases and play a fundamental role in the natural regulation of the climate. Conserving habitats is active climate protection.

By 2010 on land and by 2012 at sea it is planned to set up a global network of protected areas covering all habitats of the Earth, which can effectively conserve global biological diversity. This network will include existing and new protected areas.

There is still a major gap in the global network on the high seas. The Conference of the Parties in Germany aims to adopt criteria for the selection of high seas regions in need for protection. Furthermore, progress should be made with regard to financing the global network of protected areas.

In order to achieve a major step forward in protecting endangered ecosystems, the LifeWeb Initiative will be launched at the High-Level Segment of COP 9. The goal of this initiative is the voluntary commitment of countries to designate new protected areas, to bring these together with corresponding pledges by donors and thus to achieve a targeted (co-) financing for these areas.

Eligible parties can notify the CBD Secretariat of "candidate sites" needed for the completion of their representative systems of protected areas which they would be willing to protect if adequate financing and capacity could be secured. In return, donors (donor countries, multilateral and non-governmental organisations and the private sector) are invited to provide bi- and multilateral financial resources to meet the financial needs for setting up the notified sites or for appropriate management of the sites notified as highly underfunded. Generally speaking, funds should be provided on a co-financing basis.

► **Conserving forest biodiversity**

The conservation of forest biodiversity should be strengthened, especially by establishing protected forest areas, improving the link between climate protection and biodiversity policy, taking account of forest conservation in biomass cultivation for energy production and through measures to counter illegal logging.

The comprehensive CBD forest programme of work adopted in 2002 is to be reviewed and clear provisions adopted for the continued implementation of the programme of work.

Establishing new protected forest areas is a key goal of the German "Life Web Initiative". Irrespective of the work of the Initiative, progress must be made in the establishment and funding of protected forest area networks. In addition, forests which are of prime importance for biodiversity must be identified, as this has a bearing on forest conservation extending beyond the establishment of protected areas.

Regarding the issue of climate and forest biodiversity, COP 9 should make it clear that climate protection measures for reducing greenhouse gas emissions from deforestation should take into account the impacts on biodiversity. This will facilitate synergies between climate protection and forest conservation, and at the same time generate funding for forest conservation.

Furthermore, COP 9 aims to discuss the threat to forests from uncontrolled biomass cultivation and consider guidelines for taking forest biodiversity into consideration in international biomass sustainability standards and certification systems. Finally, the meeting should voice support for further measures against illegal logging. It is a question of effectively applying local forestry law, improving import regulations and certification.

Close cooperation with other international bodies in the forestry sector, for example the UN Forest Forum (UNFF), will continue to play an important part in the implementation of the forest programme of work.

9) Other issues

In Brazil in 2006, COP 8 adopted a refined multi-year programme of work for the Conference of the Parties up to 2010. The programme laid down the following focal points for COP 9:

- agricultural biodiversity
- global strategy for the conservation and sustainable use of plants
- invasive alien species
- incentive measures for the conservation and sustainable use of biological diversity
- ecosystem approach
- implementation of the Strategic Plan, progress on implementation of the 2010 target and relevant Millennium Development Goals
- financial resources and mechanisms

► **Agricultural biodiversity**

The programme of work on agricultural biodiversity was adopted at the 5th Meeting of the Conference of the Parties. It addresses cross-cutting issues of agricultural biodiversity and the International Initiative for the Conservation and Sustainable Use of Pollinators, the Cross-cutting Initiative for the Conservation and Sustainable Use of Soil Biodiversity and the Cross-cutting Initiative on Biodiversity for Food and Nutrition.

Bioenergy and biodiversity is an important issue that will be discussed in the CBD context for the first time at COP 9 this year. The generation and utilisation of biomass to produce energy is a rapidly growing industry which has positive impacts on biological diversity through its contribution to combating climate change, but can also cause serious problems.

This is particularly the case when tropical forests, with their broad biodiversity, are directly or indirectly converted into biomass cultivation areas. But even where forests are not cleared for cultivation it is important to ensure that there are no negative impacts on biodiversity. Monoculture, increased irrigation and intensification of valuable, extensively used land are the key issues here.

The Conference of the Parties should therefore develop guidelines, on the basis of the latest knowledge, which outline how the negative impacts on biodiversity that result from biomass cultivation for energy production can be avoided. These guidelines should then also be referred to when determining standards and certification systems outside of the CBD framework.

► **Global strategy for the conservation and sustainable use of plants**

The Global Strategy for Plant Conservation (GSPC) was adopted at COP 6. This is a new development in the history of the Convention process insofar as the GSPC targets are the first worldwide quantitative objectives defined for a CBD area of work. The GSPC thus serves as a model for other areas of the CBD.

The long-term objective of the Strategy is to halt the loss of plant diversity. This goal has five sub-objectives:

- understanding and documenting plant diversity
- conserving plant diversity
- using plant diversity sustainably
- promoting education and awareness about plant diversity
- creating the necessary human, institutional and financial capacities for the conservation of plant diversity.

The results-oriented objectives of the Strategy were provisionally specified up to 2010. The Parties agreed on 16 targets which should be achieved at global level. The Parties will implement the Strategy by formulating regional and national goals which will be integrated into the relevant plans, programmes and initiatives. Furthermore, the thematic programmes of work of the CBD must take the Strategy's objectives into consideration.

