

**SUMMARY OF THE NINTH CONFERENCE
OF THE PARTIES TO THE CONVENTION ON
BIOLOGICAL DIVERSITY:
19-30 MAY 2008**

The ninth Conference of the Parties (COP 9) to the Convention on Biological Diversity (CBD) was held from 19-30 May 2008, in Bonn, Germany, immediately following the fourth Meeting of the Parties (COP/MOP 4) to the Cartagena Protocol on Biosafety. More than 4,000 delegates representing parties and other governments, UN agencies, intergovernmental, non-governmental, indigenous and local community representatives, academia and industry participated in the meeting.

The COP adopted 37 decisions on a wide range of items. Issues for in-depth consideration included: agricultural biodiversity, including biofuels and biodiversity; the Global Strategy for Plant Conservation; invasive alien species (IAS); forest biodiversity; incentive measures; the ecosystem approach; progress in implementation of the Strategic Plan and towards the target to reduce significantly the rate of biodiversity loss by 2010 and relevant Millennium Development Goals (MDGs); and financial resources and the financial mechanism. Other substantive and strategic issues included: access and benefit-sharing (ABS); Article 8(j) and related provisions; technology transfer and cooperation; monitoring, assessment and indicators; biodiversity and climate change; biodiversity of dry and sub-humid lands; protected areas (PAs); biodiversity of inland waters; marine and coastal biodiversity; island biodiversity; the Global Taxonomy Initiative (GTI); liability and redress; cooperation with other conventions and engagement of stakeholders; operations of the Convention; scientific and technical cooperation and the clearing-house mechanism (CHM); guidance to the financial mechanism; and communication, education and public awareness (CEPA). The meeting also addressed administrative matters and the budget for the biennium 2009-2010.

Among the achievements of COP 9 is the adoption of a roadmap for the negotiation of an international ABS regime, ensuring that three ABS Working Group and three expert group meetings will take place before the 2010 deadline for completion of negotiations. The adoption of scientific criteria and guidance

for marine areas in need of protection, and of the first-ever Resource Mobilization Strategy for the Convention were also hailed as major achievements and tools towards reaching the 2010 biodiversity target. A considerable amount of attention focused on issues related to climate change, including reference to mitigation and adaptation activities, ocean fertilization and biofuels. While strong language was agreed cautioning against ocean fertilization, there was no agreement on adopting sustainability criteria for biofuel production and consumption. On genetically modified (GM) trees, an issue which attracted a great deal of public interest, the COP reaffirmed the need for a precautionary approach and called on parties to authorize the release of GM trees only after completion of studies in containment as well as science-based and transparent risk assessments, a decision that was criticized as insufficient by several parties and observers.

COP 9 has shown, much more than any previous COP, that the CBD encompasses a plethora of sub-processes, many of which are running on their own schedule. The CBD's main challenge on the way to and past 2010 will be to bring all these sub-processes together and draw a coherent picture of the state of implementation, on the basis of eventually identified priorities and needs in the field.

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A BRIEF HISTORY OF THE CBD

The CBD, negotiated under the auspices of the UN Environment Programme (UNEP), was adopted on 22 May 1992, and entered into force on 29 December 1993. There are currently 191 parties to the Convention, which aims to promote the conservation of biodiversity, the sustainable use of its components, and the fair and equitable sharing of benefits arising from the use of genetic resources.

COP 1: At the first COP (November - December 1994, Nassau, the Bahamas), delegates set the general framework for the Convention's implementation, by establishing the CHM and the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA), and by designating the Global Environment Facility (GEF) as the interim financial mechanism.

COP 2: At the second COP (November 1995, Jakarta, Indonesia), delegates adopted a decision on marine and coastal biodiversity (the Jakarta Mandate) and established the Open-ended *Ad Hoc* Working Group on Biosafety to elaborate a protocol on biosafety, specifically focusing on transboundary movement of any living modified organism (LMO) that may have an adverse effect on biodiversity.

COP 3: At its third meeting (November 1996, Buenos Aires, Argentina), the COP adopted work programmes on agricultural and forest biodiversity, as well as a Memorandum of Understanding with the GEF, and called for an intersessional workshop on Article 8(j) and related provisions.

COP 4: At its fourth meeting (May 1998, Bratislava, Slovakia), the COP established a Working Group on Article 8(j) and a panel of experts on ABS, and adopted the GTI and a work programme on marine and coastal biodiversity, as well as decisions on: inland water, agricultural and forest biodiversity, and cooperation with other agreements.

EXCOP: Following six meetings of the Biosafety Working Group between 1996 and 1999, delegates at the first Extraordinary Meeting of the COP (ExCOP) (February 1999, Cartagena, Colombia) did not agree on a compromise package that would finalize negotiations on a biosafety protocol, and the meeting was suspended. The resumed ExCOP (January 2000, Montreal, Canada) adopted the Cartagena Protocol on Biosafety, and established the Intergovernmental Committee for the Cartagena Protocol on Biosafety to undertake preparations for COP/MOP-1. The Protocol addresses the safe transfer, handling and use of LMOs that may have an adverse effect on biodiversity, taking into account human health, with a specific focus on transboundary movements.

COP 5: At its fifth meeting (May 2000, Nairobi, Kenya), the COP reviewed the work programme on agricultural biodiversity, established a Working Group on ABS, and adopted work programmes on dry and sub-humid lands, and incentive measures, and decisions on Article 8(j), the ecosystem approach, sustainable use, biodiversity and tourism, IAS and the GTI.

COP 6: At its sixth meeting (April 2002, The Hague, the Netherlands), the COP adopted the Convention's Strategic Plan, including the target to reduce significantly the rate of biodiversity loss by 2010. The meeting also adopted: an expanded work programme on forest biodiversity; the Bonn

Guidelines on ABS; guiding principles for IAS; the Global Strategy for Plant Conservation; a work programme for the GTI; and decisions on incentive measures and Article 8(j).

COP 7: At its seventh meeting (February 2004, Kuala Lumpur, Malaysia), the COP adopted work programmes on mountain biodiversity, PAs, and technology transfer and cooperation, and mandated the Working Group on ABS to initiate negotiations on an international regime on ABS. The COP also adopted: a decision to review implementation of the Convention, its Strategic Plan and progress towards achieving the 2010 target; the Akwé: Kon Guidelines for cultural, environmental and social impact assessments; the Addis Ababa Principles and Guidelines for sustainable use; and decisions on CEPA, incentive measures, inland waters, and marine and coastal biodiversity.

COP 8: At its eighth meeting (March 2006, Curitiba, Brazil), the COP adopted a work programme on island biodiversity and decisions on a range of issues including Article 8(j), CEPA, cooperation with other conventions and private sector engagement, PAs, including high seas PAs, incentive measures, biodiversity and climate change, and forest, marine and coastal, and agricultural biodiversity. COP 8 reaffirmed the COP 5 ban on the field testing of genetic use restriction technologies, and instructed the ABS Working Group to complete its work with regard to an international regime on ABS at the earliest possible time before COP 10, to be held in 2010.

COP 9 REPORT

On Monday, 19 May, Amb. Raymundo Santos Rocha Magno (Brazil), on behalf of the outgoing presidency of COP 8, handed over the presidency to Germany, underscoring the need to achieve a balance among the three CBD objectives. COP 9 President Sigmar Gabriel, Germany's Environment Minister, called for a clear mandate for concluding negotiations on the international ABS regime and for improved financing for global biodiversity conservation.

In a video message, UNEP Executive Director Achim Steiner called on delegates to give new direction and priorities to the CBD, exploring connections to related issues, such as climate change and food security.

Yvo de Boer, Executive Secretary of the UN Framework Convention on Climate Change (UNFCCC), noted the urgency of reducing global greenhouse gas emissions to avoid dramatic species loss. Luc Gnacadja, Executive Secretary of the UN Convention to Combat Desertification (UNCCD), requested that parties support implementation of joint action under the Rio conventions, highlighting links between drought, land degradation and biodiversity loss. Focusing on the interconnectivity of life, CBD Executive Secretary Ahmed Djoghlaif presented specific examples to illustrate the COP 9 motto "One Nature – One World – Our Future."

ORGANIZATIONAL MATTERS: Delegates permitted Brunei Darussalam to act as a party in anticipation of its official accession to the CBD in July. Delegates then elected Fernando Pérez Egert (Chile), whose nomination had been pending since COP 8, as the tenth member of the COP 9 Bureau, to join: Volodymyr Domashlinets (Ukraine) and Andrea Stefan (Croatia), for Central and Eastern Europe; Donald Cooper (the Bahamas), for Latin America and the Caribbean; Karma Nyedrup (Bhutan)

and Abdul Haqim Aulaiah (Yemen), for Asia and the Pacific; Mary Fosi Mbantenkhu (Cameroon) and Ositadinma Anaedu (Nigeria), for Africa; and Robert McLean (Canada) and José Luis Sanz (Spain), for the Western Europe and Others Group.

Delegates adopted the agenda and organization of work (UNEP/CBD/COP/9/1 and Add.1/Rev.1/Corr.1); and elected Mary Fosi (Cameroon) as Rapporteur for the meeting, and Maria Mbengashe (South Africa) and Chaweewan Hutachareern (Thailand) as Chairs of Working Group I (WG I) and Working Group II (WG II), respectively.

Throughout the two weeks, delegates met in two working groups and the informal consultative group on ABS. Other parallel groups convened on: agricultural biodiversity and biofuels; forest biodiversity; financial resources and mechanism; Article 8(j); biodiversity and climate change; PAs; marine and coastal biodiversity; operations of the Convention; and the budget. The high-level segment took place from 28-30 May, and high-level consultations were held on: biofuels; financial issues; GM trees; biodiversity and climate change; and ocean fertilization.

The following report is organized according to the meeting's agenda. Unless otherwise stated, all COP 9 decisions were adopted during the closing plenary on Friday, 30 May, with no or minor amendments.

CONSIDERATION OF REPORTS

On Monday, 19 May, ABS Working Group Co-Chairs Timothy Hodges (Canada) and Fernando Casas (Colombia) highlighted that the sixth meeting of the Working Group established a firm and sound basis for further negotiations on an international ABS regime and, calling for sufficient resources, political support and agreement on a roadmap, said a meaningful agreement could be reached by 2010. The COP then took note of the reports of intersessional meetings (UNEP/CBD/COP/9/2 to 8).

ISSUES FOR IN-DEPTH CONSIDERATION

AGRICULTURAL BIODIVERSITY AND BIOFUELS:

Delegates considered a draft decision on the in-depth review of the work programme on agricultural biodiversity (UNEP/CBD/COP/9/3) and a document on biofuels (UNEP/CBD/COP/9/26) in WG I and various groups beginning on Tuesday, 20 May, and throughout the two weeks. The closing plenary adopted two separate decisions, on the work programme and on biofuels and biodiversity.

On the work programme, many supported ongoing implementation and welcomed collaboration with the UN Food and Agriculture Organization (FAO). Mexico said the ecosystem approach should be applied to agriculture and El Salvador called for regional workshops on the issue. The Pacific Islands and Peru urged research on climate change impacts on agricultural biodiversity.

Debate focused on biofuels. In early discussions, the EU noted the need to ensure sustainability of biofuel production and proposed establishing an *ad hoc* technical expert group (AHTEG) to develop biodiversity guidelines for industry standards. The African Group called for the precautionary approach to be applied to large-scale biofuel production, and for suspending introduction of new measures for biofuel

consumption until policy frameworks are adopted and risk and benefit assessments concluded. Brazil highlighted the contribution of biofuel production to sustainable development, food and energy security, and drew attention to the effects of developed countries' perverse agricultural incentives on world food prices. The Arab Group and others noted that biofuel issues should be considered in the context of food security.

Following lengthy discussions over process, relating to the text's length and provenance, substantive discussions focused on: the role of the Convention in addressing biofuels; reference to the precautionary approach; mention of perverse incentives; the development of voluntary or mandatory guidelines, criteria, standards, certification schemes and other sustainability tools; integration into the work of the Convention; and next steps. Delegates negotiated several "packages" of changes to the text, achieving consensus on Friday, 30 May, only after late-night consultations.

Final Decisions: The decision on the in-depth review of the work programme (UNEP/CBD/COP/9/L.34) includes sections on: implementation of activities related to assessment, adaptive management and capacity-building, and mainstreaming; the international initiatives on pollinators, soil biodiversity, and biodiversity for food and nutrition; climate change; integration of biofuels into the work programme; sustainable use; and research issues.

The COP invites parties to further develop and apply methods for assessing and monitoring status and trends of agricultural biodiversity; requests the Executive Secretary to collaborate with the FAO to identify methods and means to evaluate contributions made by the work programme; and invites the FAO, with other relevant organizations, to compile and disseminate information on: the positive and negative impacts of agricultural practices and policies on biodiversity; best practices for sustainable use and enhancement of ecosystem goods and services in agriculture; and impact of trade-related incentives.

The COP urges parties to strengthen capacity for implementation of the work programme, including through regional workshops, and to promote the effective participation of indigenous and local communities and other stakeholders when applying the ecosystem approach to agriculture. It urges parties to ensure that national sectoral and cross-sectoral plans promote the conservation and sustainable use of agricultural biodiversity, and to implement agricultural policies that contribute to the maintenance of biodiversity and discourage those that are causing biodiversity loss.

The COP also urges parties and others to promote the effective participation of indigenous and local communities and others when applying the ecosystem approach to agriculture; to strengthen dialogue with farmers; to promote opportunities to participate in national biodiversity strategies and action plans (NBSAPs) for agricultural biodiversity; and to improve the policy environment to support local-level management of agricultural biodiversity.

