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to: Delegations

Subject: Preparation of the tenth meeting of the Conference of the Parties (COP 10) to the Convention on Biological Diversity (CBD) (Nagoya, 18 - 29 October 2010)
- Council conclusions

Delegations will find annexed the conclusions adopted by the Council (Environment) on 14 October 2010.

**Preparation of the tenth meeting of the Conference of the Parties (COP 10)
to the Convention on Biological Diversity (CBD)
(Nagoya, Japan, 18 - 29 October 2010)
- Council conclusions -**

THE COUNCIL OF THE EUROPEAN UNION

HIGHLIGHTING the importance of the conservation and sustainable use of terrestrial, inland waters and marine biodiversity and ecosystem services, both for ethical reasons, respecting the recognition of the intrinsic value of biodiversity, and to secure social and economic stability, mitigate and adapt to climate change, and reach the Millennium Development Goals (MDG);

RECOGNISING that the 2010 Biodiversity targets have been essential in generating awareness, momentum and actions in support of biodiversity; but ACKNOWLEDGING that the relevant actions have not been implemented at a sufficient scale to enable the EU and the global biodiversity 2010 targets to be met;

DEEPLY ALARMED that human activity continues to induce biodiversity loss at an unprecedented rate, and is predicted to accelerate further over the course of the 21st century, resulting in very serious ecological, economic, social and ethical consequences that affect human wellbeing and undermine social and economic development;

AWARE that the main reasons for not having achieved the 2010 biodiversity targets are multiple and well-documented; FULLY CONVINCED that at present the resources do not meet the level required to enable the full and effective implementation of the objectives of the Convention on Biological Diversity (CBD); FULLY CONVINCED of the need to undertake urgent and coordinated action at all levels and across all relevant sectors to address existing policy and implementation gaps and persistent shortcomings as well as to better quantify the resource gap and to explore options for an improved and more efficient use of available resources in order to effectively meet the objectives of the CBD;

TAKING NOTE WITH APPRECIATION of the ‘Message from Ghent for Biodiversity post-2010’ highlighting policy options for biodiversity beyond 2010, as presented by the Belgian Presidency of the European Union at the Conference on “Biodiversity in a changing world” on 8 and 9 September 2010;

WELCOMING also the political impetus provided by the High-Level Event on Biodiversity held at the General Assembly of the United Nations (UNGA) on 22 September 2010 contributing to a successful outcome at the tenth meeting of the Conference of the Parties (COP 10) to the CBD;

1. REAFFIRMS the EU’s commitment to step up actions in favour of the three objectives of the CBD, within the EU and globally; STRESSES the need to explore more effective ways and means to further strengthen the implementation of the CBD; RECALLS especially its conclusions ¹ of 22 December 2009 and 15 March 2010, and the positions contained therein, and the conclusions ² of the European Council of 25/26 March 2010, in which EU Heads of State or government committed themselves to the long-term (2050) vision for biodiversity and the 2020 target set out in the Council's conclusions of 15 March 2010;
2. STRESSES the key issues at COP 10: the need for a balance between an ambitious new CBD Strategic Plan 2011-2020 and the availability of capacity and resources to achieve its timely implementation, including through the implementation of the Strategy for Resource Mobilisation and the development and application of innovative financial mechanisms; the sharing of scientific knowledge, the mainstreaming and sectoral integration of biodiversity (especially in financial-economic systems); the strengthening of synergies between climate change, desertification and biodiversity policies and the need to reach agreement on a meaningful Protocol on access to genetic resources and the fair and equitable sharing of benefits arising from their utilization (the ABS Protocol);

¹ 17785/09 and 7536/10.

² 7/10.

