

## CBD COP 9 HIGHLIGHTS: WEDNESDAY, 28 MAY 2008

The CBD COP 9 High-Level Segment opened at the World Conference Center Bonn. An afternoon plenary at the Maritim Hotel heard statements from high-level representatives. Working Group I met in the afternoon and evening to consider conference room papers (CRPs) on protected areas (PAs), invasive alien species (IAS) and biodiversity and climate change. Contact and informal groups on access and benefit-sharing (ABS), Article 8(j), financial resources and mechanism, marine and coastal biodiversity, forest biodiversity, agricultural biodiversity and biofuels, PAs, and the budget met throughout the day.

### HIGH-LEVEL SEGMENT

**OPENING:** COP 9 President Sigmar Gabriel, German Minister of the Environment, welcomed delegates to the High-Level Segment, reminding them that protecting biodiversity is a Herculean task.

German Chancellor Angela Merkel noted the linkages between poverty eradication and biodiversity conservation, and pledged EUR 500 million for protection of forests and ecosystems between 2009 and 2012, with an additional 500 million every year thereafter. European Commission President José Manuel Barroso said agreeing to selection criteria for marine PAs is crucial to meet the 2012 target for a global system of such areas. Canadian Prime Minister Stephen Harper called the 2010 target today's paramount environmental challenge. UNEP Executive Director Achim Steiner delivered a message on behalf of UN Secretary General Ban Ki-moon, pointing to the profound human and economic dimensions of biodiversity loss. UN General Assembly President Srgjan Kerim called for unprecedented efforts to counter biodiversity loss. CBD Executive Secretary Ahmed Djoghlaif presented the CBD awards. Participants were then updated on the status of negotiations.

**PLENARY:** COP 9 President Gabriel announced the formation of high-level groups on outstanding items, including: sustainable biofuel production and consumption; funding; ocean fertilization; GM trees; and biodiversity and climate change.

SWEDEN highlighted that 1% of its GDP is allocated to official development assistance (ODA) and, with INDONESIA, stressed the need for a balanced focus on all three CBD objectives. CUBA called on parties to meet their ODA commitments. BRAZIL underlined that CBD implementation depends on financial mobilization. KENYA noted that conservation efforts must take into account poverty and reliance on natural resources in developing countries. INDONESIA,

COTE D'IVOIRE, UGANDA and the CENTRAL AFRICAN REPUBLIC called for a legally binding instrument to ensure benefit-sharing.

COLOMBIA highlighted its support for certification mechanisms for biofuels and, with SPAIN, for work on ABS and PAs. The GAMBIA underscored the importance of PAs in the face of projected climate change impacts and MALTA stressed the need for marine PAs. NIGERIA emphasized the need to increase biodiversity's contribution to food production. MALAYSIA suggested considering the poverty eradication aspects of biofuel production. CHAD said biofuel production should not threaten food security or degrade ecosystems. CHINA outlined national efforts to keep biofuel production from competing with food production. SENEGAL noted the interdependence of the world food and energy crises. COSTA RICA announced its goal to be carbon-neutral by 2021.

CAMEROON and the CENTRAL AFRICAN REPUBLIC, with a coalition of NGOs, cautioned against GM trees. TUNISIA drew attention to the challenge of desertification and unsustainable water use. NAMIBIA illustrated the potential of indigenous systems to improve dryland agriculture. The MALDIVES underscored the vulnerability of island biodiversity to climate change impacts.

Drawing attention to its forthcoming G8 presidency, ITALY committed to advance the biodiversity cause on the G8 agenda. GUATEMALA called for greater emphasis on biodiversity conservation and sustainable use in the UNFCCC process. BHUTAN called for enhanced synergy between the Rio Conventions.

INDIA highlighted commitments to increase forest cover. TIMOR-LESTE presented the Coral Triangle Initiative on Coral Reefs, Fisheries and Food Security. BURKINA FASO described implementation activities, such as private sector involvement in wildlife management.

President Gabriel said commitments expressed bode well for achieving progress in the high-level groups on Thursday.

### WORKING GROUP I

**PAs:** Delegates agreed to "welcome" rather than "take note of" the Lifeweb Initiative. CANADA and the RUSSIAN FEDERATION, opposed by the UN PERMANENT FORUM ON INDIGENOUS ISSUES and HONDURAS, suggested deleting a reference to taking into account indigenous and local community governance systems in ensuring conservation and development activities in PAs. The text remains bracketed. Delegates debated and agreed on the process for the continued monitoring of work programme implementation and in-depth review. JAPAN, opposed by many, proposed deleting language

inviting the G8 to consider initiating a financial initiative for biodiversity conservation. The paragraph was bracketed. A Friends of the Chair group will address outstanding matters.

**IAS:** Delegates reviewed a CRP. Aiming to remove a footnote regarding Decision VI/23 (Alien species that threaten ecosystems, habitats or species), AUSTRALIA, supported by NEW ZEALAND, proposed 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. Both proposals remain bracketed pending further consultations.