► **Invasive alien species**

Invasive alien species (IAS) are species which, intentionally or unintentionally, are introduced into areas outside their natural habitat and which are then able to become established and breed, thus displacing native species or altering their habitats. It is believed that globally speaking the extent of the threat to biodiversity caused by IAS is only exceeded by the threat posed by habitat loss.

At international level there are still some regulatory gaps with regard to IAS. For this reason COP 8 requested the CBD Executive Secretary to meet with relevant organisations to discuss whether and how the gaps in regulation can be closed, especially those relating to invasive animal species which are not covered by the International Plant Protection Convention (IPPC).

The 13th meeting of the SBSTTA stressed the importance of national and regional strategies and programmes to counter IAS, and urged Parties to apply existing provisions on risk assessment and other standards to all IAS.

Since as yet there are no international regulations governing domestic pets, species kept in aquariums or terrariums or animals which are used as live food or bait, the CBD Executive Secretary should cooperate with the Parties and relevant organisations to collect examples, distribute these via the Clearing House Mechanism and report to the SBSTTA meeting before the 10th Meeting of the Conference of the Parties in 2010. Furthermore, the Executive Secretary should cooperate with all relevant organisations with a view to closing current regulatory gaps and submit another report on concrete measures at COP 10.

► **Incentive measures for the conservation and sustainable use of biodiversity**

Following years of fruitless discussions on the dismantling of perverse incentives and debates on the development of positive incentives, the one-sided focus on agricultural subsidies by certain Parties resulted in COP 8 only adopting a decision to initiate a transparent and structured process for the review of the programme of work on incentive measures in preparation for COP 9.

This topic is controversial in terms of economic policy and fierce debate can therefore be expected at the meeting. However, no changes will be made under the CBD negotiations while negotiations on agricultural subsidies under the WTO are still ongoing. The aim for COP 9 is to discuss this issue within its original, broad framework (incentive measures not solely relating to financial aspects, and monetary measures not solely relating to agricultural subsidies). The debate should not be restricted to agricultural subsidies.

► **The ecosystem approach of the CBD**

Together with the precautionary principle, the ecosystem approach is the basic operating principle of the CBD. The ecosystem approach offers a flexible strategy for the integrated management of land, water and living resources, to help achieve a

balance of the three objectives of the CBD, taking into account ecological, economic and social aspects.

To implement the strategy, COP 5 recommended 12 principles of the ecosystem approach, but these were not adopted. The Secretariat is compiling a handbook to help the Parties implement this complex strategy.

After years of work, the aim is to adopt the principles at COP 9. Germany played an essential role in planning and developing the concept, supporting the discussions with numerous studies on the topic.

► **Strategic issues**

At COP 8 it was decided that COP 9 should undertake an in-depth review of the implementation of goals 2 and 3 of the CBD Strategic Plan: "Parties have improved financial, human, scientific, technical, and technological capacity to implement the Convention" (goal 2) and "National biodiversity strategies and action plans and the integration of biodiversity concerns into relevant sectors serve as an effective framework for the implementation of the objectives of the Convention" (goal 3).

► **Improved implementation of the Convention**

On the basis of voluntarily updated details in the 3rd National Report, information from internationally active organisations and regional/subregional workshops, COP 8 decided to draw up consolidated guidance for the development, implementation and evaluation of national biodiversity strategies and action plans, and for the effective integration of biodiversity concerns into the relevant sectors. This will help to define priorities for capacity building, technology transfer and technology cooperation, develop guidance for overcoming barriers to the implementation of the Convention and provide input to the process of revising the Strategic Plan beyond 2010. Capacity building and technology transfer or technology cooperations are recognised as vital elements for achieving the third objective of the Convention.

► **National biodiversity strategies and action plans**

National biodiversity strategies and action plans and integrating biodiversity concerns into other sectors are key components for the implementation of the Convention at national level.

In November 2007 Germany adopted its National Strategy on Biological Diversity, with around 330 goals and 430 measures on all biodiversity relevant issues. This strategy is aimed at implementing the CBD in Germany, and also includes Germany's contribution to the conservation and sustainable use of global biodiversity. The Federal Environment Ministry began implementing the strategy immediately after it was adopted and in December 2007 the Ministry launched a follow-up process involving non-governmental and government players with the 1st National Forum on Biological Diversity. This first event will be followed by a total of seven regional fora taking place from January to June 2008.

► **Financial resources and mechanisms**

COP 9 will conduct an in-depth review of the availability of financial resources for implementing the Convention (including the financing mechanism of the Convention, the Global Environment Facility GEF).

Developing countries attach great importance to the question of financing. It is crucial to ensure that negotiations do not focus solely on funding through the GEF, but take all monetary sources into consideration – including those which exist in the developing countries themselves. It is vital to tap new sources of financing. This issue is closely connected to the new financing mechanisms for protected areas which the programme of work for protected areas calls for and which Germany especially supports.

Developing countries are particularly critical of the new resource allocation system introduced into the GEF by the US. Many countries feel they are at a disadvantage in the allocation of funds.

► **10) Further information**

Further information on the CBD and the 9th Meeting of the Conference of the Parties can be found on the BMU website www.bmu.de/english/nature/un_conference_on_biological_diversity_2008/general_information/doc/39656.php and the website of the CBD Secretariat www.cbd.int/cop9/.