

CBD COP 9 HIGHLIGHTS: MONDAY, 26 MAY 2008

Delegates met in two working groups throughout the day. Working Group I (WG I) addressed conference room papers (CRPs) on island biodiversity, the Global Strategy for Plant Conservation, the Global Taxonomy Initiative (GTI), forest biodiversity and the ecosystem approach. WG II considered monitoring, assessment and indicators, and addressed CRPs on the Strategic Plan, liability and redress, and cooperation with other conventions and engagement of stakeholders. Contact and informal groups on access and benefit-sharing (ABS), financial resources and mechanism, biodiversity and climate change, agricultural biodiversity and biofuels, forest biodiversity, protected areas, and the budget also met.

WORKING GROUP I

ISLAND BIODIVERSITY: Delegates discussed a CRP. On the Global Island Partnership, the EU and ARGENTINA, opposed by PALAU, suggested deleting reference to establishing a coordination mechanism. Delegates agreed to a compromise text by PALAU welcoming the contribution of some parties and organizations in the establishment of such a mechanism and inviting others to further support it. Highlighting issues of national sovereignty, ARGENTINA, opposed by the EU, the UK and TOGO, asked for deleting a paragraph on a conference on islands organized by the EU. The text remains bracketed. On issues that require particular efforts for work programme implementation, the EU and BRAZIL held divergent views on mitigation and adaptation, and on the utilization of genetic resources. Delegates agreed to revisit the text once discussion on climate change and biodiversity is finalized.

GLOBAL STRATEGY FOR PLANT CONSERVATION:

Delegates considered a CRP. Following discussions on development and implementation of the Strategy beyond 2010, delegates agreed to delete reference to the potential impacts of climate change, nutrient loading and biofuels on plant biodiversity, retaining a broader reference to "current and emerging environmental challenges" instead. They further agreed to "update" rather than "review" current targets. On facilitating capacity building, technology transfer and financial support to developing countries for enhanced implementation, delegates agreed to specifically mention megadiverse countries and countries of origin, and regional workshops on implementation of the Strategy, subject to available resources. The CRP was adopted as amended.

GTI: Delegates considered a CRP and agreed to preambular text recognizing that GTI activities should not be contrary to national legislation in the country of origin. Delegates debated

a paragraph welcoming progress towards a special fund for the GTI. BRAZIL and the EU proposed deleting a reference to "megadiverse countries," with respect to accelerating the accumulation of knowledge on species diversity. Delegates accepted a proposal by PERU, making reference to "countries with high levels of biodiversity." Delegates then debated reference to, and the composition of, the interim steering committee, and agreed to make it regionally balanced. Regarding capacity building, delegates discussed an EU proposal specifying academic and non-academic training in taxonomy, but agreed to retain the original broad reference to training. Delegates approved the CRP as amended.

FOREST BIODIVERSITY: Delegates were invited to identify areas of divergence on a CRP. On obstacles to sustainable forest management, SWITZERLAND, supported by the EU and JAPAN but opposed by CANADA and MALAYSIA, proposed adding reference to land tenure. CANADA and others preferred implementing sustainable forest management and the ecosystem approach "in all types of forest," while the EU and others specified "particularly primary forests and other biodiversity-rich forests." BRAZIL and COLOMBIA, opposed by JAPAN and others, favored deleting text on voluntary licensing and tracking of forest products.

The AFRICAN GROUP, with others, supported a paragraph calling for suspending any release of genetically modified (GM) trees, pending assessment of potential impacts. The EU, with BRAZIL and others, favored an alternative paragraph, reaffirming the need to apply the precautionary approach to the use of GM trees. GREENPEACE called for halting deforestation by 2015. With no consensus on many issues, a Friends of the Chair group continued deliberations in the evening.

ECOSYSTEM APPROACH: Delegates began consideration of a CRP. COLOMBIA and EL SALVADOR said the ecosystem approach needs to be applied to "all relevant sectors." Discussions will continue on Tuesday.

WORKING GROUP II

MONITORING, ASSESSMENT AND INDICATORS:

Delegates discussed a draft decision on the follow-up to the Millennium Ecosystem Assessment (MA) (UNEP/CBD/COP/9/13, and INF/26, 30, 34, 36 and 37), including text from SBSTTA recommendation XII/3 and new text developed by the Secretariat. BRAZIL and ARGENTINA warned against including the new text and, with the AFRICAN GROUP, opposed references to the consultative process towards an international mechanism of scientific expertise on biodiversity (IMoSEB). CANADA, MALAYSIA and the EU supported the draft decision with minor revisions, with PERU and MEXICO "welcoming" the work of IMoSEB.

Many acknowledged the importance of the MA outcomes and welcomed UNEP's initiative to develop an intergovernmental and multi-stakeholder approach to strengthen the science-policy interface on biodiversity and ecosystem services. The EU and MALAYSIA supported using the MA conceptual framework in preparing national assessments. A CRP will be prepared.

STRATEGIC PLAN: Delegates considered a CRP on review of implementation of goals 2 and 3 of the Strategic Plan (national biodiversity strategies and action plans (NBSAPs), and capacity building, access to and transfer of technology and technology cooperation). Debate focused on whether to delete references to supporting NBSAP development and review, as proposed by CANADA. Delegates eventually agreed to retain such references. The CRP was approved with other minor amendments.