It encourages parties and other governments to gather lessons learned on conservation and sustainable use of agricultural biodiversity for consideration in climate-change adaptation and mitigation planning. The COP further decides to integrate the issue of biofuel production and use into the agricultural

biodiversity work programme. It urges developed country parties to fully implement their commitments regarding provision of financial support to ensure the sustainable use of agricultural biodiversity. It also urges parties to address the question of nutrient loading.

The decision on biofuels and biodiversity (UNEP/CBD/COP/9/L.35) includes sections on policy frameworks, research and monitoring, collaboration, and tools relevant for sustainable production and use of biofuels.

The COP urges parties and invites other governments, among other actions, to: promote sustainable production and use of biofuels with a view to promote benefits and minimize risks to biodiversity; promote the positive and minimize the negative impacts on biodiversity that would affect socioeconomic conditions and food and energy security; and develop and apply sound policy frameworks. The COP recognizes that supportive measures, consistent with national and regional policies, should promote the positive, and minimize the negative, impacts of biofuel production and use on biodiversity. It calls upon parties to investigate and monitor the impacts of biofuels on biodiversity and related socioeconomic aspects, and urges them to strengthen development cooperation to promote sustainable production and use of biofuels through the transfer of technologies and information exchange.

The COP recognizes the CBD's role in biodiversity-related aspects of the sustainable production and use of biofuels, and encourages parties to share experiences on the development and application of relevant tools. It encourages parties to participate in efforts addressing these matters, and encourages the private sector to improve the social and environmental performance of biofuel production, in particular through voluntary initiatives.

The COP requests the Executive Secretary to compile submissions from parties on these experiences and to convene regional workshops, and requests SBSTTA to consider these inputs and to recommend, for consideration by COP 10, ways and means to promote the positive and minimize the negative impacts of biofuel production and use.

GLOBAL STRATEGY FOR PLANT CONSERVATION: Delegates began consideration of SBSTTA recommendation XII/2 on the in-depth review of the Global Strategy for Plant Conservation (UNEP/CBD/COP/9/2) in WG I on Monday, 19 May. Many welcomed the draft decision and the draft plant conservation report (UNEP/CBD/COP/9/INF/25), and supported extending the Strategy beyond 2010. Canada recommended all targets be reviewed before COP 10, and that implementation of targets related to the sustainable use of plant biodiversity be included in the in-depth review of the Convention's work on sustainable use by COP 10. Brazil considered a review unnecessary and, with others, proposed to focus instead on supporting implementation in developing countries.

Following discussions on development and implementation of the Strategy beyond 2010, delegates agreed to delete specific reference to the potential impacts of climate change, nutrient loading and biofuels on plant biodiversity in the draft decision. On support to developing countries for enhanced implementation, delegates agreed to include those countries with

high levels of biodiversity and are centers of origin. They also agreed to request the coordination of regional workshops on implementation of the strategy, as suggested by Mexico.

Final Decision: In the decision (UNEP/CBD/COP/9/L.8), the COP urges parties to nominate focal points and develop national and regional strategies for plant conservation. It urges parties and invites others to further enhance implementation, and decides to consider the development and implementation of the Strategy beyond 2010, taking into account current and emerging environmental challenges on plant diversity, including an update of the current targets.

The COP requests SBSTTA, prior to COP 10, to provide proposals for the consolidated update of the Strategy, and to consider the review of the implementation of targets 3, 6, 9, 11, 12 and 13 that are related to sustainable use of plant diversity during the in-depth review of the work programme on sustainable use.

The COP requests the Executive Secretary, in collaboration with others, to: develop a toolkit to enhance implementation; identify regional tools for the exchange of information; facilitate capacity building, technology transfer, and financial support programmes to assist developing countries, including those with high levels of biodiversity and those that are centers of origin; and coordinate regional workshops on implementation and to compile results for consideration by SBSTTA.

INVASIVE ALIEN SPECIES: WG I considered SBSTTA recommendation XIII/5 and the in-depth review of the work programme (UNEP/CBD/COP/9/3, 11, and INF/32 and 32/Add.1), beginning on Wednesday, 21 May. A decision was approved by WG I on Thursday, 29 May, and sent to the plenary with brackets remaining.

Delegates highlighted: information-sharing; capacity building; collaboration with relevant organizations; avoiding duplication; funding needs; and addressing gaps in the international IAS framework, particularly for introduction pathways.

Discussions on the draft decision focused on: a footnote regarding Decision VI/23 (IAS), with Australia, supported by New Zealand, proposing text noting that when applying the guiding principles, parties should be consistent with their rights and obligations under relevant international agreements. The EU and Norway opposed, preferring to note that parties take into account other relevant international agreements to which they are party. No consensus was reached and the footnote was maintained.

In the closing plenary, delegates resolved issues on mechanisms to manage IAS pathways, and on the study of the impacts of other drivers, in particular land use change, climate change and climate change adaptation and mitigation activities on the introduction, establishment and spread of IAS, with Uganda agreeing to drop a reference to biofuel production. The decision was adopted as amended.

Final Decision: The decision (UNEP/CBD/COP/9/L.18) includes sections on gaps and inconsistencies in the international regulatory framework; and follow-up to the in-depth review of the work programme, which contains sub-sections on: national, regional and subregional activities and capacity building; exchange of information on best practices and lessons learned,

and development of tools; management of pathways and assessments; communication, education and public awareness; and provision of resources.

The COP encourages parties to use the risk assessment guidance and other procedures to close identified gaps on IAS. It invites the International Plant Protection Convention, the Committee on Sanitary and Phytosanitary Measures of the World Trade Organization, the FAO Committee on Fisheries, the World Organization for Animal Health and others to note the lack of international standards covering IAS and to consider whether and how to contribute to addressing this gap.

The COP reaffirms the need for parties and other governments to develop and implement national and regional policies, strategies and/or programmes for addressing IAS and for effective coordination among relevant agencies. It invites parties to collaborate on the development and use of early warning systems and rapid response mechanisms, and invites them and others to build capacity to address how climate affects the risks associated with IAS. It invites parties and others to submit case studies, lessons learned and best practices on IAS and urges those that have not done so to ratify the International Convention for the Control and Management of Ships' Ballast Water and Sediments.

The COP invites parties and others to study the impact of other drivers of biodiversity loss, in particular land-use change, climate change and climate change adaptation and mitigation activities, on the introduction, establishment and spread of IAS, and their related socioeconomic, health and environmental impacts. It further invites parties to strengthen national communication and synergies across sectors, and requests the Executive Secretary develop training materials in support of awareness-raising.

The COP reiterates its invitation to the GEF to fulfill the tasks outlined in many of its decisions.

FOREST BIODIVERSITY: WG I began consideration of SBSTTA recommendation XIII/2 (UNEP/CBD/COP/9/3) on forest biodiversity on Tuesday, 20 May. A contact group and a Friends of the Chair group were later established.

Issues highlighted include: the need for adequate and innovative financial support and effective forest governance; resolving land tenure issues; reducing emissions from deforestation and collaboration with the UNFCCC; and the impact of the production and consumption of biomass for energy. GM trees, control on trade in illegal timber and forest products, and references to impacts of climate change were among the more contentious issues.

The African Group called for suspending the release of GM trees until risk assessments are carried out. The EU, Brazil and others favored referring to the precautionary approach. After high-level consultations, delegates agreed to reaffirm the precautionary approach and only authorize the release of GM trees after completion of studies in containment as well as thorough, comprehensive and transparent risk assessments. Australia, supported by New Zealand, added a reference to "science-based" risk assessments. The EU called for control of illegal logging, with South Africa requesting continued work on timber licensing and trade to ensure only legal products enter the market. Brazil and Colombia, opposed by Japan and others, favored deleting text on voluntary licensing and tracking of

illegally harvested forest products. Regarding implementation of market-based certification schemes, as well as of innovative tools such as payments for ecosystem services, delegates agreed that these should be "consistent and in harmony with the CBD and other relevant international obligations." On impacts of climate change on forest biodiversity, delegates eventually accepted language arrived at by the group addressing climate change and biodiversity.

Final Decision: In the decision (UNEP/CBD/COP/9/L.33), the COP recognizes the urgent need to strengthen implementation of the work programme to reach the 2010 target, and urges parties to, among other activities:

- address obstacles to sustainable forest management and seek to resolve land tenure and resource rights and responsibilities;
- strengthen efforts on forest PA networks and ecological connectivity, and on sustainable financing;
- promote scientific research to better understand the impacts of climate change, including mitigation and adaptation activities, and environmental degradation on forest biodiversity and on the livelihoods of indigenous and local communities;
- promote and implement sustainable forest management and the ecosystem approach in all types of forests;
- strengthen forest law and governance at all levels; and
- recognize the potential role of voluntary market-based certification schemes, tracking and chain-of-custody systems, and public and private procurement policies, which promote the use of timber and non-timber forest products originating from sustainably managed forests and that are produced in accordance with relevant national legislation and applicable standards consistent and in harmony with the Convention and other relevant international obligations.

On GM trees, the COP urges parties to:

- reaffirm the need to take a precautionary approach;
- authorize the release of GM trees only after completion of studies in containment, addressing long-term effects as well as thorough, comprehensive, science-based and transparent risk assessments;
- acknowledge the entitlement of parties, in accordance with their domestic legislation, to suspend the release of GM trees; and
- welcome the AHTEG on Risk Assessment and Risk Management, established under the Cartagena Protocol, and request the Executive Secretary to make available the outcome of its work for consideration by COP 10.

The COP invites parties, other governments, and relevant organizations to:

- ensure that possible actions for reducing emissions from deforestation and forest degradation do not run counter to the Convention's objectives but support implementation of the work programme and provide benefits for forest biodiversity, and, where possible, to indigenous and local communities;
- address both, direct and indirect, positive and negative impacts that the production and use of biomass for energy, in particular large-scale and/or industrial production and use, might have on forest biodiversity and on indigenous and local communities; and
- further develop knowledge on forest ecosystem services, and implement, as appropriate, innovative tools for securing such services, such as payments for ecosystem services.

The COP requests the Executive Secretary to facilitate thematic workshops to support parties in implementing the work programme, and collaborate with the other members of the Collaborative Partnership on Forests in order to support parties' efforts to address reducing emissions from deforestation and forest degradation in developing countries in the framework of the UNFCCC.

INCENTIVE MEASURES: Delegates first addressed the in-depth review of the work programme (UNEP/CBD/COP/9/12, Add.1 and Add.2) in WG I, on Wednesday, 21 May. Debate centered on the creation of perverse incentives, especially in mitigating or adapting to climate change. Brazil, supported by Argentina and others, proposed the inclusion of language on compiling and analyzing information on perverse incentives for agriculture, including for biofuel production and use, and on their negative impacts on the livelihoods of the rural poor and on the biodiversity of other countries. This was opposed by the EU and others, and the paragraph remained bracketed.

Norway, opposed by Brazil, suggested using language from COP Decision VIII/26 (incentive measures) on "taking into account other international instruments" to replace references to the need to be "consistent with international obligations or agreements" throughout the text. These references remained bracketed until informal consultations during the closing plenary where delegates agreed to be "consistent and in harmony with the Convention and other relevant international obligations" and the decision was amended accordingly.

Bracketed language requesting the Executive Secretary to compile and analyze relevant information on perverse incentive measures to agriculture, including biofuel production and use and on their negative impacts of rural livelihoods was deleted during the closing plenary. Following consultations, the EU accepted reference to perverse incentives and the impacts on livelihoods and biodiversity, and the brackets were removed.

Final Decision: The decision (UNEP/CBD/COP/9/L.16) emphasizes that incentive measures should contribute to the conservation of biodiversity and the sustainable use of its components and not negatively affect biodiversity and livelihoods of other countries.

The COP decides to put more emphasis on work programme implementation through information sharing and, subject to availability of funds, on, *inter alia*: assessment of the values of biodiversity and ecosystem services; development of methods to promote science-based information on biodiversity in consumer decisions; provision of guidance on promotion of sustainably-produced biodiversity-based products; and studies on markets and payment schemes for ecosystem services.

The COP invites parties and others to ensure that possible actions for reducing emissions from deforestation and forest degradation in developing countries provide benefits for forest biodiversity and, where possible, to indigenous and local communities. The Executive Secretary is requested to: convene an international workshop on the removal and mitigation of perverse incentives, and the promotion of positive ones; compile and analyze information on their impacts; and examine how monitoring can support the implementation of valuation tools and positive incentive measures.

The COP invites relevant organizations to undertake, and requests the Executive Secretary to encourage, further studies on payments for ecosystem services and other positive incentive measures, and look into whether designating indigenous and local communities or local authorities as recipients of payments could help address equity considerations and into the practical implementation of payment schemes.

ECOSYSTEM APPROACH: Delegates began consideration of SBSTTA recommendation XII/1 on the in-depth review of the application of the ecosystem approach (UNEP/CBD/COP/9/2) in WG I on Wednesday, May 21. Many parties noted the importance of the ecosystem approach in achieving the CBD's objectives. The African Group, with others, emphasized the need for capacity building, enhanced public awareness, and financial resources. Central and Eastern Europe called for guidelines on applying the approach. China noted it should be applied in a flexible manner, and cautioned against developing standards, guidelines and tools.

Discussions on the draft decision centered on: an invitation to parties to consider land tenure and marine issues; support for indigenous and local communities in applying the approach consistent with customary sustainable use; and a reference to the application of the approach being most effective at the local level.

In the closing plenary, delegates removed brackets on a reference to climate-change response activities, accepting wording on "climate change adaptation and mitigation activities."

Final Decision: In the decision (UNEP/CBD/COP/9/L.11), the COP urges parties to promote the use of the ecosystem approach in all sectors by implementing capacity-building initiatives, including regional training workshops and tools; and facilitating the full and effective participation of indigenous and local communities.