I. Strategic Plan 2011 – 2020

3. RECONFIRMS the EU headline target of halting the loss of biodiversity and the degradation of ecosystem services in the EU by 2020, and restoring them in so far as feasible, while stepping up the EU contribution to averting global biodiversity loss; WELCOMES the progress achieved on the CBD Strategic Plan at the third meeting of the Working Group on Review of Implementation of the CBD (Nairobi, Kenya, 24-28 May 2010);
4. EMPHASISES the importance of reflecting the EU's key priorities, in particular with regard to mainstreaming biodiversity and enhancing integration into all relevant sectors, recognising the value of biodiversity and ecosystem services and restoring ecosystems to ensure the continued provision of vital services;
5. RECOGNISES that coherent and cooperative decision-making and implementation at local, sub-national, national, regional and international levels needs to be strengthened and in this regard STRESSES the importance for the future EU biodiversity strategy and the National Biodiversity Strategies and Action Plans of Member States to reflect relevant decisions of COP 10 and involve the various policy sectors, as a demonstration of the EU's continued commitment to tackling the loss of biodiversity and as a contribution to the implementation of the global framework to be agreed at COP 10;
6. Furthermore, stressing the need for national ownership of activities to implement the CBD, ENCOURAGES Parties to put in place concrete, feasible and cost-effective measures and identify and cooperate with relevant actors and sectors to enable the implementation of the new Strategic Plan to be adopted at COP 10; UNDERLINES the importance of creating ownership beyond the CBD for the vision, mission and targets of the Strategic Plan; and INVITES all relevant institutions and organisations as well as their members and relevant stakeholders to promote implementation of the Strategic Plan of the CBD by relevant sectors including through the adoption of appropriate targets and policies;

7. UNDERLINES that it is important for the CBD to move into an enhanced phase of implementation; to this end, STRESSES the need for an ambitious science-based 2011-2020 Strategic Plan, which sets a clear logical framework of goals, strategic, measurable, achievable, realistic and time-bound targets and associated indicators, and outlines the instruments and means necessary for fulfilling the commitments identified and implementing the activities required in a timely manner; IS DEDICATED to promoting decisive, concrete policy actions being triggered by such a Plan and to it becoming a key for mobilising the means for their implementation and for monitoring of progress;
8. RECOGNISES that the balance between an ambitious Strategic Plan and the availability of capacity and resources to implement it needs biodiversity to be better reflected in national, regional and local decision-making processes, as well as in related processes at global level;

II. Resource Mobilisation

9. RECALLS that the implementation of an effective post-2010 biodiversity policy framework and of a new Strategic Plan for the CBD will require an adequately increased mobilisation of resources from all possible public sources, as well as increased resources from private sources including innovative financial mechanisms, both through the involvement of key stakeholders and through a review of the guidance to and increased dialogue with the financial mechanism of the CBD Global Environment Facility (GEF); in this context WELCOMES the successful fifth replenishment, including the agreement to reform the GEF to strengthen country ownership and increasing the scope for enhancing synergies between Conventions, and REITERATES the EU Official Development Assistance/Gross National Income (ODA/GNI) target as set out in the European Council conclusions³ of 16 and 17 June 2005;

³ 10255/1/05 REV 1.

10. STRESSES the need to strengthen at COP 10 the process initiated at COP 9 towards sustainable capacity and adequate financing as well as the need for efficient and effective use of existing resources for the implementation of the three objectives of the CBD, in particular by elaborating targets and indicators for the Strategy for Resource Mobilisation, by exploring possible mechanisms, by supporting the integration of biodiversity into economic systems based on an enhanced knowledge base, as provided for example by the outcomes of the study on The Economics of Ecosystems and Biodiversity (TEEB) and the future work of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) and by building on the opportunities provided by other processes, including the United Nations Framework Convention on Climate Change (UNFCCC), and the finance associated with the Copenhagen Accord on climate change;
11. HIGHLIGHTS the need for further dialogue with all relevant actors, including the private sector, to identify innovative mechanisms for leveraging additional resources for the conservation and sustainable use of biodiversity and ecosystem services and for more effective and targeted use of existing resources; SUPPORTS work towards new and improved instruments for financing the conservation and sustainable use of biodiversity and the restoration of ecosystems, by encouraging the development of sustainable finance plans through the use of innovative financial mechanisms both for public and private funding, such as the reform, elimination and reorientation of those subsidies harmful to biodiversity, payments for ecosystem services, the further use of the LifeWeb and the EU Business and Biodiversity initiatives and the development of other innovative mechanisms aimed at leveraging private-sector financing;
12. RECOGNISES the importance of keeping up the momentum after 2010 with the new Strategic Plan and the urgency of supporting all Parties in achieving their engagements;
13. CALLS UPON the Commission, in close cooperation with the Member States to continue reporting on the amount of funds related to biodiversity conservation and sustainable use, both within the EU and on the global scale, with a view to acknowledging efforts and promoting funding opportunities;