Delegates then addressed a CRP on the process for revising the Strategic Plan. NAMIBIA proposed that the new strategic plan ensure that conservation contributes to poverty reduction at the local level. With regard to implementation obstacles, BRAZIL, opposed by the EU, requested reference to the lack of new and additional financial resources. Following a lengthy debate, delegates accepted a proposal by BRAZIL suggesting the new strategic plan provide for "national" monitoring and reporting. The CRP was approved as amended.

LIABILITY AND REDRESS: A CRP was adopted with minor amendments.

COOPERATION: Delegates considered a CRP on cities and biodiversity. The AFRICAN GROUP requested consistent reference to cities and local authorities throughout the text. Reiterating that this issue falls under national sovereignty, CHINA agreed to have a decision subject to the deletion, as suggested by the EU, of a paragraph requesting the CBD Executive Secretary to compile further information on the issue. Delegates approved the CRP as amended.

Delegates then discussed a CRP on promoting business engagement, with CHINA reiterating its preference to have no decision on the issue. The AFRICAN GROUP and BRAZIL opposed specific reference to the Business and Biodiversity Offsets Programme (BBOP), while the EU supported noting it "with appreciation." IUCN, on behalf of BBOP members, explained that biodiversity offsets can help compensate harm to the environment. The GENE ETHICAL NETWORK cautioned that offset programmes could provide perverse incentives, and opposed any budgetary allocation to business involvement, noting that NGOs struggle to fund their own participation. Delegates agreed to encourage financial institutions to include biodiversity considerations in investments. The EU proposed deleting a paragraph on capacity building for engaging the business community, while the AFRICAN GROUP suggested instead requesting GEF support. On an annex containing the framework of priority actions, UGANDA proposed to delete a priority area on facilitating business participation in the CBD process, while BOLIVIA wanted to reference indigenous participation. Unresolved issues were referred to an informal group meeting.

Regarding a CRP on South-South cooperation, the EU noted they do not envisage an active role for the CBD Secretariat and proposed deleting: a paragraph welcoming the G-77/China initiative to prepare, in collaboration with the CBD Secretariat, a multi-year plan of action on biodiversity for development; and a request to the Executive Secretary to report on the implementation of South-South cooperation on biodiversity. Antigua and Barbuda, for G-77/CHINA, suggested that the references be subject to available funding, and requested retaining references to Secretariat support. Unresolved issues were referred to an informal group meeting.

CONSULTATIVE GROUP ON ABS

Following weekend discussions on terms of reference for intersessional expert groups, delegates considered a draft decision on ABS, including an annex identifying components

of the future regime for "further elaboration" and components for "further consideration." Regarding submitting operational texts and related rationales/explanations, some parties requested specifying that operational text be submitted only relating to components for further elaboration, while providing views and "where relevant, examples of operational text" regarding components for further consideration. Others insisted on allowing parties to submit operational texts and views on all components, a proposal which was eventually accepted.

On requesting the Executive Secretary to "compile" or "collate" submissions in accordance with the annex, some suggested a collation of operational texts only, while others preferred a collation of operational texts together with provided explanations/rationales. Delegates eventually agreed to request a compilation and three documents collating: operative text submitted; operational text including explanations/rationale provided; and other views and information.

The G-77/CHINA declared their willingness to resume discussion on the terms of reference for the expert group meetings, stressing that their acceptance of the terms is predicated on a commitment by all parties to work towards a legally binding regime. One party opposed predetermining the regime's nature and requested time for consultation. Discussion on this issue will resume on Tuesday.

Delegates agreed upon, *inter alia*: encouraging parties to hold bilateral, regional and interregional consultations; making reference to the Bonn Guidelines in the preamble, rather than in an operational paragraph; and taking note of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), while deleting reference to UNDRIP provisions relevant to the ABS regime. A CRP will be prepared.

BUDGET GROUP

The budget group considered the preliminary cost implications emerging from draft decisions. Delegates expressed reservations on proposed Secretariat staff increases, and emphasized the need to prioritize which activities would be funded from the Convention's core budget. In the evening, the group met to discuss a revised draft decision.

IN THE CORRIDORS

For many delegates, Monday was a continuation of informal and contact group weekend meetings. In between sessions, many could be overheard commenting about a text on ocean fertilization. Impatiently awaited by NGOs and delegates alike, the drafting group's carefully crafted proposal, requesting parties ensure that ocean fertilization does not take place until there is adequate scientific data in its favor, allowing only small-scale scientific research, may well be the basis of a compromise between those parties calling for a moratorium and those reserving a consultative role for the CBD.

Two days before the beginning of the High-level segment, the focus of this ministerial gathering remains a well-kept secret. The mystery will be disclosed by COP 9 President Sigmar Gabriel, who is expected to invite Ministers to become his "Friends" for High-level Friends of the President negotiations on a maximum of three key issues. Stakes are high that one or more of COP 9's "problem children" such as ABS, protected areas or finance will be among them. Some delegates thus speculated that the intention is to revitalize bogged-down discussions. Others were skeptical however, noting that the ministerial friends of the President will most likely be too jet lagged to board the train, since many will be arriving from the G8 Environment Ministers' meeting on climate change and biodiversity, which concluded Monday in Kobe, Japan.