



A Special Report on Selected Side Events at the Eleventh meeting of the Conference of the Parties (COP 11) to the Convention on Biological Diversity (CBD)

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Events convened on Wednesday, 17 October 2012

Commitment to the Amazon: ARPA for Life - a Public-Private Partnership to Secure the Future of the World's Largest Tropical Rainforest

Presented by Brazil And WWF International



Braulio Dias, SCBD, stressed that ARPA has been instrumental in enhancing the effectiveness of PAs and in providing goods and services for communities in the Amazon.

Roberto Cavalcanti, Brazil, moderated the event celebrating the tenth anniversary of the Amazon Regional Protected Area (ARPA) initiative and profiling the ARPA for Life Initiative, which aims to protect ten percent of the Brazilian Amazon and ensure the sustainable use of its resources.

Braulio Dias, Executive Secretary, CBD, highlighted the success of the ARPA initiative in increasing PAs and developing creative ways to mobilize sustainable financial support through public-private partnerships.

Izabella Monica Vieira Teixeira, Minister of Environment, Brazil, via video address, stressed that ARPA for Life offers a new vision and innovative policies for regional and international cooperation on biodiversity conservation.

Gertrud Sahler, Germany, highlighted 20 years of cooperation with Brazil on biodiversity and underscored: achievements in pairing international commitments with on-the-ground impact; innovative partnerships; and innovative institutional and technical solutions. Rosa Lemos, Brazilian Biodiversity Fund (FUNBIO), discussed the ARPA goal of protecting 60 million hectares, and discussed innovations in financial management, including the Protected Areas Fund (FAP), a trust fund for long-term sustainability.

Naoko Ishii, GEF, praised the initiative's innovative partnerships, observing that they should be replicated globally. On lessons learned, she highlighted the focus on sustainable financing, noting that financial sustainability of PAs is a priority under GEF-5. Rachel Kyte, World Bank, highlighted endowments as a useful conservation mechanism. She noted that ARPA takes an integrated landscape management approach, with a focus on territorial development, PA connectivity, extractive reserves, and livelihoods.

Guillermo Castilleja, Gordon and Betty Moore Foundation, pledged continued support to the initiative. On next steps, he stressed creating new alliances and ensuring PAs are the "backbone for economic development." Lasse Gustavsson, WWF, highlighted the need for continued support to ARPA for Life, noting its significance globally. Mauricio Dorfler, Amazon Cooperation Treaty Organization, spoke on the organization's strategic work on PAs and welcomed efforts to expand best practices from ARPA to other member countries. Francisco Gaetani, Brazil, focused on steps forward, including: private sector contribution; new public dialogues on PAs; long-term financial commitments; and expanding efforts to other biomes.

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Work in the WTO on the Relationship Between the TRIPS Agreement and the CBD

Presented by WTO

Jayashree Watal, WTO, observed that on one hand the CBD provides for the protection of intellectual property rights (IPRs), whilst also stipulating that IPRs should be supportive and not run counter to the objectives of the Convention. She highlighted two issues on: whether or not there is a conflict between the Trade Related Aspects of Intellectual Property Rights (TRIPS) agreement and the CBD; and whether or not something needs to be done in the WTO on TRIPS to ensure compliance.

Watal outlined four positions regarding the compatibility of the TRIPS Agreement and CBD that: there is no conflict between TRIPS and the CBD; there is no inherent conflict, however undecided on whether international action is desirable; there is no inherent conflict but international action is desirable, such as a disclosure requirement on patent applicants and an amendment to TRIPS; and that there is inherent conflict and a TRIPS amendment is necessary and patents over genetic resources are not compatible with sovereignty. Watal observed that the discourse approach, obliging patent applicants using genetic resource and associated Traditional Knowledge (TK) inventions to disclose the source country where known, is favored by Brazil, China, India, the EU, the African Group and others.

Markus Lehmann, SCBD, provided a background and an overview of the Nagoya Protocol. He noted that the Protocol aims to provide a legal framework to articulate the *quid pro quo* that underpins ABS by providing for access to genetic resources subject to prior informed consent in exchange for the fair and equitable share of benefits derived from their use.