III. Sectoral Integration - TEEB

14. RECOGNISES that the continuing loss of biodiversity and related ecosystem services needs to be a key concern for policy makers and society, given its far-reaching consequences for social welfare and sustainable development; COMMITTS itself to integrating biodiversity considerations into the development and implementation of other relevant programmes and policies, including minimised impact on biodiversity and wherever possible biodiversity benefits in all relevant policies, in particular national and EU policies related to natural resources and land use management, such as agriculture, food security, forestry, fisheries, mining and energy, as well as spatial planning, transport, tourism, trade, and development; CALLS for strengthened commitment, engagement, responsibility and active participation of these sectors and related stakeholders;

15. HOLDS THE VIEW that the EU should promote in the relevant fora a widespread application of measures such as those listed in the Forest Law Enforcement, Governance and Trade (FLEGT) Action Plan ⁴ in all countries and regions, as a means to promote good governance and law enforcement in the forest sector, to support rural livelihoods and to eliminate illegally produced timber and timber products from domestic and international markets as soon as possible; and UNDERLINES the progress made in the EU in this area, such as with the new timber regulation ⁵, recognising the commitment to eliminate illegally produced timber from EU markets and the important part this plays in tackling biodiversity loss;

16. WELCOMES the work of TEEB and its significant contribution to emerging knowledge and understanding regarding the economic aspects of biodiversity and ecosystem services, RECOGNISES that the frequent undervaluation of, or disregard, for biodiversity and ecosystem services as well as the limited internalisation of their values into national strategies and programmes, such as systems of national accounts, are a significant cause underlying today's biodiversity crisis;

⁴ COM (2003) 251 final

⁵ 14222/2/10 REV 2 + ADD 1, PE-CONS 33/10: Proposal for a Regulation of the European Parliament and the Council laying down the obligations of operators who place timber and timber products on the market.

17. Therefore REITERATES the need to integrate the valuation of biodiversity and ecosystem services into systems of national accounts, the United Nations System of National Accounts and relevant policy and decision-making processes, taking into account the Report by the Commission on the Measurement of Economic Performance and Social Progress;
18. STRESSES that the conservation and sustainable use of biodiversity and ecosystem services should be further integrated into current and future EU policies and financial instruments and COMMITS itself to actively promoting positive incentives and reforms, eliminating or reorienting harmful subsidies in the relevant sectors to benefit biodiversity, and INTENSIFIES support for initiatives to incorporate economic considerations and valuation of biodiversity and ecosystem services into all relevant policies and sectors as a fundamental contribution to fulfilling biodiversity commitments;
19. RECOGNISES the impacts on biodiversity of consumption and production patterns at international, national and regional levels; ENDEAVOURS to reduce the EU ecological footprint on global biodiversity, in particular through the work undertaken on resource efficiency as part of the EU 2020 strategy; and ENCOURAGES Member States and the Commission to develop specific cost-effective options for conservation and sustainable use of biodiversity and ecosystem services at national, European and global levels, based on the TEEB findings;

IV. Cooperation among Conventions

20. STRESSES the importance of increased synergies and strengthened international environmental governance among biodiversity-related Multilateral Environmental Agreements (MEAs), and within existing resources and where appropriate, supports joint work programmes on issues of common interest with a view to enhancing their coherent, cooperative, effective and cost-efficient implementation, and as a key contribution among others towards climate-change mitigation, adaptation and resilience; further STRESSES the need to provide increased guidance by Parties to enhance the efficiency of the Biodiversity Liaison Group ⁶; and HIGHLIGHTS the need to ensure coherence between the targets in the CBD Strategic Plan 2011-2020 and other relevant targets set in international and regional agreements and with the objectives of relevant UN agencies, so as to foster enhanced implementation of the relevant decisions of these bodies;
21. REITERATES that a stronger relationship among the three Rio Conventions ⁷ is of crucial importance to reaching the objectives under the CBD, the UNFCCC and the United Nations Convention to Combat Desertification (UNCCD), as well as the development objectives, including the MDGs; in this regard STRESSES the importance of comprehensive ecosystem-based policy approaches, where appropriate, that integrate the challenges of biodiversity, mitigation of and adaptation to climate change, desertification, soil and land degradation, food security, poverty reduction and sustainable social and economic development;

⁶ The BLG comprises the heads of the secretariats of the six biodiversity-related conventions: the Convention on Biological Diversity (CBD), the Convention on Migratory Species (CMS), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Ramsar Convention on Wetlands, the World Heritage Convention, and the International Treaty on Plant Genetic Resources for Food and Agriculture.

⁷ CBD, UNFCCC and UNCCD.