The COP invites parties to: take into account the application of the ecosystem approach in achieving the MDGs and climate change adaptation and mitigation activities; develop effective cooperation at all levels for the application and monitoring of the approach; and provide financial and technical support for indigenous and local communities to carry out case studies and projects applying the approach consistent with national laws and traditional sustainable use and resource management systems.

The COP invites the FAO to further apply the approach, and UNESCO and the Ramsar Convention to further their activities in relation to it, and the GEF and others to provide financial support for implementation, and encourages donors to apply it in providing aid assistance.

PROGRESS IN THE IMPLEMENTATION OF THE STRATEGIC PLAN AND TOWARDS THE 2010 TARGET:

On Monday, 19 May, WG II first considered the review of the CBD Strategic Plan (UNEP/CBD/COP/9/14/Rev.1 and Add.1 and 2) and the third Global Biodiversity Outlook (GBO 3) (UNEP/CBD/COP/9/15). Regarding GBO 3, many called for an effective communication strategy and for a concrete Strategic Plan focusing on National Biodiversity Strategies and Action Plans (NBSAPs), biodiversity mainstreaming, and indicators, with several supporting the 2010 Biodiversity Indicators

Partnership. Delegates requested 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. Delegates agreed to suggest the new strategic plan provide for national monitoring and reporting. The draft decision was approved on Monday, 26 May.

Delegates also considered a draft decision on review of implementation of goals 2 and 3 of the Strategic Plan (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. On Monday, 26 May, the draft decision was approved as amended.

Final Decisions: In the decision on GBO 3 (UNEP/CBD/COP/9/L.3), the COP welcomes the scope, format and work plan for GBO 3 and requests the Executive Secretary to proceed with its preparation and to notify organizations participating in the Biodiversity Indicators Partnership of the timetable for preparing various GBO 3 products inviting them to make available the latest scientific information; and requests the GEF and invites parties and other donors to make timely financial contributions.

In the decision on the process for revising the Strategic Plan (UNEP/CBD/COP/9/L.10) the COP: requests the *Ad Hoc* Open-ended Working Group on Review of Implementation (WGRI) at its third session to undertake an in-depth review of progress towards goals 1 and 4 of the Strategic Plan; decides to consider at COP 10 the Multi-Year Programme of Work 2011-2022; and sets out an indicative timetable for intersessional work to revise and update the Strategic Plan.

In the decision on review of implementation of goals 2 and 3 of the Strategic Plan (UNEP/CBD/COP/9/L.9), the COP: emphasizes NBSAPs and legislative frameworks as key CBD implementation tools and highlights practical implementation and notes with concern insufficient funding and mainstreaming of biodiversity. Regarding NBSAPs, the COP urges parties to develop them and sets out possible elements and guidance including on: support processes; monitoring and review; priority areas for capacity building and technology transfer; and mechanisms for CBD implementation.

FINANCIAL RESOURCES: On Tuesday, 20 May, WG II started considering financial resources, including: an in-depth review of the availability of financial resources (UNEP/CBD/COP/9/16); the draft strategy for resource mobilization (UNEP/CBD/COP/9/16/Add.1/Rev.1); and the message on biodiversity and financing to the Follow-Up Conference on Financing for Development to Review Implementation of the Monterrey Consensus (UNEP/CBD/COP/9/16/Add.2). Developing countries called for: new and additional funding; fulfillment of funding commitments; facilitated access to GEF funding; and prioritized funding for poverty alleviation projects. Developed countries acknowledged the need for increased funding, but urged developing countries to prioritize biodiversity conservation. The African Group supported the proposed economic analysis of the cost of biodiversity loss, while Norway opposed requesting

the Executive Secretary conduct it. Following consideration in the working group, the issues were referred to a contact group, co-chaired by Izabella Koziell (UK) and Jafar Barmaki (Iran).

The contact group first addressed the draft Bonn message on finance and biological diversity. Delegates agreed to refer to appropriate access to genetic resources and access to technologies. They further discussed the call for governments and relevant organizations to increase financial resources for the efficient implementation of NBSAPs. Delegates agreed to stress South-South cooperation as an effective complementary tool to North-South cooperation.

On the in-depth review of availability of resources, delegates agreed to add preambular references: recognizing that local communities “may” be subject to high conservation costs; and that effective national systems and a supportive international regime on ABS could support sustainable use and conservation of biodiversity and its associated ecosystem services, including through generating financial returns.

The contact group debated a decision on, and the annexed strategy for, resource mobilization for achieving the three CBD objectives. Regarding the draft decision, delegates included a proposal for a process reviewing the strategy’s implementation. They did not include a proposal to establish an AHTEG on innovative financial mechanisms, but rather agreed to request the Executive Secretary to prepare a document about policy options on innovative financial mechanisms for review at WGRI 3. Delegates then discussed the proposed goals and objectives of the strategy and introduced indicators to measure funding trends. Many developing countries requested to refer specifically to the target that developed countries dedicate 0.7 % of their gross national product as official development assistance, and developed countries agreed to refer more generally to the Monterrey Consensus of the UN Conference on Financing for Development. Delegates amended references to: encouraging parties to the UNFCCC and its Kyoto Protocol to take into account biodiversity in the climate change funding mechanisms; the Paris Declaration on Aid Effectiveness; and positive incentives and ecosystem services, taking into account other international obligations.

The most controversial issue was the mission of the resource mobilization strategy. Many developed countries supported aiming to substantially enhance international financial flows and domestic funding for biodiversity. Developing countries supported another option with the target to substantially increase, and at least double by 2018, annual international financial flows, and to increase by 50% annual domestic funding (measured against 2008 levels). Some opposed such a quantitative target, pointing to lack of information about current funding levels and internationally agreed methodologies and baselines. Others argued that a quantifiable commitment is key to making the strategy efficient.

Following informal consultations, delegates agreed that the target of the strategy is to substantially enhance international financial flows and domestic funding for biodiversity and that this is a flexible framework for the development of measurable targets and/or indicators addressing all relevant funding sources, according to national priorities and capacities, and taking into account the situation of developing countries.

During the closing plenary, delegates agreed to wording that economic incentives be developed in harmony with other relevant international obligations.

Final Decision: The decision (UNEP/CBD/COP/9/L.37) contains sections on: in-depth review of the availability of financial resources; the draft strategy for resource mobilization; and the Message on Biodiversity and Finance to the Follow-Up Conference on Financing for Development.

Regarding in-depth review of the availability of financial resources, the COP underlines that effective national systems and an international ABS regime could support sustainable use and conservation of biodiversity and its associated ecosystem services, including through generating financial returns; and recognizes that local communities and governments in developing countries may be subject to high conservation opportunity costs.

The COP encourages parties and relevant organizations to: improve existing financial information; assess economic costs of biodiversity loss; and engage in South-South cooperation as a complement to North-South cooperation. It further urges the GEF to continue to mobilize co-financing and other modes of financing for GEF projects and to include indigenous and gender perspectives in the financing of biodiversity. It invites the COP/MOP to the Kyoto Protocol to request the Adaptation Fund Board to consider the co-benefits of biodiversity and its ecosystem services in its projects.

The COP adopts the Strategy for Resource Mobilization in support of the achievement of the three CBD objectives, and invites parties and relevant organizations to take prompt actions to implement it. It decides to review the implementation of the Strategy at COP 10 on the basis of submissions by parties to be compiled by the Executive Secretary for consideration by WGRI 3, which in turn is requested to prepare a list of concrete activities and initiatives to achieve the goals of the Strategy. The decision also adopts a process to prepare for the implementation of the Strategy's Goal on innovative funding mechanisms.

The annexed Strategy for Resource Mobilization for the period 2008-2015 includes sections on urgency, mission, guiding principles, strategic goals and objectives, and implementation. The mission states that: the target of the Strategy is to substantially enhance international financial flows and domestic funding for biodiversity in order to achieve a substantial reduction of the current funding gaps in support of the effective implementation of the three CBD objectives and the 2010 target. The target should be viewed as a flexible framework for the development of measurable targets and/or indicators addressing all relevant funding sources according to national priorities and capacities and taking into account the special situation of developing countries.

The COP adopts the Bonn Message on Finance and Biodiversity, and requests the COP 9 President to transmit the message to the UN General Assembly (UNGA) President for consideration by the Follow-Up International Conference on Financing for Development.

The annexed Bonn Message on Finance and Biodiversity: sets out the deep concern by COP 9 participants about the unprecedented rate of biodiversity loss and associated decline in ecosystem services and the consequences of biodiversity

loss on the poor; recalls the urgent need to redouble efforts to meet the 2010 target; and highlights the need to integrate financing for biodiversity into the decisions of the Follow-Up International Conference on Financing for Development. The proposed elements for a decision include that governments and relevant organizations should: increase financial resources for the effective and efficient implementation of NBSAPs; integrate the contribution of biodiversity into their poverty reduction strategies; support completion of an international ABS regime by 2010; and develop and implement effective and innovative mechanisms to promote the three CBD objectives.

FINANCIAL MECHANISM: On Tuesday, 20 May, WG II started considering the third review of the effectiveness of the financial mechanism (UNEP/CBD/COP/9/17) and guidance to the financial mechanism, including the proposed four-year framework (2010-2014) of programme priorities related to utilization of GEF resources for biodiversity (UNEP/CBD/COP/9/24).

The GEF presented its report (UNEP/CBD/COP/9/9). Many developing countries demanded that the GEF take into account national priorities and COP guidance, noting that some pressing issues, such as traditional knowledge, are not GEF priorities. The African Group called for a review of the GEF Resource Allocation Framework and demanded a specific allocation for biodiversity-related activities. Following consideration in the working group, the issues were referred to the contact group on financial resources and mechanism.

The third review of the effectiveness of the financial mechanism was considered by the contact group at the outset, and agreement was easily reached. The group then discussed the draft decision on input to the fifth replenishment of the financial mechanism, including an annex on the four-year framework of programme priorities related to utilization of GEF resources for biodiversity. Delegates agreed to build on the GEF-4 strategy for the biodiversity focal area, although some expressed concern that it focused too much on conservation. They included elements on sustainable use and a programme priority on the third CBD objective (benefit-sharing). Delegates also revised a programme priority area on improving national capacity to implement the CBD and the Cartagena Protocol on Biosafety.

The contact group prepared additional guidance to the financial mechanism by compiling references from different draft decisions containing requests to the GEF and, where necessary, revising them to ensure consistency with the GEF mandate.

During the closing plenary, bracketed references in the paragraph on PAs, regarding climate change mitigation and adaptation, were deleted and reference was made to "addressing climate change." Delegates further agreed to refer to incentive measures that are supportive of all three CBD objectives and to delete any reference to trade distortion and conformity with international obligations, including in the World Trade Organization (WTO), in the four-year framework of programme priorities.

Final Decision: The decision (UNEP/CBD/COP/9/L.38) consists of three sections on: the third review of effectiveness of the financial mechanism; input to the fifth GEF replenishment, with the annexed four-year framework; and additional guidance to the financial mechanism.

Regarding the third review of the effectiveness of the financial mechanism, the COP requests the GEF Council to take actions to improve the effectiveness of the financial mechanism by, *inter alia*: improving result-based reporting on the total contribution of the GEF to achieving the CBD objectives; and addressing capacity restraints in developing country parties with regard to implementation of the Resource Allocation Framework.

Regarding input to the fifth replenishment, the COP: encourages strengthened dialogue between the CBD Executive Secretary and the GEF Chief Executive Officer, and national cooperation between focal points for the CBD, multilateral environmental agreements and the GEF; and suggests consideration of the programme priorities during the fifth GEF replenishment.

The annexed four-year framework (2010-2014) of programme priorities related to utilization of GEF resources contains six programme priority areas and lists respective expected outcomes.

The section on additional guidance to the financial mechanism contains provisions on the Cartagena Protocol on Biosafety; the GBO; technology transfer and cooperation; the CHM; biodiversity strategies; the ecosystem approach; engagement of stakeholders; the Global Invasive Species Programme; and PAs.

OTHER SUBSTANTIVE ISSUES

ACCESS AND BENEFIT-SHARING: ABS was considered throughout the two weeks in an informal consultative group (ICG), co-chaired by ABS Working Group Co-Chairs Fernando Casas (Colombia) and Timothy Hodges (Canada), held in parallel to the working group meetings. Small groups convened to elaborate the terms of reference for proposed intersessional groups of legal and technical experts and to address substantive components of the international regime.

On Wednesday, 21 May, in WG II, the Co-Chairs reported on the outcome of the sixth meeting of the ABS Working Group (ABS 6), noting that the meeting's report (UNEP/CBD/COP/9/6) contains an annex compiling the regime's main components. They also suggested establishing the ICG, and presented a road map and workflow indicating the number, timing and possible agendas for three meetings of the ABS Working Group and three additional expert group meetings before COP 10. Most regional groups welcomed the roadmap and called for a clear decision on the process to complete negotiations. The Group of 77 and China (G-77/China) and developing country regional groups called for a strong and legally binding regime to serve as an incentive for conservation and sustainable use.

Most of the deliberations in the ICG and small group discussions focused on the road map for future meetings and the expert group's terms of reference. Delegates agreed there would be three Working Group meetings, each preceded by two days of regional and inter-regional consultations, and that the outcome of ABS 6 should form the basis for further negotiation.

Delegates agreed to include a reference specifying that the Working Group should complete its work "so as to enable the regime's adoption by COP 10" thus ensuring that the six-month deadline for adopting legally-binding instruments prior to the COP will be met. On the duration of the Working Group meetings, delegates agreed to convene three meetings over seven consecutive days, while leaving flexibility to adjust duration, if needed.

A contentious debate ensued over the process for submitting operational texts for further elaboration of the regime's main components. 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 text and views on all components, a proposal that was eventually accepted.

