

## CBD COP 10 HIGHLIGHTS MONDAY, 18 OCTOBER 2010

The morning plenary heard opening remarks and addressed organizational issues. In the afternoon, Working Group I (WG I) considered inland waters, mountain, and marine and coastal biodiversity. WG II addressed: progress toward the 2010 biodiversity target and the Global Biodiversity Outlook (GBO); and the revised strategic plan, biodiversity target and indicators. The Informal Consultative Group (ICG) on access and benefit-sharing (ABS) met briefly and was then suspended to allow for small group discussions.

### OPENING PLENARY

Delegates witnessed a performance of traditional arts, with Yoko Deva playing the Shinobue (Japanese flute) and the Kakashi-za group in Tekage-e (shadow play). Jochen Flasbarth (Germany), on behalf of the COP 9 Presidency, declared the meeting open and pointed to the failure to meet the 2010 biodiversity target, calling for finalizing the strategic plan and the international ABS regime. He then handed the COP chairmanship to Ryu Matsumoto, Environment Minister of Japan.

COP 10 President Matsumoto said this was a critical time for measures to protect biodiversity, and called for new realistic global targets and for the establishment of an international ABS regime. Masaaki Kanda, Governor of the Prefecture of Aichi, shared the expectation that COP 10 will adopt post-2010 targets and the international ABS regime. Takashi Kawamura, Mayor of the City of Nagoya, stressed the important role of municipalities and citizens in living in harmony with nature.

Achim Steiner, UN Environment Programme (UNEP) Executive Director, expressed UNEP's commitment to address shortcomings in MEAs' parallel governance and administrative arrangements, and emphasized that COP 10 can become a source of inspiration for successful multilateralism.

Ahmed Djoghlaif, CBD Executive Secretary, termed COP 10 as the most important meeting on biodiversity in UN history, in light of the relevance of the strategic plan and the ABS protocol, for sustainable development.

Participants then saw a video prepared by the Japanese government and a performance of the song "Life in Harmony" by Misia, COP 10 Honorary Ambassador.

**ORGANIZATIONAL ISSUES:** Delegates adopted the agenda and organization of work (UNEP/CBD/COP/10/1 and Add.1); and elected Snežana Prokić (Serbia) as Rapporteur for the meeting, and Cosima Hufler (Austria) and Damaso Luna (Mexico) as Chairs of WG I and WG II, respectively. Delegates agreed to postpone consideration of pending financial rules on the scale of assessments to COP 11.

**REPORTS:** Delegates heard reports on: the Biosafety Protocol COP/MOP 5, including the adoption of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress; the report of the GEF (UNEP/CBD/COP/10/6); and intersessional meetings of the WG on Article 8(j), SBSTTA, and WG on the Review of Implementation (UNEP/CBD/COP/10/2 to 4), with the understanding that their recommendations will be considered under the relevant agenda items in the form of draft decisions (UNEP/CBD/COP/10/1/Add.2/Rev.1).

ABS Working Group Co-Chairs Fernando Casas (Colombia) and Timothy Hodges (Canada) reported on the ABS negotiations. Following their recommendations, plenary approved the establishment of an open-ended ICG, including a legal drafting group when appropriate, co-chaired by Casas and Hodges, to work in parallel with the two working groups to negotiate and finalize both the protocol and the COP decision, and report back by Friday, 22 October.

**ADMINISTRATION AND BUDGET:** Ahmed Djoghlaif presented his report on the administration of the Convention and the budget (UNEP/CBD/COP/10/7 and Add.1). Drawing attention to the very modest budget increase proposed, he stressed that zero growth and inflation-rate growth should not be an option. Plenary then established a contact group on budget, chaired by Amb. Conrad Hunte (Antigua and Barbuda), to report back on Friday, 22 October.

### WORKING GROUP I

**INLAND WATERS:** Chair Hufler introduced the draft decision, noting that the only pending issue was bracketed references to water security in several parts of the decision. SWITZERLAND proposed referring to water security "for ecosystem services." BRAZIL, supported by CANADA and Egypt for the ARAB COUNTRIES, proposed replacing references to water security with "natural resources," "water supply," "sustainable water supply," "sustainable use of water resources" and "water quality and availability," depending on the context. The RAMSAR CONVENTION suggested that delegates agree on a definition of the term water security, instead of replacing it with various similar terms. The Democratic Republic of Congo, for the AFRICAN GROUP, supported by NEW ZEALAND, suggested referring to "water for ecosystem services," and stressed that this should be reflected in the strategic plan. NORWAY requested removing brackets around water security.

NORWAY proposed taking account of inland water ecosystems values in national accounts; and stressed the importance of conservation of inland water ecosystems and, with CANADA, of restoration. The EU proposed that conservation and restoration efforts should be reinforced by ensuring water security for biodiversity.

**MOUNTAIN BIODIVERSITY:** Chair Hufler introduced the draft decision, noting that SBSTTA 14 submitted it without brackets. SWITZERLAND proposed that establishment of conservation corridors takes into account the need to avoid the spread of invasive alien species. BRAZIL recommended inclusion of references to benefit-sharing throughout the decision referencing conservation and sustainable use of mountain biodiversity. CHINA proposed, among others, reference to national realities in text on a long-term vision and an ecosystem approach to mountain biodiversity.

**MARINE BIODIVERSITY:** THE PHILIPPINES urged strengthening enforcement mechanisms concerning illegal, unreported and unregulated (IUU) fishing at the national and transboundary scale and creating financial mechanisms to sustain them. NORWAY suggested urging governments to act in accordance with the resolution on ocean fertilization of the London Convention and Protocol on Ocean Dumping.