22. Further HIGHLIGHTS the opportunities provided by the CBD COP 10 and the UNFCCC COP 16 to achieve important cooperation and progress on issues such as the development and implementation of negotiated safeguards for biodiversity and the rights of indigenous and local communities under the REDD+ ⁸ and possible links to biodiversity commitments under the CBD Strategic Plan, and URGES the CBD and its Parties to contribute actively to the common development and implementation of biodiversity safeguards under REDD+ as a crucial opportunity for cooperation between CBD and UNFCCC;
23. REAFFIRMS the mitigation and adaptation potential of resilient wetlands, oceans, forests, soils, peatlands and grasslands and other ecosystems, RECOGNISES that conservation, restoration and sustainable use of these ecosystems often result in carbon emission reductions, carbon storage and increased adaptation potential, and STRESSES the need to develop and use ecosystem-based approaches where relevant for mitigation of and adaptation to climate change, in addition to technological approaches;
24. WELCOMES the invitation to the other Rio Conventions to collaborate with the CBD in the development of joint activities and RECOGNISES in particular the need to ensure coherence and mutual supportiveness at all levels including through mechanisms such as the Joint Liaison Group ⁹;
25. WELCOMES in this context efforts by other related multilateral environmental conventions – both global and regional – to strengthen the conservation and sustainable use of biodiversity and ecosystem services;

⁸ Reducing Emissions from Deforestation and Forest Degradation (REDD) - "REDD+" goes beyond deforestation and forest degradation, and includes the role of conservation, sustainable management of forests and enhancement of forest carbon stocks.

⁹ The JLG comprises the Secretariats of the three Rio Conventions.

V. Access and Benefit Sharing

26. REITERATES the need for transparency, legal certainty and predictability when accessing genetic resources and traditional knowledge associated with genetic resources and when fairly and equitably sharing the benefits arising from their utilisation; therefore RECONFIRMS the commitment of the EU to the successful conclusion of negotiations on a meaningful ABS Protocol at COP 10;
27. STRESSES that this ABS Protocol:
- must not interfere with the work of the relevant international organisations and agreements such as WHO ¹⁰, IPPC ¹¹ and OIE ¹², while keeping pathogens within its scope;
 - can contain requirements to disclose relevant information as long as they are limited to transparency measures;
 - should adequately address traditional knowledge associated with genetic resources and, subject to national legislation, related Indigenous and Local Communities rights, to implement effectively the provisions in Article 15 and Article 8 (j) of the CBD as mandated by COP decision IX/12;
 - should establish a clear relationship so as to foster mutual supportiveness between the ABS protocol and other relevant international instruments, such as the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA);
 - should take into account genetic resources for food and agriculture and the interdependence on such genetic resources to meet worldwide food security;
28. HOLDS THE VIEW that the ABS Protocol should not provide for retroactive application;

¹⁰ World Health Organisation.

¹¹ International Plant Protection Convention.

¹² World Organisation for Animal Health.

29. UNDERLINES that the ABS Protocol will be an important contribution to the implementation of the three objectives of the CBD; and therefore HOLDS THE VIEW that the ABS Protocol and its future development and implementation must be considered an integral part of the CBD process;

VI. Establishment of an Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES)

30. REAFFIRMS the need to identify and synthesize key scientific information and catalyse efforts to generate and share knowledge about biodiversity and ecosystem services and the ecological, social and economic impacts of its loss, needed to increase public understanding and trigger better-informed decision-making to safeguard nature and the ecosystems upon which the economy and human wellbeing depend; WELCOMES the outcome of the third ad-hoc intergovernmental and multi-stakeholder meeting on IPBES in Busan, Republic of Korea from 7 to 11 June 2010;
31. EMPHASISES the importance of agreeing at the General Assembly of the United Nations (UNGA) by the end of 2010, a resolution to establish an IPBES and to provide clear guidance on the next steps to be taken towards a first meeting of IPBES plenary in 2011;

VII. Marine Protected Areas

32. REITERATES the need to promote measures to conserve and use sustainably biodiversity in all marine areas, and UNDERLINES the importance of the establishment of a global inventory on a scientific basis, of ecologically or biologically significant marine areas in need of protection as an essential step to promote all necessary measures towards implementation of the 2012 target on marine protected areas as adopted at the World Summit for Sustainable Development in 2002 and consistent with the United Nations Convention on the Law of the Sea (UNCLOS) and its implementation agreements.