A small group negotiated the terms of reference for the expert group meetings and often faced disagreement over whether suggested issues should be addressed by an expert group or by the Working Group only, due to their political nature. The most contentious of these issues was the consideration of minimum access standards, supported by user countries, but strongly opposed by provider countries. Similar divergences appeared when provider countries introduced a question on compliance regarding materials accessed or collected before the CBD's entry into force. Both of these items were discarded in order to overcome the impasse. Other proposals for expert group consideration included: compliance; traditional knowledge; use of international private and public law; certificates; scope; and definitions of genetic resources, use and derivatives. On traditional knowledge, many cautioned against duplicating the work of the Article 8(j) Working Group. Some suggested that the expert groups consider model ABS contracts or clauses, opposed by others who maintained that such clauses are already contained in the Bonn Guidelines and that their use in the international regime is a political issue to be discussed in the ABS Working Group.

The most critical issue was a reference expressing commitment to negotiate towards a legally-binding regime. The G-77/China stated that their acceptance of the terms of reference for the expert group meetings and their willingness to continue negotiations was predicated on acceptance of a reference instructing the Working Group to identify those components that should be addressed through legally-binding measures in the regime. This was opposed by some user countries who felt that this would prejudice the decision to be taken by COP 10. After informal consultations, delegates agreed to a formulation based on the understanding that the Working Group identify components that should be legally binding and negotiate them accordingly after the consideration of operative texts on these components.

On Thursday, 29 May, a small group, co-chaired by René Lefeber (the Netherlands) and Sem Shikongo (Namibia), convened to identify which of the components laid out in the annex of the ABS 6 report for further consideration (bullets) could be turned into components for further elaboration and inclusion in the international regime (bricks). Many pushed for identifying additional components on compliance as bricks, opposed by a few delegations who argued that the link between compliance and access should be resolved first. After lengthy discussions, these parties stated they preferred to await the report of the expert group on compliance. Delegates then agreed to turn a bullet on directing benefits towards conservation and sustainable use of biodiversity into a brick; and to move a bullet on model clauses for inclusion in material transfer agreements to

a section on capacity building, where it was turned into a brick after deleting reference to “standardized benefits.” Delegates considered a Co-Chairs’ text on scope consolidating options that had been suggested at ABS 6. The text was bracketed and included in the annex, along with two original options. The ICG then approved the revised draft decision with an amendment reflecting changes made by the small group.

Final Decision: In the decision (UNEP/CBD/COP/9/L.27), the COP, *inter alia*: acknowledges the potential role of the CHM; recognizes the importance of the participation of indigenous and local communities in the elaboration and negotiation of the regime; and takes note of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

The COP, *inter alia*:

- decides that Annex I should be the basis for further elaboration and negotiation of the regime;
- reiterates its instruction to the ABS Working Group to complete the elaboration and negotiation of the ABS regime at the earliest possible time before COP 10, in accordance with decision VII/19 D and decision VIII/4 A;
- further instructs the Working Group to submit for consideration and adoption by COP 10 an instrument/ instruments to effectively implement CBD Articles 15 (ABS) and 8(j);
- decides that the ABS Working Group should meet three times prior to COP 10 and that each meeting should be preceded by regional and interregional consultations;
- decides that, subject to funds, each meeting will be held over seven consecutive days;
- instructs the ABS Working Group, after negotiating operational text at ABS 7, to start ABS 8 by negotiating operative text on nature, followed by clearly identifying the regime’s components that should be addressed through legally-binding measures, non-binding measures or a mix of the two, and to draft these provisions accordingly;
- invites parties and others to submit views and proposals including operational text, where relevant, in respect to the main components listed in Annex I;
- decides to establish three technical and legal expert groups according to the terms of reference laid out in Annex II;
- requests the Executive Secretary to commission studies and to invite experts to address the ABS Working Group on a number of issues, as listed in the decision;
- invites parties, donors and others to provide financial support to regional workshops of indigenous and local communities, the outcomes of which could feed into the expert groups on compliance and traditional knowledge; and
- invites the GEF to strengthen efforts to implement its strategic programme on ABS capacity building in order to enable parties to elaborate, negotiate and implement the international regime.

The decision includes two annexes: Annex I contains the draft text and main components of the international regime, which were adopted at ABS 6 and modified at COP 9.

Annex I is structured into sections on objective, scope, main components, and nature. The section on objective contains bracketed text from ABS 6. The section on scope contains three options, with one elaborated at COP 9 being a heavily

bracketed consolidated text of the options adopted at ABS 6 and two of the retained original options. The section on main components contains subsections on: fair and equitable benefit-sharing, access to genetic resources, compliance, traditional knowledge associated with genetic resources, and capacity. Each subsection contains components for further elaboration with the aim of incorporating them in the international regime (bricks) and components for further consideration (bullets). The subsection on fair and equitable benefit-sharing contains a new brick on mechanisms to be directed towards the conservation and sustainable use of biodiversity and socioeconomic development, in particular the MDGs. The section on capacity contains a new brick on development of menus of model clauses for potential inclusion in material transfer agreements.

Annex II contains the terms of reference for three expert groups. The terms for the expert group on compliance include: measures that are available, or could be developed, in public and private international law, to facilitate access to justice and courts, support mutual recognition and enforcement of judgments across jurisdictions, and provide remedies and sanctions; voluntary measures to enhance compliance of users of foreign genetic resources; how internationally agreed definitions of misappropriation and misuse of genetic resources and associated traditional knowledge could address challenges arising from the lack of compliance; and the need for particular compliance measures for research.

The expert group on concepts, terms, working definitions and sectoral approaches will consider, *inter alia*: different ways of understanding biological resources, genetic resources, derivatives and products and their implications for the development of the regime’s main components; different forms of genetic resource use in relation to sectoral and subsectoral activities; sector-specific characteristics of ABS arrangements, including differences in approaches between sectors and options and approaches for taking these differences into account.

The expert group on traditional knowledge associated with genetic resources will consider, *inter alia*: the relationship between access to and use of genetic resources and associated traditional knowledge; community-level procedures and to what extent customary laws regulate access to genetic resources and associated traditional knowledge; and how to define traditional knowledge associated to genetic resources in the context of ABS.

ARTICLE 8(J): On Wednesday, 21 May, WG II first considered the report of the Article 8(j) Working Group, containing a draft decision (UNEP/CBD/COP/9/7). COP 9 only addressed and resolved all bracketed provisions of the draft decision.

Many supported the full and effective participation of indigenous peoples and local communities, including in the ABS Working Group, and mainstreaming Article 8(j) into all CBD work programmes. The EU, Mexico, Bolivia and Ecuador urged using UNDRIP as a framework for work on Article 8(j). Delegates debated references to prior informed consent (PIC) of indigenous and local communities, which Colombia, Brazil and the EU supported retaining, while Canada wanted to stipulate it be “in accordance with national law,” and Australia proposed referring to “approval in accordance with national law” instead.

Most delegates affirmed their commitment to continue the Article 8(j) Working Group. Many delegates supported convening it back-to-back with the ABS Working Group, while the International Indigenous Forum on Biodiversity and Canada proposed holding it back-to-back with SBSTTA 14.

The EU proposed updating the Article 8(j) work programme with a focus on interlinkages with major CBD thematic areas, such as biodiversity and climate change, protected areas and agricultural biodiversity; while New Zealand and Australia suggested a focus on selected tasks, with Canada proposing development of a global strategy for biodiversity conservation and sustainable use by indigenous and local communities, and guidelines on conservation decision-making and sustainable resource management.

On the composite report, the African Group and Norway, requested retaining references to impacts of climate change adaptation and mitigation activities, which Brazil and Colombia opposed. Australia, opposed by Nigeria, suggested referring to climate change responses instead.

An ICG on Article 8(j), co-chaired by Tone Solhaug (Norway) and Alfred Oteng-Yeboah (Ghana), was established to address outstanding issues. Delegates agreed to reference indigenous PIC throughout the draft decision, by agreeing to a preambular paragraph noting that the decision should be interpreted in accordance with the Convention, in particular Article 8(j). Delegates concurred that the sixth meeting of the Article 8(j) Working Group should be held back-to-back with an appropriate meeting, prior to ABS 8.

Regarding the Article 8(j) work programme, delegates debated the two alternative proposals: one focusing on CBD thematic areas; and the other on developing a strategy for conservation and sustainable use, and guidelines in conservation decision-making and sustainable resource management, with some warning that the latter proposal does not reflect indigenous peoples' priorities. Indigenous representatives and others insisted on addressing tasks currently foreseen in the work programme. Delegates agreed to initiate work on task 15 (repatriation of information) following deletion of a specific reference to the proposed guidelines. They also decided to initiate work on task 7 (guidelines for benefit-sharing and PIC), 10 (guidelines for prevention of unlawful appropriation of traditional knowledge) and 12 (guidelines to guarantee indigenous rights over traditional knowledge), to identify effective contributions to the ongoing work on *sui generis* systems, the code of ethical conduct and the international ABS regime. Delegates called for submissions on "desirability and potential elements" of a strategy on conservation and sustainable use and for an in-depth review of the work programme at COP 10.

On Thursday, 29 May, WG II discussed a draft decision taking note of UNDRIP in a preambular reference. Regarding the composite report, the EU, opposed by South Africa, proposed a reference to the international expert meeting on responses to climate change for indigenous and local communities in the Arctic. Delegates agreed to "take it into account." The draft decision was approved with these amendments.

In the closing plenary, brackets around references to climate change mitigation and adaptation were removed and the language was made consistent with other decisions to read "mitigation and adaptation activities."

Final Decision: The decision on Article 8(j) (UNEP/CBD/COP/9/L.25) contains sections on:

- the progress report on the implementation of the Article 8(j) work programme;
- the composite report on status and trends regarding traditional knowledge;
- considerations for guidelines for documenting traditional knowledge;
- the plan of action for retention of traditional knowledge;
- participatory mechanisms for indigenous and local communities in the Convention;
- development of elements of *sui generis* systems for the protection of traditional knowledge;
- elements of an ethical code of conduct with the annexed draft elements for such a code;
- indicators for assessing progress towards the 2010 biodiversity target; and
- recommendations of the UN Permanent Forum on Indigenous Issues (UNPFII).

The decision contains preambular references taking note of UNDRIP and the International Expert Meeting on responses to climate change for indigenous and local communities in the Arctic Region; and also notes that for the purpose of this decision, protection of traditional knowledge should be interpreted in accordance with the CBD and in particular Article 8(j). References to PIC of indigenous and local communities and climate change and mitigation activities were unbracketed throughout the text.

In the section on the progress report on the implementation of the Article 8(j) work programme, the COP decides:

- to hold one meeting of the Article 8(j) Working Group back-to-back with an appropriate meeting, prior to ABS 8;
- to initiate tasks 7, 10 and 12 of the work programme;
- to invite parties, indigenous and local communities and other organizations to identify the effective contribution of the Article 8(j) Working Group to ongoing work, in particular *sui generis* systems, the ethical code of conduct and the international regime on ABS;
- to initiate task 15 in order to facilitate the recovery of traditional knowledge; and
- to encourage parties and indigenous and local communities to provide submissions on the desirability and potential elements of a strategy for conservation and sustainable use, including customary use, of biodiversity by indigenous and local communities, aimed at empowering and strengthening the role of indigenous peoples and local communities in decision-making processes at local, national and international levels.

TECHNOLOGY TRANSFER AND COOPERATION: On Tuesday, 20 May, WG II began consideration of a draft strategy for implementing the work programme on technology transfer, possibilities for a biodiversity technology initiative (BTI), and a study on the role of intellectual property rights (IPRs)

in technology transfer (UNEP/CBD/COP/9/18, 18/Add.1 and INF/7). A draft decision was approved by WG II on Friday, 23 May.

Many developing countries said technology transfer should be based on national and local needs, and Brazil emphasized joint technology development and complementary mechanisms such as South-South and triangular cooperation. Many welcomed the BTI, with Canada suggesting it be hosted by the CBD Secretariat, and Thailand proposing developing a list of criteria for selecting its host institution.

Discussion on a draft decision focused on: the BTI; the role of IPRs in technology transfer; a Brazilian proposal to request the Executive Secretary to explore options for a fast-track mechanism to allow access to technology in the public domain; a G-77/China proposal to encourage parties to engage in South-South technology transfer and cooperation; and a list of research examples on the role of IPRs in technology transfer. Delegates also debated language specifying areas for GEF fast-track funding and agreed to request the GEF to continue supporting national programmes for conservation and sustainable use, and consider the possibility of providing funding under enabling activities for the provision of capacity building on, *inter alia*, technologies for conservation and sustainable use, and governance and regulatory frameworks associated with access to and transfer of technology and innovation.

Final Decision: The decision (UNEP/CBD/COP/9/L.5) includes sections on: the strategy for the practical implementation of the work programme on technology transfer and technological and scientific cooperation; a BTI; the technical study on the role of IPRs in technology transfer; information systems; cooperation; funding mechanisms; and an annexed strategy for the practical implementation of the work programme.

The COP requests the Executive Secretary to: identify options for activities to be included in a prospective BTI, and for its structure, functioning and governance; complete the list of criteria for selecting the host institution; and submit the options and criteria to WGRI 3.

The COP takes note of the technical study on the role of IPRs in technology transfer; requests the Executive Secretary to allow for quicker financing and access by developing countries to relevant technologies in the public domain; and invites relevant organizations to undertake further research on the role of IPRs in technology transfer.

The COP encourages parties to engage in South-South technology transfer and cooperation, and underlines the importance of cooperation with relevant processes in other conventions and international organizations.