Delegates debated several proposals referring to the increasing impacts of IAS due to global trade, transport and travel, and likely exacerbation due to human-induced climate change, increased use of GMOs, and the use of alien species for biofuel production. NEW ZEALAND, supported by CANADA, suggested noting the potential risk, as a result of increased use, of GMOs and species used for biofuel production becoming IAS under certain conditions, where there are insufficient safeguards. The EU preferred to delete reference to "human-induced" climate change and to GMOs, since the latter are covered by the Cartagena Protocol. GRENADA suggested the need for additional efforts to assess these risks. The issue was deferred to an informal group. Discussions will continue on Thursday.

**BIODIVERSITY AND CLIMATE CHANGE:** Delegates considered a CRP, and several called for it to be streamlined. Regarding future in-depth reviews of the work programme, and advice on potential impacts of climate change, the EU and NORWAY preferred to maintain reference to climate change mitigation activities. Discussions continued into the night.

#### **CONSULTATIVE GROUP ON ARTICLE 8(J)**

Following lengthy discussions on the focus of the work programme on Article 8(j), debate centered on a compromise proposal. Delegates agreed to initiate work on task 15 (repatriation of information) following deletion of a specific reference to proposed guidelines. They also decided to initiate work on tasks 7 (guidelines for benefit-sharing and prior informed consent), 10 (guidelines for prevention of unlawful appropriation of traditional knowledge) and 12 (guidelines to guarantee indigenous rights over traditional knowledge), to identify effective contribution to the ongoing work on *sui generis* systems, the code of ethical conduct and the international ABS regime. Delegates further agreed to call for submissions on "desirability and potential elements" of a strategy on conservation and sustainable use. On a proposed in-depth review of the work programme at COP 10, to place a greater focus on the connections between the three CBD objectives and "protection of traditional knowledge," one delegation preferred referring to "respect, preservation and maintenance of traditional knowledge" and the issue was left pending.

#### **CONSULTATIVE GROUP ON ABS**

Delegates agreed that future meetings of the ABS Working Group be held, subject to the availability of funds, over seven consecutive days, unless otherwise determined by parties. SWEDEN, SPAIN, NAMIBIA and CANADA pledged contributions to fund working and expert group meetings. A small group will convene Thursday to begin considering the regime's main components.

#### **FRIENDS OF THE CHAIR ON MARINE AND COASTAL BIODIVERSITY**

Delegates reviewed a Chair's text. Discussions focused on how to reference Principles 2 (sovereignty of States), 7 (common but differentiated responsibilities) and 15 (precautionary approach) of the Rio Declaration, with delegates agreeing to

include the first two in the preamble. Delegates debated whether to "take into account" or "also note" the UN Declaration on the Rights of Indigenous Peoples, and agreed on the former. Delegates also agreed on the need for capacity building to implement provisions on environmental impact assessments and on a respective workshop.

Afternoon and evening meetings focused on unresolved issues: the application of criteria, guidance and initial steps for marine PAs; further advancing scientific and advisory work on areas meeting the scientific criteria; and cooperation on pilot projects. Delegates agreed to delete a paragraph stating that the establishment of marine PAs beyond national jurisdiction should be undertaken with the consent of all parties concerned and by respecting their mutual rights.

#### **FRIENDS OF THE CHAIR ON FOREST BIODIVERSITY**

Delegates considered a non-paper comprising a draft decision. On the impact of the production and consumption of biomass for energy, delegates debated reference to "commercial" or "industrial production and/or large-scale industrial production," and agreed to "large-scale and/or industrial production." Delegates discussed developing knowledge on forest ecosystem services, innovative tools or implementing market-based certification schemes "consistent with" or "taking into account" relevant international obligations. References remained bracketed. Several delegates opposed convening an *ad hoc* technical expert group on review of implementation of the work programme. Regarding GM trees, delegates considered three formulations referring to the precautionary approach, which remained bracketed. Language on suspending the release of GM trees until assessment of their potential impacts and further development of methods for conducting risk assessments also remains bracketed. A revised CRP will be prepared.

#### **FRIENDS OF THE CHAIR ON AGRICULTURAL BIODIVERSITY**

The group continued discussion of a CRP focusing on: the role of the Convention in addressing biofuels; the relevance of the precautionary approach; and the need to mention impacts of perverse incentives. One delegation suggested moving a heavily bracketed reference to voluntary guidelines, criteria, standards, certification schemes and other tools to a footnote, with delegates noting a potential trade-off between this text and deleting text referencing trade and market distortions.

#### **BUDGET GROUP**

The budget group continued deliberations on preliminary emerging cost implications. Conscious of the projected USD 800,000 shortfall in the Convention's core programme budget for 2007/2008, delegates identified priorities, notably ABS meetings and a new ABS Secretariat post. Delegates also discussed areas for cost savings, such as holding liaison group meetings on the margins of other meetings.

#### **IN THE CORRIDORS**

On Wednesday, many delegates could be seen experiencing varying degrees of confusion. In the morning, some delegates were observed wandering the hallways of the conference venue looking for their informal groups which had been relocated or postponed. One contact group Chair was witnessed searching for his "friends," grumbling that they were probably tied up in more important informals. Others expressed concern regarding the "institutionalization" of informal groups such as the informal consultative group on ABS or the Friends of the Chair group on biofuels, which have been meeting almost continuously. In the evening, cheerful ABS negotiators set out to see what had been going on while "we have been locked away in our group." One looked very puzzled when his query "Which working group is this?" was answered with "The high-level segment!"