NORWAY also argued that identification of ecologically or biologically sensitive areas (EBSAs) should be the task of regional competent organizations; and preferred clarifying that the identification of EBSAs is “a scientific and technical step only, and it has no function on the policy and management responsibility.” MEXICO, supported by BRAZIL, reiterated the central role of the UN General Assembly Working Group on marine biodiversity in areas beyond national jurisdiction (ABNJ) in the identification and designation of EBSAs, and opposed the creation of a CBD global inventory of EBSAs in ABNJ. The EU instead supported the establishment of a global scientific inventory, suggesting it be GEF-funded.

NORWAY and BRAZIL proposed deleting reference to a process towards designation of marine protected areas (MPAs) in ABNJ. The EU stressed the need to align the work programme with the strategic plan. ARGENTINA supported a joint expert workshop by the CBD and the UN Framework Convention on Climate Change. JAPAN proposed deleting all references to krill in the draft decision.

## WORKING GROUP II

### PROGRESS TOWARDS THE 2010 TARGET AND GBO:

Delegates addressed the progress report on implementation of the Strategic Plan and progress towards the 2010 biodiversity target and key messages of GBO 3 (UNEP/CBD/COP/10/8 and Add.1) and the respective draft decisions.

MEXICO, with BRAZIL and MALAYSIA, noted lack of funding for developing countries and lack of progress on the third CBD objective on benefit-sharing. MEXICO, BRAZIL, ECUADOR, INDIA and MALAYSIA supported removal of the brackets around a provision on liaising with the International Platform on Biodiversity and Ecosystem Services (IPBES) to achieve full synergy with the CBD. Cameroon, for the AFRICAN GROUP, said that lack of an international regime on ABS has had a negative impact on biodiversity. The EU called for redoubled efforts to halt biodiversity loss within the next decade including through partnerships. NIGER requested stating that the 2010 target “has not been achieved” rather than that it has been “partially achieved.”

AUSTRALIA said that achievement of the Millennium Development Goals (MDGs) depends on managing natural resources and ecosystems sustainably and that National Biodiversity Strategies and Action Plans (NBSAPs) are a key instrument in that regard. CANADA stressed the importance of mainstreaming biodiversity and called for the CBD not to duplicate work by UNEP and others in that regard. FAO committed to mainstreaming biodiversity in its work. The UNITED NATIONS UNIVERSITY provided recommendations on how to develop comprehensive NBSAPs, in accordance with the new strategic plan and COP guidance.

### REVISED STRATEGIC PLAN, TARGET AND

**INDICATORS:** Regarding the two options for the mission of the strategic plan, NEW ZEALAND, ICELAND and THAILAND supported the first option to take action towards

halting the loss of biodiversity and, by 2020, to have reduced the pressures on biodiversity and restored ecosystems and ecosystem services. The AFRICAN GROUP supported the second option to take action to halt biodiversity loss by 2020 provided sufficient funding is made available. The CBD ALLIANCE said the 2020 target should be to halt biodiversity loss and was contingent on financial resource mobilization and adoption of an international ABS regime. CHINA said the 2020 target should be based on science. NORWAY requested a strong scientific foundation for the strategic plan, a mission that calls for halting biodiversity loss and targets that specifically reference: subsidies, forests, fisheries and freshwater. JAMAICA expressed reservations regarding the financial implications of, and the need for, the development of additional mechanisms for implementation of the Strategic Plan.

The EU said the strategic plan is an effective and flexible framework which could enhance international governance among conventions. COLOMBIA called for the reinforcement of regional cooperation and financial and technical support. SOUTH AFRICA called for additional financial resources for implementing the strategic plan. BRAZIL pointed to the connection between the revised strategic plan and the strategy for resource mobilization. IUCN said urgent action to halt biodiversity loss is needed to avoid catastrophic tipping points.

Chair Luna announced that a contact group will convene on Tuesday.

### INFORMAL CONSULTATIVE GROUP ON ABS

The ICG met to discuss the process forward and agreed that: a small group on compliance (article 13) would meet during the rest of the afternoon; a group on the relationship with other instruments (article 3 bis) would meet in the evening; and the ICG would review progress on Tuesday.

**COMPLIANCE (ARTICLE 13):** The group held a conceptual discussion on checkpoints, on the basis of text drafted by Co-Chairs Sem Shikongo (Namibia) and Alejandro Lago (Spain), stating that checkpoints shall collect information on whether prior informed consent (PIC) has been obtained and mutually agreed terms (MAT) have been established and on related information on the use of genetic resources, including, where available, through a permit or internationally recognized certificate of compliance, and that the obtained information will be transmitted to the competent national authority for ABS. Delegates shared views on issues, including: genetic resources crossing checkpoints that would fall outside the protocol’s scope, either because they were for domestic use or because PIC was not required; the need to focus on alleged violations of provider country legislation; linkages with article 12 (compliance with domestic legislation) and article 14 (compliance with MAT); and which authority should receive the obtained information.

### IN THE CORRIDORS

Following an impressive opening ceremony and a brisk organizational plenary, delegates went straight to tackling the diverse, complex and highly interlinked agenda. “Never before have I seen such an urgency to deliver,” said one seasoned participant. Having left the September ABS meeting in Montreal worried that the ABS negotiations were running out of time, several delegates were pleasantly surprised to see progress being made in Nagoya, as “everybody seems determined to conclude this.”

Both in the corridors and in the meeting rooms, it was no secret that the meeting’s success will be treated as a “package:” almost 20 years after CBD’s entry into force, the developing world needs the ABS protocol to start realizing the Convention’s third objective – benefit-sharing. More than one delegate made it clear that, unless a breakthrough on ABS was achieved and was accompanied by substantive funding-related decisions, there would be no agreement on either the strategic plan or IPBES.