The annexed strategy includes sections on: objectives and background; conceptualizing and defining technology transfer and scientific and technological cooperation; enabling environment on the receiving end; enabling environment on the providing end; facilitating mechanisms; the role of champions and the possible establishment of a biodiversity technology initiative; and funding mechanisms.

MONITORING, ASSESSMENTS AND INDICATORS: On Monday, 26 May, WG II began consideration of 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. A draft decision was approved by WG II on Thursday, 29 May.

Discussion focused on UNEP's initiative to develop an intergovernmental multi-stakeholder approach to strengthen the science-policy interface on biodiversity and ecosystem services. Delegates agreed to invite parties to ensure that appropriate science and policy experts attend. Brazil, Argentina and the African Group opposed "welcoming" the consultative process towards an international mechanism of scientific expertise on biodiversity (IMoSEB).

Final Decision: In the decision (UNEP/CBD/COP/9/L.19), the COP invites parties and others to promote and support, where appropriate, response scenarios that build on the framework and experiences of biodiversity assessments, such as the MA. The COP also invites parties, when designing integrated assessments, to consider taking into account, *inter alia*, the engagement of stakeholders, the MA principles, conceptual framework and results.

The COP invites parties to: take note of the need for further improvement of the availability and interoperability of biodiversity data and information; consider the MA framework and experiences in preparing in-depth reviews of the CBD work programmes and a revision of the Strategic Plan beyond 2010; and make full use of the MA framework and findings in NBSAP review and implementation.

The COP takes note of the IMoSEB outcomes, and welcomes UNEP's intergovernmental multi-stakeholder meeting on an international science-policy interface on biodiversity, ecosystem services and human wellbeing, inviting parties to ensure that appropriate science and policy experts attend, from various regions and disciplines. It requests WGRI 3 consider the outcome of this intergovernmental meeting and make recommendations for review by COP 10.

BIODIVERSITY AND CLIMATE CHANGE: Delegates first considered SBSTTA recommendations XII/5 and XIII/6 (UNEP/CBD/COP/9/2 and 3) on Friday, 23 May, and during informal consultations. Delegates debated at length references to "climate change mitigation and adaptation activities" and/or "climate change adaptation and climate change response activities," which remained bracketed throughout the text until high-level intervention resolved this matter on Thursday, 29 May. Paula Lehtomäki, Finland's Minister of the Environment, informed delegates that consensus had been reached in high-level consultations to use the term "climate change adaptation and mitigation activities." Delegates discussed whether and how to apply the ministerial advice, with Norway, the EU and others favoring its use, and Australia and Brazil noting parties still had the discretion to insert their own text. Delegates agreed to conform to ministerial guidance.

The issue of ocean fertilization was the focus of sustained attention throughout the meeting. The African Group and Costa Rica welcomed the proposed precautionary approach regarding large-scale ocean fertilization, and the EU, Norway, Venezuela, the Philippines and others called for a moratorium on *in situ* ocean fertilization. Canada called for parties to act in accordance with the London Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter,

while a coalition of NGOs warned against this and other “false solutions” to climate change. Following high-level consultations, Ghana informed delegates that ministers had expressed preference for an option comprising the precautionary approach, to ensure that ocean fertilization activities do not take place until there is an adequate scientific basis to justify such activities. Many delegations supported the ministerial guidance on this issue. Brackets on related text were then lifted. Subsequently, Ghana, supported by China, Norway, the Seychelles and others, also proposed adding “to determine that adverse impacts to the environment and marine ecosystems do not occur and to justify such activities” to the ministers’ option. Canada proposed including “significant” as a qualifier to adverse impacts and the EU suggested alternative compromise wording requesting parties and others in accordance with a precautionary approach to ensure that ocean fertilization activities do not take place until there is scientific evidence that such activities do not cause harm to the environment. Australia and New Zealand appealed for the original ministerial text to be retained, and delegates agreed.

Regarding the establishment of an AHTEG, the Pacific Islands and the Central and Eastern European Countries supported a bracketed reference to a possible AHTEG with the mandate to develop biodiversity-relevant advice for the UNFCCC and the Bali Action Plan, and the African Group welcomed its proposed terms of reference. The EU, supported by Norway, proposed convening two AHTEGs on biodiversity and climate change, one on reducing emissions from deforestation and degradation (REDD) and land-use, land-use change and forestry, and the other on adaptation. Delegates agreed to the establishment of one AHTEG on biodiversity and climate change.

Many emphasized: synergies between the Rio conventions and the need to recognize their mandates and independence, to avoid duplication; and regional and international cooperation, including through establishing monitoring systems and scientific models of climate change impacts on biodiversity. The African Group requested the CBD, UNFCCC and the Ramsar Convention to analyze funding mechanisms for climate change mitigation and adaptation measures. West Africa called for the integration of the three CBD objectives into climate change adaptation and REDD projects through a joint programme of work with the UNFCCC. The UNPFII noted that indigenous peoples do not support REDD’s top-down approach.

Final Decision: The decision (UNEP/CBD/COP/9/L.36) includes sections on proposals for the integration of climate change activities within the programme of work of the Convention; options for mutually supportive actions addressing climate change within the three Rio conventions; ocean fertilization; summary of the findings of the global assessment on peatlands, biodiversity and climate change; and three annexes relating to: ongoing activities in the framework of the Rio conventions; an indicative list of activities by parties to support synergies; and terms of reference for an AHTEG on biodiversity and climate change.

The COP decides to integrate climate change considerations in each programme of work, considering the assessment of potential impacts of climate change and both the positive and negative impacts of climate change mitigation and adaptation activities

on relevant ecosystems. It urges parties to enhance integration of climate change considerations related to biodiversity in the implementation of the Convention, with the full and effective involvement of relevant stakeholders.

Recognizing the distinct mandates of each convention and the need to avoid duplication and promote cost savings, the COP requests the Executive Secretary to collaborate with the Secretariats of the other Rio conventions. It welcomes consideration of REDD in the UNFCCC, and invites the UNFCCC to take full account of opportunities for its work to provide benefits for biodiversity, and recognizes the need to provide biodiversity-relevant information to the UNFCCC processes in a timely manner.

The COP establishes an AHTEG on biodiversity and climate change, including representatives of indigenous and local communities and small island developing states. The COP requests parties and others, in accordance with the precautionary approach, to ensure that ocean fertilization activities do not take place until there is an adequate scientific basis on which to justify such activities, and urges parties to act in accordance with the decision of the 1972 London Convention. The COP recognizes the importance of the conservation and sustainable use of wetland biodiversity, particularly peatlands, in addressing climate change.

DRY AND SUB-HUMID LANDS: Delegates initially considered SBSTTA recommendation XII/6 (UNEP/CBD/COP/9/2) on Thursday, 22 May, in WG I. Many stressed the need for enhanced cooperation among the Rio conventions, and for developing proposals for incorporating climate change considerations into the work programme, for consideration prior to COP 10.

Thailand said the impact of expanding biofuel production should be explored. The EU preferred to delete reference to agricultural trade when requesting the Executive Secretary to explore the impacts of expanding biofuel production. Brazil favored referring to “expanding agricultural production.” In the closing plenary, the reference to “exploring the impacts of biofuel production and agricultural trade, including those related to the increased demand for food commodities” was deleted.

On the restoration and maintenance of native wildlife, Canada encouraged parties to enhance wildlife management through improved land-use to achieve sustainable consumption, maximize community benefits, and minimize human-wildlife conflicts. Delegates agreed that sustainable wildlife management may have a comparative advantage over other land-use options due to natural adaptation and resilience to predicted impacts of climate change. On the importance of avoided deforestation and forest degradation, delegates agreed to a proposal by Brazil to reference “sustainable forest management and sustainable land management.”

During the closing plenary, the decision was amended to reflect ministerial advice to use the phrase “climate change mitigation and adaptation activities.”

Final Decision: In the decision (UNEP/CBD/COP/9/L.26), the COP adopts an annexed delineation option resulting from the study by UNEP World Conservation Monitoring Centre. The COP invites relevant organizations and donors to provide technical and financial support to developing countries, to

identify and conduct land-use options for dry and sub-humid lands that promote the conservation and sustainable use of biodiversity and generate income for indigenous and local communities, including through involving private sector and public partnerships and through the establishment of a special fund to support such activities.

The COP encourages parties to enhance sustainable wildlife management through land-use planning to minimize human-wildlife conflicts and achieve sustainable use of wildlife, and recognizes the important role of the UN Convention to Combat Desertification and welcomes its Ten-Year Strategic Plan and Framework to enhance the implementation of that convention.

PROTECTED AREAS: This item was first considered by delegates in WG I on Thursday, 22 May. Deliberations also took place in a contact group. When delegates addressed the recommendations of the PA Working Group (UNEP/CBD/COP/9/8), many described progress in national and regional implementation of the work programme, stressing the need for capacity building and financial resources, and for full and effective participation of indigenous and local communities in PA designation and management. The UNPFII cautioned against establishing PAs on indigenous territories until UNDRIP is fully implemented. Canada and the Russian Federation, opposed by UNPFII and Honduras, suggested deleting a reference to taking into account indigenous and local community governance systems in ensuring conservation and development activities in PAs. Delegates agreed to take into account indigenous and local communities' own management systems and customary use. Delegates accepted language on encouraging enhanced research and awareness of the role that PAs and the connectivity of PA networks play in addressing mitigation of and adaptation to climate change.

Many parties stressed the need for new and additional funding. Brazil noted that compensation payments, private-public partnerships and payments for ecosystem services are useful but must remain secondary to international donor support. The Bahamas highlighted funding mechanisms that increase and capture revenues for PAs, while the EU and Canada highlighted innovative financing mechanisms. On GEF-funded projects, the EU proposed language on mobilizing co-financing, and Brazil preferred retaining text on "new and additional resources." Agreement was reached on financial matters during informal consultations. The draft decision was approved on Thursday, 29 May.

During the closing plenary, the draft decision was approved with various amendments proposed by Brazil and the reinsertion of a previously deleted reference to supporting projects that demonstrate the role of PAs in contributing to climate change adaptation and mitigation, and in the recovery of degraded environments. Delegates also agreed to new and additional resources for PAs in the GEF biodiversity focal area.

Final Decision: The decision (UNEP/CBD/COP/9/L.30) contains two sections on: review of implementation of the programme of work on PAs; and options for mobilizing as a matter of urgency, through different mechanisms, adequate and timely financial resources for the implementation of the programme of work.

The COP welcomes the efforts of the LifeWeb Initiative, and urges parties, to finalize, no later than 2009, the ecological gap analysis to achieve the 2010 and 2012 targets and other targets of the programme of work.

The COP invites parties to: improve and diversify and strengthen PA governance types, in accordance with appropriate national legislation including recognizing and taking into account, where appropriate, indigenous, local and other community-based organizations; and establish effective processes for their participation in PA governance, consistent with national law and applicable international obligations; and explore funding opportunities for protected area design, establishment and effective management in the context of the impact of climate change adaptation and mitigation activities, recalling that effective actions to reduce deforestation could constitute a unique opportunity for biodiversity protection.

The COP encourages parties and invites relevant organizations to enhance research and awareness of the role that PAs and the connectivity of PA networks play in addressing mitigation and adaptation to climate change. The COP urges parties and invites others to provide financial support to enable the full implementation of the PA work programme, and recognizes that innovative mechanisms, including market-based approaches can complement but not replace public funding and development assistance. It urges multilateral donors and others to support projects that demonstrate the role of PAs in contributing to climate change adaptation and mitigation and in the recovery of degraded environments. The COP invites the GEF to continue to provide, and facilitate easier access to new and additional resources for PAs in its biodiversity focal area, and to consider support for proposals that demonstrate the role PAs play in addressing climate change.

INLAND WATERS: WG I considered SBSTTA recommendation XIII/4 (UNEP/CBD/COP/9/3) on Thursday, 22 May, and approved a draft decision on Thursday, 29 May.

Debate centered on the importance of improved international cooperation on water resource management and on the UN Convention on the Law of the Non-Navigational Uses of International Watercourses. Delegates agreed to a paragraph without specific mention of this convention. Turkey requested the report of the meeting to note that issues of water allocation and management of wetland ecosystems should be addressed by the Ramsar Convention.

Final Decision: In the decision (UNEP/CBD/COP/9/L.28), the COP welcomes progress in achieving a more comprehensive coverage of wetlands.

The COP urges parties to strengthen relevant international cooperative arrangements for the management of inland watercourses and waterbodies. It endorses the joint CBD – Ramsar work plan (2007–2010) and invites the Ramsar Convention, UNEP and the UNEP World Conservation Monitoring Centre to continue harmonized reporting between the Ramsar Convention and the CBD; and invites Ramsar Convention COP 10 to consider action in relation to wetlands, water, biodiversity and climate change.

MARINE AND COASTAL BIODIVERSITY: WG I began consideration of a heavily bracketed SBSTTA recommendation XIII/3, including Annex I (scientific criteria for identifying

ecologically or biologically significant marine areas in need of protection [in open-ocean waters and deep-sea habitats]), Annex II (scientific guidance for selecting areas to establish a representative network of marine protected areas[, including in open ocean waters and deep-sea habitats]) and Annex III (four initial steps to be taken in the development of representative networks of marine PAs) (UNEP/CBD/COP/9/3) on Thursday, 22 May. An informal group was established on Tuesday, 27 May. WG I approved a draft decision on Thursday, 29 May.

Discussions revolved around the annexes and the appropriate fora for addressing political and legal questions regarding biodiversity in areas beyond national jurisdiction, with many highlighting that the UN Convention on the Law of the Sea (UNCLOS) sets out the legal framework for all activities in oceans and seas, and China requesting a note in the meeting report noting its concern with “adopting” Annexes I and II. Turkey requested a note of its concern with regard to any reference to UNCLOS.