Paulino de Carvalho, discussed the Brazilian perspective on IPRs and the CBD, emphasizing the necessity of preventing the erroneous issuance of patents. He noted that the objectives of the Nagoya Protocol cannot just be achieved through contractual arrangements and a more general framework is required. He also noted that the Protocol was flexible and allowed countries to designate check points. He outlined his country's support, together with others, for amending the TRIPS agreement by inserting a disclosure of origin requirement of genetic resources and/or associated TK.

Karin Ferriter, US, highlighted her country's position favoring a contractual approach, however acknowledging that it is not enough. She also supported developing a code of conduct as well as ethical guidelines and expressed reluctance to turn "the patent system into an enforcement system for other laws." She emphasized that the disclosure requirement should not be added to the patent system because this would introduce an unreasonable formality, which is not required.



Jayashree Watal, WTO, highlighted common ground on: implementing TRIPS and the CBD in a mutually supportive way; avoiding erroneous patents; and wider acceptance that patent officers need to have necessary information to make proper decisions.



Markus Lehmann, SCBD, highlighted tools such as international certificates of compliance, noting that Patent offices can serve as check points.

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Panel L-R Paulino de Carvalho Neto, Brazil; Jayashree Watal, WTO ; Karin Ferriter, US ; Markus Lehmann sCBD

Measuring and Mainstreaming Natural Capital and Leveraging Biodiversity Finance

Presented by European Commission, World Bank, UNEP/TEEB, UNDP

Rachel Kyte, World Bank, outlined The Wealth Accounting and the Valuation of Ecosystem Services (WAVES) project, a global partnership to integrate the value of ecosystem services into national accounting work. She explained that WAVES would: implement UN-agreed methodologies for environmental accounting; measure ecosystem services; and work with partner countries on sector-based accounting.

Pavan Sukhdev, The Economics of Ecosystems and Biodiversity (TEEB), discussed country-level studies and the TEEB Business Coalition working to provide guidelines for corporations to assess impacts on nature based on international standards. Sukhdev introduced the TEEB National Implementation: Reflecting the Value of Ecosystems and Biodiversity in Policymaking, a project managed by UNEP.

Veerle Vandeweerd, UNDP, launched the UNDP managed project Building Transformative Policy and Financing Frameworks to Increase Investment in Biodiversity Management. She noted that the EC had contributed 4 million Euro and UNDP-GEF had contributed 2.4 million Euro. Vandeweerd explained that the project would be piloted in eight countries, and would contribute to a new generation of NBSAPs that include natural accounting for biodiversity.

Pema Gyamtsho, Bhutan, discussed the integration of ecosystems into Bhutan's Gross National Happiness Index and into the country's national accounting. Tania Villegas, Ecuador, observed that in her country the economics of nature is taken very seriously and nature is used as a driver for social equity, noting the need to capitalize on interesting initiatives.

Jonathan Davis, Liberia, highlighted challenges to valuing natural capital in Liberia. He observed that although his country is well endowed with natural capital, it has not had an opportunity to value it. He noted that the challenge would be to conduct a comprehensive assessment of the ecosystems and assign an appropriate value.

Carlos Rodriguez, Conservation International, provided a perspective from Costa Rica, observing that from 1986, his country had been able to grow while at the time taking care of natural capital. He highlighted four elements for achieving this: protecting natural capital through a strong, consolidated system of PAs; understanding the economics of nature and addressing perverse incentives; institutional transformation; and good governance, political stability and enhancing



Rachel Kyte, World Bank, stressed the importance of putting natural capital on the minds of finance ministers.



Pavan Sukhdev, TEEB, stressed that reflecting the value of ecosystems in our policies and decision-making requires global collaboration and "the time is now."

More information:

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Jonathan Davis, Liberia, Tania Villegas, Ecuador, Carlos Rodriguez, Conservation International, Veerle Vandeweerd, UNDP, Juergen Voegelé, World Bank, Pavan Sukhdev, TEEB, Janez Potočnik, EC, Pema Gyamtsho, Bhutan, and Pia Bucella, EC.



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