Japan and others, opposed by the EU and New Zealand, suggested deleting a paragraph on convening an expert workshop on environmental impact assessments in areas beyond national jurisdiction. Several warned against ocean fertilization, with Ecuador, the Philippines, Ghana and others calling for a moratorium, which the US noted would limit scientific research. Paragraphs relating to ocean fertilization were subsequently addressed in the biodiversity and climate change decision (UNEP/CBD/COP/9/L.36) (See page 13).

Discussions also focused on further advancing scientific and technical advisory work on areas meeting the scientific criteria, and on how the establishment of marine PAs in areas beyond national jurisdiction should be undertaken with the consent of all parties concerned and by respecting their mutual rights. The scientific criteria and guidance were approved, including the reference to marine PAs in open ocean waters and deep sea habitats.

Final Decision: In the decision (UNEP/CBD/COP/9/L.20), the COP, *inter alia*, recalls that UNGA reaffirmed that UNCLOS sets out the legal framework within which all activities in the oceans and seas must be carried out, and that its integrity needs to be maintained; and recognizes that the principles of the Rio Declaration play an important role in the conservation and sustainable use of marine biodiversity.

The COP decides to convene an expert workshop on the scientific and technical aspects of environmental impact assessment in areas beyond national jurisdiction to contribute to the development of such scientific and technical guidance.

The COP adopts the scientific criteria in Annex I, and the scientific guidance in Annex II; and takes note of Annex III regarding steps to be considered in the development of marine PA networks; and requests the Executive Secretary to transmit them to the relevant UNGA processes. It invites parties and others to submit to the Executive Secretary their views on, and experiences from, the use of the annexes. It urges parties to apply the annexes to identify areas in need of protection, in accordance with international law, including UNCLOS, and recognizes that these criteria may require adaptation by parties if they choose to apply them within their national jurisdiction, noting that they will do so with regard to national policies and criteria.

The COP decides to convene an expert workshop to provide scientific and technical guidance on the use and further development of biogeographic classification systems, and guidance on the identification of areas beyond national jurisdiction that meet the scientific criteria in Annex I. It recognizes evidence emphasizing the need for urgent action to protect biodiversity in selected seabed habitats and marine areas in need of protection, in accordance with the precautionary approach and the international law, including UNCLOS. It urges parties and others to undertake further research to improve understanding of marine biodiversity; and calls upon parties and others to collaborate on capacity development for the application of the annexes and for the mitigation of the significant adverse impacts of human activities in marine areas.

The COP invites parties to promote full and effective participation of indigenous and local communities when establishing new marine PAs, also noting UNDRIP; and calls on parties to integrate the knowledge of indigenous and local communities, consistent with Article 8(j), and to ensure the integration of social and cultural criteria and other aspects for the identification, establishment and management of marine PAs.

ISLAND BIODIVERSITY: Delegates started considering relevant documents (UNEP/CBD/COP/9/19 and INF/6) on Monday, 19 May. On Thursday, 29 May, WG I approved a draft decision containing brackets on references to climate change adaptation and mitigation; “access to and” fair and equitable benefit-sharing; and on a conference on islands organized by the EU.

Many called for further funding for implementation, including through the GEF. Small island developing states asked for an in-depth review of the island biodiversity work programme by COP 11, and the African Group underscored that island biodiversity loss is linked to climate change.

On the Global Island Partnership, the EU and Argentina, opposed by Palau, suggested deleting reference to establishing a coordination mechanism. Highlighting issues of national sovereignty, Argentina, opposed by the EU, the UK and Togo, asked for deleting a paragraph on the conference, “The EU and its Overseas Entities: Strategies to Counter Climate Change and Biodiversity Loss.”

In the closing plenary, delegates agreed to delete the bracketed reference to the EU conference on islands and to unbracket “access to and” sharing of benefits.

Final Decision: In the decision (UNEP/CBD/COP/9/L.31), the COP recognizes: initiatives and achievements in the framework of the island biodiversity work programme, bearing in mind that it applies to all islands, and the Global Island Partnership as one of the mechanisms for its implementation.

The COP welcomes: contributions for establishing a coordination mechanism, and invites further support; and a regional technical workshop for islands on the Pacific Invasives Initiative. It stresses that the management and eradication of IAS, climate change adaptation and mitigation activities, capacity building, and access to, and fair and equitable sharing of the benefits and poverty alleviation require effort in the implementation of the work programme.

The COP calls on donors for support in implementing the work programme and welcomes progress on the fourth GEF replenishment, noting that access to GEF funds should be further simplified and expedited in the fifth replenishment; and requests SBSTTA to undertake an in-depth review of the work programme after COP 10, to be sent for COP 11 consideration.

GLOBAL TAXONOMY INITIATIVE: Delegates first addressed this item (UNEP/CBD/COP/9/20/Add.2) on Monday, 19 May. Many countries highlighted the need to enhance developing countries' capacity to implement scheduled activities, and welcomed the development of a checklist for known species and progress towards the establishment of a special fund for the GTI. The lack of new taxonomists was also highlighted, as was the need to identify indigenous taxonomic knowledge in compliance with national laws and PIC. Delegates agreed to preambular text recognizing that GTI activities should not be contrary to national legislation in the country of origin.

Brazil and the EU proposed deleting a reference to "megadiverse countries," with respect to accelerating the accumulation of knowledge on species diversity. Delegates then accepted a proposal by Peru, making reference to "countries with high levels of biodiversity." Reference to, and the composition of, the interim steering committee was also discussed, and agreement was reached to make it regionally balanced. A draft decision was adopted on Monday, 26 May.

Final Decision: The decision (UNEP/CBD/COP/9/L.22) contains an annex on outcome-oriented deliverables for each of the planned activities of the GTI work programme.

The COP welcomes progress toward the establishment of a possible special fund for the GTI, and encourages BioNET-International and the Interim Steering Committee of the GTI Special Fund to continue seeking funding sources so as to operationalize the Fund prior to 2010, taking into account the objectives of capacity-building, promotion of technology transfer and contributing to an accelerated accumulation of knowledge on species diversity in countries including those with high levels of biodiversity, and establish, as soon as possible, a trust fund through a steering committee reflecting regional balance.

The COP emphasizes the need for capacity-building activities and mobilizing funds, including training in taxonomy, in order to enable developing countries to implement the planned activities. The COP invites parties and others to provide adequate support for the development of a widely accessible checklist of known species stating the valid scientific names and their synonyms, and timely support to developing countries, in the implementation of the annexed planned activities, including related human, systemic and institutional capacity building.

The COP requests the Executive Secretary to include mobilization of resources for implementation of activities included in the GTI work programme as an item for discussion at possible future donor meetings.

LIABILITY AND REDRESS: On Thursday, 22 May, WG II first considered liability and redress and welcomed the synthesis report (UNEP/CBD/COP/9/20/Add.1). A draft decision was approved on Monday, 26 May. The EU, Thailand and the African Group pinpointed to ongoing work on rules and procedures on liability and redress under the Cartagena Protocol on Biosafety as a reference point for future work under the CBD. The EU

requested parties consider liability and redress when deciding on work beyond 2010. Australia noted that liability and redress should be addressed at the national level and, with Canada and Japan, considered it premature to conclude that any kind of international regime on liability and redress is needed.

Final Decision: In the final decision (UNEP/CBD/COP/9/L.7), the COP welcomes the synthesis report on technical information relating to damage to biodiversity and approaches to valuation and restoration of damage to biodiversity, and requests it be made widely available; and decides to consider the need for future work in this area at COP 10.

COOPERATION WITH OTHER CONVENTIONS AND ENGAGEMENT OF STAKEHOLDERS: On Tuesday, 20 May, WG II started considering: a gender plan of action for the Secretariat (UNEP/CBD/COP/9/INF/12); business engagement (UNEP/CBD/COP/9/21/Add.1); biodiversity offsets (UNEP/CBD/COP/9/29); engagement of cities and local authorities (UNEP/CBD/COP/9/INF/10); South-South cooperation (UNEP/CBD/COP/9/INF/11); and cooperation with other conventions (UNEP/CBD/COP/9/21/Rev.1).

On business engagement, delegates agreed to encourage financial institutions to include biodiversity considerations in investments. The EU and the International Chamber of Commerce supported the inclusion of business representatives on national delegations. Other business representatives stressed the need for scientific expertise, reliable partnerships and targeted fundraising as ways to strengthen engagement. The African Group and Brazil opposed specific reference to the Business and Biodiversity Offsets Programme (BBOP), while the EU supported it. IUCN, on behalf of BBOP members, explained that biodiversity offsets can help compensate harm to the environment, while the Gene Ethical Network cautioned they could provide perverse incentives. Indigenous and NGO representatives called for better regulation of business. On an annex containing the framework of priority actions, Uganda proposed and delegates agreed to delete a priority area on facilitating business participation in the CBD process. Delegates added a priority activity regarding the compilation, specifically in relation to small- and medium-size enterprises, of practices fostering the sustainable use of biological resources. A draft decision was approved on Tuesday, 27 May.

Delegates welcomed work on cities, local authorities and biodiversity, with China questioning the need for such a decision, noting that involvement of local authorities falls under the sovereign affairs of parties. Delegates agreed to delete a paragraph requesting the CBD Executive Secretary to compile further information on the issue. A draft decision was agreed on Monday, 26 May.

On South-South cooperation, the G-77/China presented a draft decision encouraging developing countries to engage in South-South cooperation, supported by North-South cooperation, and requesting the Executive Secretary to organize a forum on South-South cooperation on biodiversity for development. The African Group proposed references to cross-border ecosystems and incorporation of biodiversity concerns into regional cooperation agreements. 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. The G-77/China suggested that the references be subject to available funding, and requested retaining references to Secretariat support. A draft decision was agreed on Tuesday, 27 May.

On cooperation with other conventions, the EU and the African Group suggested the liaison group of biodiversity-related conventions be more focused and address the linkages between biodiversity and climate change. Many delegates welcomed enhanced cooperation between the Rio conventions and called for cooperation with other international organizations. Delegates debated: proposals by Brazil to delete text on welcoming the joint meetings of the scientific bodies of the biodiversity-related conventions, and on the consortium of scientific partners on biodiversity; and a proposal by Australia to delete reference to enhanced cooperation with regard to biodiversity and climate change. Following informal consultations, delegates agreed to invite: the subsidiary bodies of the Rio conventions to enhance mutual collaboration; and the scientific bodies of biodiversity-related conventions and their joint liaison group to address options for enhanced cooperation regarding cross-cutting issues; both in a manner consistent with their respective mandates. The draft decision was approved on Thursday, 29 May.

Final Decisions: In the decision on the Gender Plan of Action (UNEP/CBD/COP/9/L.4), the COP welcomes the development of a Gender Plan of Action under the CBD and invites parties to support the Secretariat in its implementation.

In the decision on business engagement (UNEP/CBD/COP/9/L.15), the COP, *inter alia*, invites parties to improve actions and cooperation for enhancing the engagement of the business community; encourages financial institutions to include biodiversity considerations into all investments and to create investment schemes to promote sustainable business activities; and requests the GEF to support capacity building in developing countries for engaging the business community. The annex contains a framework for priority actions on business 2008-2010, on building and promoting the business case for biodiversity and disseminating tools and best practice.

In the decision on cities, local authorities and biodiversity (UNEP/CBD/COP/9/L.17), the COP, *inter alia*: welcomes events to promote biodiversity-friendly cities, such as the World Cities Summit in Singapore; encourages parties, in accordance with national legislation, to recognize the role of cities and local authorities in their NBSAPs and further invites them to support the three CBD objectives and achievement of the 2010 target.

In the decision on South-South cooperation (UNEP/CBD/COP/9/L.12) the COP, *inter alia*: notes the initiative of developing countries, in collaboration with the CBD Secretariat, to develop a multi-year plan of action on biodiversity for development based on the framework for South-South cooperation; encourages South-South cooperation, supported by North-South cooperation and establishment of multi-stakeholder collaborative partnerships at the subregional and regional levels; and invites parties and others to support South-South cooperation by facilitating projects.

The decision on cooperation with other conventions (UNEP/CBD/COP/9/L.21) *inter alia*: invites the subsidiary bodies of the three Rio conventions to enhance collaboration in a manner consistent with their respective mandates, governance arrangements and agreed programmes; invites the scientific bodies of the biodiversity-related conventions and their liaison group to address options for enhanced cooperation on cross-cutting issues such as climate change and IAS; welcomes the establishment of the Consortium of Scientific Partners on Biodiversity; and requests the Executive Secretary to renew the CBD's pending application for observer status in relevant WTO bodies.

OPERATIONS OF THE CONVENTION: On Thursday, 22 May, WG II began consideration of the item on operations of the Convention, addressing periodicity of meetings, administrative arrangements with UNEP, SBSTTA *modus operandi*, promotion of CBD tools and principles, retirement of decisions, and admission of observers (UNEP/CBD/COP/9/3, 4, 22 and 22/Add.1, INF/2 and INF/35).

On periodicity of meetings, many supported the current practice of biennial COPs with two intersessional SBSTTA meetings. Australia and Brazil preferred triennial COPs. The EU called for an intersessional process to examine the proposed options. Delegates discussed a list of COP 5 decisions proposed for retirement, and agreed not to retire them at the present time. They also agreed to a proposal by China that parties should take into account previous COP decisions when recommending new ones, to avoid duplication. Delegates also agreed to a proposal by the Bahamas, supported by the G-77/China, to urge finalization of the review of the administrative arrangements between UNEP and the CBD Secretariat for COP 10 consideration.

With regard to SBSTTA *modus operandi*, delegates disagreed on the process and criteria for identifying new and emerging issues, particularly regarding the criterion of "new evidence of unexpected and significant impacts on biodiversity," with the EU and Australia supporting it, and Brazil opposing. On the process, Brazil, Argentina and Colombia supported that SBSTTA review proposals and identify emerging issues to be considered by the COP; while the EU and Canada preferred that the Executive Secretary, in consultation with the SBSTTA Bureau, identify emerging issues to be considered by SBSTTA, but expressed readiness to delete both options. As a compromise, Mexico proposed requesting SBSTTA to review and discuss the proposals and, as appropriate, identify the emerging issue and present options for COP consideration.

Despite informal consultations, these two issues were not resolved, and on Friday morning, 30 May, WG II approved the CRP with brackets remaining on criteria and process for emerging issues. Informal consultations continued, and the closing plenary was informed that consensus was reached to request SBSTTA to review and discuss the proposals and, as appropriate, identify new and emerging issues and elaborate the scientific and technical analysis with options for action, and submit this analysis for COP consideration. On the basis of consensus reached on process, Brazil announced that it could remove the brackets regarding the criterion of new evidence of unexpected and significant impacts of biodiversity.

Final Decision: In the decision (UNEP/CBD/COP/9/L.29), the COP requests the Executive Secretary, in consultation with the Bureau, to further refine the tentative schedule for meetings up to 2010, and reminds parties, SBSTTA, working groups and the Executive Secretary to take into account previous COP decisions when recommending any decision for adoption, to avoid duplication.

On the SBSTTA *modus operandi*, the COP calls upon parties to participate in the peer-review process for SBSTTA documentation. It requests the Executive Secretary to compile parties' submissions on new and emerging issues for SBSTTA consideration. Proposals for emerging issues should be accompanied, where possible, with information on why the issue needs SBSTTA's urgent attention and how it affects the attainment of the CBD's objectives. Criteria for identifying new and emerging issues include: relevance of the issue to the implementation of the CBD's objectives and work programmes; new evidence of unexpected and significant impacts on biodiversity; the urgency of addressing the issue; and actual geographic coverage and potential spread. The COP requests SBSTTA to review and discuss the proposals and, as appropriate, identify new and emerging issues and elaborate the scientific and technical analysis with options for action, and submit this analysis for COP consideration.

The COP takes note of the ongoing review and revision of the administrative arrangements between UNEP and the CBD Secretariat, and urges the UNEP Executive Director and the CBD Executive Secretary to finalize the revision for COP 10 consideration. Finally, it decides to adopt the annexed steps for admission of observers to CBD meetings. These steps note that any interested body or agency should inform their Secretariat of its wish to be represented as an observer, and include its statutes and any other relevant information. The Executive Secretary will then prepare a list of bodies and submit it to each COP.

SCIENTIFIC AND TECHNICAL COOPERATION AND THE CHM: On Monday, 19 May, WG II began consideration of a draft decision (UNEP/CBD/COP/9/23). The African Group stressed that scientific and technical cooperation should enable developing countries to sustainably use their biodiversity for socioeconomic development. Norway suggested elaborating the CHM's role in technology transfer and CEPA, and as a tool for dialogue with civil society.

Discussions on a draft decision focused on developing links between national CHMs and other existing networks. Canada supported, while the African Group opposed, referencing the open standards of the Global Biodiversity Information Facility for biodiversity data exchange. Delegates agreed to refer to the use of well-established open standards in general. Delegates further agreed to request continued funding from the GEF and other donors, and to a Norwegian proposal to reference facilitating cooperation between the informal advisory committees on the CHM and on CEPA.

Final Decision: In the decision (UNEP/CBD/COP/9/L.6), the COP decides to extend the mandate of the CHM informal advisory committee and to review it at COP 11. It encourages parties to undertake steps with a view to establishing strong and sustainable national CHMs, including preparing a national CHM implementation strategy, developing links between the

national CHM and existing networks, identifying relevant biodiversity-related information sources and encouraging the use of the national CHM as a tool for dialogue with civil society, major groups and stakeholders. It encourages partners holding biodiversity-related information to contribute to the establishment of regional, subregional or thematic CHMs. It urges the GEF to continue providing funding for the establishment and maintenance of national CHMs, and requests the Executive Secretary to: build a knowledge base; provide collaboration tools; provide a detailed analysis about a potential on-line submission system for sharing knowledge; further collaborate with key partners; and facilitate cooperation between the informal advisory committees on the CHM and CEPA.

CEPA: On Thursday, 22 May, WG II addressed implementation of the work programme on CEPA and the 2010 International Year of Biodiversity (UNEP/CBD/COP/9/25 and Add.1, INF/3 and INF/23). Many requested inclusion of CEPA in other CBD work programmes and NBSAPs; focus on ABS, agricultural biodiversity and the 2010 International Year of Biodiversity, and sustained funding for CEPA implementation and related capacity building. On the International Year, Uganda suggested that national celebration committees include representatives of indigenous and local communities.

Final Decisions: In the decision on CEPA (UNEP/CBD/COP/9/L.13), the COP invites parties and others to double their efforts to implement the work programme and emphasizes the importance for parties to integrate CEPA into their NBSAPs. It further invites parties to: provide human and financial resources to the Executive Secretary for implementation of the work programme; create partnerships to transmit CEPA products to regions without internet access; and support CEPA activities related to ABS.

In the decision on the International Year (UNEP/CBD/COP/9/L.14), the COP encourages all parties to create national committees, including representatives of indigenous and local communities, and decides to transmit to UNGA a draft resolution as included in an annex. According to the draft resolution, UNGA would invite the Secretary-General to consider appointing, before 2010, an Honorary Ambassador for the Year, and decide to convene at its sixty-fifth session, in 2010, a one-day high-level segment on biodiversity.

ADMINISTRATIVE AND BUDGETARY MATTERS

On Monday, 19 May, CBD Executive Secretary Ahmed Djoghla presented the report on the administration of the Convention and the budget for its trust fund (UNEP/CBD/COP/9/10) and the proposed budget for the programme of work for the biennium 2009-2010 (UNEP/CBD/COP/9/27, Add.1 and Add.2). He requested a modest increase, noting the impact of the US dollar devaluation. Delegates established a budget group, chaired by Ositadinma Anaedu (Nigeria), which met throughout the two weeks.

Conscious of the projected US\$800,000 shortfall in the Convention's core programme budget for 2007/2008 due to currency devaluation, discussions focused on identifying priorities for core funding. Voluntary contributions by donors, notably towards two ABS meetings and the preparation of GBO 3, and agreement to limit staff increases, kept the nominal increase in the core budget to 6% over the previous biennium.

Sweden and Spain pledged funds for ABS 7 and Germany and Japan for ABS 9. Japan, Sweden and Canada pledged for the ABS expert meetings.

Final Decision: In decision (UNEP/CBD/COP/9/L.32), the COP recognizes the negative effect of recent currency fluctuations on the budget, approves use of the working capital reserve of the General Trust Fund to cover shortfalls in the 2007/2008 budget, and decides to replenish the reserve from 1 January 2009 through assessed contributions. The COP approves a core programme budget of US\$11,391,900 for 2009 and US\$12,355,100 for 2010. Priority meetings to be funded from the core budget include SBSTTA 14, WGRI 3, one meeting of the Working Group on 8(j) and one meeting of the Working Group on ABS. The COP authorizes the Executive Secretary to draw up to US\$150,000 from surplus and savings from the General Trust Fund for the CBD, to be used for temporary shortfalls in the Special Voluntary Trust Fund for Facilitating Participation of Developing Country Parties.

CLOSING PLENARY

The closing plenary convened at 3:30 pm on Friday, 30 May. On the date and venue of CBD COP 10, COP 9 President Gabriel reminded delegates that the government of Japan has offered to host CBD COP 10 and Cartagena Protocol COP/MOP 5 in Nagoya in October 2010. Delegates adopted a decision on the date and venue of COP 10 (UNEP/CBD/COP/9/L.23).

Ichiro Kamoshita, Minister of Environment of Japan, reported on the meeting of the G8 Environment Ministers, held in Kobe, Japan, which discussed further activities on achieving the 2010 target and adopted the Kobe Call for Action for Biodiversity. Along with Masaaki Kanda, Governor of the Aichi prefecture, and Takehisa Matsubara, Mayor of the city of Nagoya, he invited delegates to Nagoya, for COP 10.

The plenary then approved regional group nominations for the COP 10 Bureau, including Somaly Chan (Cambodia), Tania Temata (Cook Islands), Joseph Toussaint (Haiti), Asa Norrman (Sweden), Abdelbagi Mukhtar Ali (Sudan), James Seyani (Malawi), Robert Lamb (Switzerland), Snezana Prokic (Serbia), Volodymyr Domashlinets (Ukraine) and Damaso Luna (Mexico). They elected Spencer Linus Thomas (Grenada) as SBSTTA Chair; and heard a report on credentials, and reports from the Chairs of WG I and II, the Co-Chairs of the Informal Consultative Group on ABS, and the Chair of the budget group.

Highlighting the close links between the CBD and the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGR), Shakeel Bhatti, ITPGR Secretary, offered to host the seventh meeting of the ABS Working Group at the FAO in Rome, and stressed that the ITPGR is currently the only fully functional international ABS system. Malaysia offered to host a meeting of the ABS Working Group. Spain pledged €90,000, and Sweden pledged €180,000 for a Working Group meeting and €60,000 for the meeting of the expert group on traditional knowledge. Canada offered to host, in partnership with Germany, an expert workshop on the application of scientific criteria for marine areas in need of protection. Ecuador expressed its wish to host COP 11, and the plenary endorsed its candidacy.

The plenary then adopted the decisions on all its substantive items, and took note of the recommendations of Biosafety Protocol COP/MOP 4 regarding financial resources and mechanism (UNEP/CBD/COP/9/L.2).

Rapporteur Mary Fosi introduced the report of the meeting (UNEP/CBD/COP/9/L.1), which was subsequently adopted. Ecuador requested recording in the report that the outcome on ocean fertilization implies a moratorium. The plenary also adopted a decision paying tribute to Germany as the COP 9 host country (UNEP/CBD/COP/9/L.24).

The G-77/China stressed that the group supports a legally binding ABS regime to ensure that developing countries receive benefits arising from the use of their genetic resources. The EU expressed their appreciation to the government and people of Germany, the Secretariat, as well as the *Earth Negotiations Bulletin*.

Iraq informed the plenary of its intention to ratify the CBD. Tanzania, on behalf of the African Group, stressed that finalizing negotiations on a legally binding international ABS regime is “supremely important,” and thanked the Dutch and German governments for assisting Africans to consult on ABS. Nepal informed the plenary that the country has been declared a Federal Democratic Republic, and reaffirmed its firm commitment to CBD implementation. Japan transmitted a message from Japanese Prime Minister Yasuo Fukuda, highlighting the example of “Satoyama” as illustrating a society living in harmony with nature.

The International Indigenous Forum for Biodiversity requested: CBD implementation in accordance with UNDRIP; completion of *sui generis* regimes for the protection of traditional knowledge by 2010; and recognition of indigenous rights to traditional knowledge and genetic resources.

Greenpeace welcomed the criteria for designating marine PAs and the ABS roadmap and called for financial commitments to protect biodiversity. UNEP welcomed work on the economic evaluation of biodiversity.

COP 9 President Gabriel noted that governments have to work on implementing the decisions taken. CBD Executive Secretary Ahmed Djoghla stressed that COP 9 was the largest biodiversity gathering ever, highlighting ministerial participation, pledges and offers to host meetings, the attendance of Japan’s and Nagoya’s authorities, and Ecuador’s candidacy to host COP 11.

COP 9 President Gabriel gavelled the meeting to a close at 9:00 pm.

A BRIEF ANALYSIS OF COP 9

“One Nature – One World – Our Future.” This was the theme of COP 9 but it stood in sharp contrast to the widespread perception that this was one of the most fragmented CBD meetings ever. With informal group sessions on “hot issues” running in parallel to working group meetings throughout most of the two weeks – on some days joined by as many as ten other groups – most delegations found it hard to stay on top of all of the items under discussion. Consequently, delegates’ assessments of the outcomes of COP 9 varied according to the issues they followed. Most of those who participated in discussions on biofuels or genetically modified trees said that more could have been achieved, while others who had tracked

progress on marine biodiversity or finance reported important breakthroughs. Notwithstanding success on a number of fronts, delegates were left trying to piece together the “bigger picture” of overall progress made at COP 9. This analysis will revisit the discussions and outcomes of the items which dominated the COP 9 agenda, especially access and benefit-sharing and items related to climate change, while also looking at achievements that took place in their shadow.

ABS AND CLIMATE CHANGE IN THE SPOTLIGHT

Discussions on ABS and climate change related issues overshadowed COP 9’s other agenda items. The adoption of a process to continue the negotiations for an international ABS regime was a declared priority. Similarly, the need for the CBD to address the intersection between biodiversity and climate change was generally accepted, and expectations were high for the COP to find an appropriate approach to address the “mitigation troika” of biofuels, GM trees and ocean fertilization.

ABS has been a high CBD priority ever since the negotiation of an international regime was mandated by the 2002 World Summit on Sustainable Development. With the 2010 deadline for adopting an international ABS regime rapidly approaching, the increased pressure to deliver was palpable in Bonn and, after the success of ABS 6, where delegates had for the first time agreed on a concise document as the basis for further negotiations, many expected a substantive outcome. Reactions to the ABS decision diverged, with the majority of those who had been locked up in the informal consultative group on ABS for most of the two weeks congratulating each other for having achieved a breakthrough, while those watching from afar had a harder time seeing the great achievement. The decision adopted does in fact show little progress on substance, although the annexed road map sends important signals for the future of the process, such as an agreement on the basis for negotiations and, most importantly, an undeniable commitment to elaborate a regime with at least some legally-binding elements. With three intersessional Working Group meetings and three additional expert groups, one would hope ABS negotiators have bought themselves enough time and input to finalize their negotiations.

Furthermore, the tone of negotiations changed remarkably. While at COP 8 and ABS 5 positions mostly remained entrenched, in Bonn delegates made notable efforts to achieve mutual understanding. In Bonn, many delegates made efforts to explain their concerns and to “listen carefully” to those of others, in order to navigate through the political minefield of the complex issues at hand. In the end the parties were able, for the first time ever, to make a commitment towards having an international regime with legally binding components.

In comparison to ABS, the issues relating to the climate package are new to the CBD and tied to the dynamics within the climate change agenda and the global food crisis. Biofuels, in particular, have just recently entered center-stage, mainly because of reports calling into question their mitigation potential and underscoring competition for land for food production. As a result, some hoped that the CBD would adopt a strong set of guidelines to ensure their “sustainable production and consumption.” The final decision on biofuels falls short of these expectations, since it does not require sustainable production, let alone institute a precautionary approach. Some nonetheless

qualified the adopted decision as reasonable, as it asks parties to engage in research and information exchange in order to provide the basis for an informed decision at COP 10. Looking to realities outside the CBD, the timing of COP 9 was not really conducive to anything beyond a process-oriented decision. In several respects, COP 9 came too early. Discussions on this issue have just been initiated in a number of scientific and intergovernmental fora. Of note is the FAO’s High-Level Conference on Energy and Food Security taking place within a week of the conclusion of COP 9. Work is also ongoing in the context of the G8+5 Initiative on Biodiversity, and initiatives such as the Global Roundtable on Biofuels are considering technical and economic sustainability criteria. The knowledge generated by these processes will itself provide a sound basis for future action by the COP and its subsidiary bodies.

Secondly, there are a number of biofuel importing countries that are currently reconsidering their policies on renewable energy. Most notably, the EU biofuel policy is under discussion at several levels. The uncertainty about the EU’s own future direction fuelled suspicions among some delegates that its interest in sustainability standards went beyond the CBD’s objectives, possibly extending to trade issues, such as creating import barriers for unsustainable biofuels or maintaining a rationale for providing subsidies for certain types of biofuel production. In light of these uncertainties, many noted that “a structured procedural decision is better than a rushed substantive one, which may turn out to be flawed in the long run.” Some, on the other hand, indicated that the decision does call upon countries to develop sound policy frameworks, thus providing flexibility to advance the development of sustainability standards at the national and regional levels.

Discussions and outcomes on GM trees and ocean fertilization demonstrated a similar logic. In neither case was the call for a moratorium met, although the decision on ocean fertilization includes strong language that was interpreted by some as an “implicit moratorium.” With regard to GM trees, however, activists and many delegates were left disappointed with the decision authorizing the release of GM trees only after completion of studies in containment and science-based risk assessments. In their view, this language ignores public concerns by effectively undermining any application of the precautionary approach.

Over and above these dynamics, many lamented “collateral damage” caused by intense discussions on these issues, drawing the focus away from the actual intention of the meeting to proceed with the in-depth review of the Convention’s work programmes on agricultural and forest biodiversity, including progress towards the 2010 target.

THE HIDDEN SUCCESSES

ABS, biofuels and other issues related to climate change received the lion’s share of attention and the controversy they stirred overshadowed noteworthy outcomes on other issues. First among these was the adoption of scientific criteria for the identification of marine protected areas, including in open-ocean waters and deep-sea habitats and the guidance for the establishment of a representative network of such areas. This was hailed as a great success. Held up for a long time in disputes over the CBD’s mandate to address biodiversity-related

concerns in areas outside national jurisdiction, the decision not only provides a sound scientific basis for MPA identification, but also clearly acknowledges the division of responsibilities between the CBD and the UN General Assembly, which has been addressing MPAs and related issues of marine biodiversity under its Working Group on Marine Biodiversity Beyond National Jurisdiction. The criteria will now inform the next round of negotiations under this body and many hope that it will lead the way towards adopting an urgently needed framework for the protection of marine biodiversity. In addition, the decision may contribute to the 2012 target of building a global representative network of marine protected areas.

On protected areas, political tensions were running high after negotiations on the revision of the work programme nearly collapsed at the most recent meeting of the Protected Areas Working Group, in part due to financing disagreements. These controversies have distracted attention away from achievements on the ground: the rate of protected area designation has accelerated around the world in recent years and their management seems to have improved thanks to a series of regional technical workshops. Tension over financing was defused by two developments at the COP. First, several donor countries came forward with significant pledges for funding implementation, a precondition demanded by developing countries to discussing further activities under the protected areas work programme. Second, the discussion on innovative funding mechanisms, such as revenues from tourism, which had been advocated by donor countries, was moved back to “where it belongs” – in the strategy for resource mobilization. And this disentanglement eventually enabled meaningful progress on both issues.

INVESTING IN OUR FUTURE

The next landmark on the CBD’s journey is the 2010 target to significantly reduce the rate of biodiversity loss and the Bonn meeting was the last COP before the deadline. While the 2010 target is still perceived by many as a yardstick for measuring success in CBD implementation, there is increasing awareness that the challenge for 2010 goes far beyond an assessment of progress in reducing the rate of biodiversity loss. Ever since the findings of the Millennium Ecosystem Assessment were published in 2005, there has been an unspoken recognition that the 2010 target cannot be achieved across the board. This milestone creates two significant challenges for the CBD. On the one hand, the CBD needs to develop a clear message that conveys its current successes, such as meeting the target in certain ecosystems, regions or sectors, and making progress on many fronts such as marine biodiversity and inland waters. On the other, it needs to address the fact that much more needs to be done in the future to reduce biodiversity loss *beyond* 2010.

In this respect, the strategy for resource mobilization adopted at COP 9 is an important building block to address these challenges since it offers a portfolio of tools to generate the means of implementation in different sectors and by various actors, independent of political decisions about donor support. As well as being the first ever such strategy for the CBD, it also backs the concept of mainstreaming biodiversity into all sectors and could well be, as one delegate noted, “one of the keys to

whipping the CBD into shape for meeting challenges beyond 2010” with more funds available for implementation and for highlighting CBD successes.

Bonn’s other achievements should also be channeled towards consolidating the CBD’s image as an umbrella convention that has an impact on all aspects of biodiversity. COP 9 has shown, much more than any previous COP, that the CBD encompasses a plethora of sub-processes, many of which are running on their own schedule. The CBD’s main challenge on the way to and past 2010 will be to bring all these sub-processes together and draw a coherent picture of the state of implementation on the basis of identified priorities and needs in the field.

UPCOMING MEETINGS

HIGH-LEVEL CONFERENCE ON WORLD FOOD SECURITY AND THE CHALLENGES OF CLIMATE CHANGE AND BIOENERGY: Organized by FAO, this high-level Conference will be held from 3-5 June 2008, in Rome, Italy. It will address food security and poverty reduction in the face of climate change and energy security. For more information, contact: Office of the Assistant Director-General, Natural Resources Management and Environment Department; tel: +39-06-57051; fax: +39-06-570-53064; e-mail: cccb-secretariat@fao.org; internet: <http://www.fao.org/foodclimate/hlc-home/en/>

FIRST GLOBAL CONFERENCE ON GMO ANALYSIS: Organized by the European Commission Joint Research Centre, this Conference will be held from 24-27 June 2008, in Como, Italy. It aims to address the science and technology underpinning control and analysis of genetically modified organisms by bringing together international experts willing to share knowledge and participate in promoting international scientific dialogue across diverse yet interdependent areas. For more information, contact: Rossella Speroni, event manager; tel: +39-0332-789315 / 785959; fax: +39-0332-786159; e-mail: gmo-global-conference@jrc.it; internet: <http://gmoglobalconference.jrc.it>

G8 SUMMIT: The 2008 Hokkaido Toyako G8 Summit will be held from 7-9 July 2008, in Hokkaido, Japan. For more information, visit <http://www.g8summit.go.jp/eng/>

INTERNATIONAL CONFERENCE: ADAPTATION OF FORESTS AND FOREST MANAGEMENT TO CHANGING CLIMATE WITH EMPHASIS ON FOREST HEALTH: A REVIEW OF SCIENCE, POLICIES, AND PRACTICES: Co-hosted by the FAO, the International Union of Forest Research Organizations and the Swedish University of Agricultural Sciences, this conference will be held from 25-28 August 2008, in Umeå, Sweden. For more information, contact: Camilla Persson; tel: +46-90-156238; e-mail: camilla.persson@umea.fh.se; internet: <http://www.forestadaptation2008.net/home/en/>

INTERNATIONAL DIALOGUE ON FINANCING SUSTAINABLE FOREST MANAGEMENT: This Country-Led Initiative in support of the UN Forum on Forests, organized by the governments of Suriname, the Netherlands and the US, will be held from 8-12 September 2008, in Paramaribo, Suriname. For more information, contact: Henry Mac, Permanent

Representative of Suriname to the UN; tel: +1-212-826-0660; fax: +1-212-980-7029; e-mail: suriname@un.int; internet: <http://www.un.org/esa/forests/2008.html>

IUCN 4TH WORLD CONSERVATION

CONGRESS: IUCN's 4th World Conservation Congress will be held from 5-14 October 2008, in Barcelona, Spain. The first half of the Congress will be the World Conservation Forum, from 6-9 October. For more information, contact IUCN; tel: +41-22-999-0000; fax: +41-22-999-0002; e-mail: congress@iucn.org; internet: <http://www.iucn.org/congress>

GEF COUNCIL MEETING AND NGO

CONSULTATION: The GEF Council Meeting will be held from 10-14 November 2008, in Washington DC, US. An NGO consultation will be held on the first day. For more information, contact: GEF Secretariat; tel: +1-202-473-0508; fax: +1-202-522-3240/3245; e-mail: secretariat@thegef.org; internet: <http://www.thegef.org/>

RAMSAR COP 10: The tenth meeting of the Conference of the contracting parties to the Ramsar Convention on Wetlands will be held from 25 October - 4 November 2008, in Changwon, Republic of Korea. For more information, contact: Ramsar Convention Secretariat; tel: +41-22-999-0170; fax: +41-22-999-0169; ramsar@ramsar.org; internet: <http://www.ramsar.org>

28TH MEETING OF THE BERN CONVENTION

STANDING COMMITTEE: Organized by the Secretariat of Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention), the meeting of the Bern Convention Standing Committee will be held from 24-28 November 2008, in Strasbourg, France. For more information, contact: Carolina Lasén Diaz, Secretary of the Bern Convention; tel: +33(0)3-9021-5679; fax: +33(0)3-8841-3751; e-mail: carolina.lasen-diaz@coe.int; internet: http://www.coe.int/t/dg4/cultureheritage/conventions/Bern/default_en.asp

FOLLOW-UP INTERNATIONAL CONFERENCE ON FINANCING FOR DEVELOPMENT TO REVIEW THE IMPLEMENTATION OF THE MONTERREY CONSENSUS:

The Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus will be held under UN auspices, from 29 November - 2 December 2008, in Doha, Qatar. For more information, contact: Financing for Development Office; tel: +1-212-963-2587; fax: +1-212-963-0443; internet: <http://www.un.org/esa/ffd/>

CMS COP 9: The ninth Conference of the Parties to the Convention on Migratory Species will be held from 1-5 December 2008, in Rome, Italy. For more information, contact: the Secretariat; tel: +49-228-815-2401/02; fax: +49-228-815-2449; e-mail: secretariat@cms.int; internet: http://www.cms.int/bodies/COP/cop9/cop9_meeting_docs.htm

UNFCCC COP 14: The fourteenth Conference of the Parties to the UN Framework Convention on Climate Change will be held from 1-12 December 2008, in Poznań, Poland. For more information, contact: UNFCCC Secretariat; tel: +49-228-815-1000; fax: +49-228-815-1999; e-mail: secretariat@unfccc.int; internet: <http://unfccc.int/>

CARTAGENA PROTOCOL COP/MOP 5: The next meeting of the COP/MOP for the Cartagena Protocol on Biosafety is expected to take place in October 2010 in Nagoya, Japan. For more information, contact: CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: secretariat@cbd.int; internet: <http://www.cbd.int/>

CBD COP 10: The tenth Conference of the Parties to the Convention on Biological Diversity is expected to be held in October 2010, in Nagoya, Japan. For more information, contact: CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: secretariat@cbd.int; internet: <http://www.cbd.int/>

GLOSSARY

ABS	Access and benefit-sharing
AHTEG	<i>Ad hoc</i> technical expert group
BTI	Biodiversity technology initiative
CBD	Convention on Biological Diversity
CEPA	Communication, education and public awareness
CHM	Clearing-House Mechanism
GBO	Global Biodiversity Outlook
GEF	Global Environment Facility
GM	Genetically modified
GTI	Global Taxonomy Initiative
IAS	Invasive alien species
ICG	Informal consultative group
IPRs	Intellectual property rights
MA	Millennium Ecosystem Assessment
MPA	Marine protected area
MDGs	Millennium Development Goals
NBSAPs	National biodiversity strategies and action plans
PAs	Protected areas
PIC	Prior informed consent
SBSTTA	Subsidiary Body on Scientific, Technical and Technological Advice
SFM	Sustainable forest management
TRIPS	Trade-Related Aspects of Intellectual Property Rights
UNCCD	UN Convention to Combat Desertification
UNDRIP	UN Declaration on the Rights of Indigenous Peoples
UNFCCC	UN Framework Convention on Climate Change
UNGA	UN General Assembly
UNPFII	UN Permanent Forum on Indigenous Issues
WGRI	Working Group on Review of Implementation
WTO	World Trade Organization