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**ENV 349
AGRI 170
RECH 202
ENER 179
PI 28
FORETS 30
PECHE 131
WTO 106
ONU 46**

NOTE

from : General Secretariat
to : Delegations

Subject : Ninth ordinary meeting of the Conference of the Parties (COP 9) to the Convention on Biological Diversity (CBD) and on the Fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP 4) (Bonn, 12 to 30 May 2008)
– Information from the Presidency

Delegations will find annexed information from the Presidency on the above subject, which will be dealt with under "other business" at the meeting of the Council (Environment) on 5 June 2008.

Ninth ordinary meeting of the Conference of the Parties (COP 9) to the Convention on Biological Diversity (CBD) (Bonn, 19 to 30 May 2008)

- Information from the Presidency -

The ninth meeting of Parties to the Convention on Biological Diversity was very well organised by the German government which contributed greatly to the good atmosphere and deliberations of the meeting. Basically, the EU achieved all its objectives on the key issues set for CBD-COP 9 and adopted in the Council conclusions of June 2007 (10788/07) and March 2008 (7250/08).

Throughout the meeting, the EU played an active role and significantly contributed to a very successful outcome of the Conference. The COP adopted a number of milestone decisions for practical and operational steps in protecting global biodiversity and achieving the global target of significantly reducing the rate of biodiversity loss by 2010. These decisions are also important for the EU objective, established at the European Council in Gothenburg, of halting the loss of Biodiversity by 2010. In the closing plenary the Conference adopted 38 decisions, and some of them are of critical importance for the further development and implementation of the CBD as well as for the achievement of the 2010 target. Additionally, the organisation of the High Level Segment, and the participation of over eighty ministers and over thirty other high level officials, was a good way of involving the ministers in the latest developments and negotiations on the most controversial issues.

The EU's overall objective was to enhance implementation of the CBD's Programmes of Work and particularly the EU's key priorities, outlined already in preparation for COP 9. These include sustainable production and use of biofuels, implementation of programmes of work on forest and agriculture biodiversity, protected areas and the Life Web initiative, including marine and coastal biodiversity; cooperation with the Rio Conventions, particularly CBD's input into the Bali process of the UNFCCC; establishment of a process for an international regime on ABS; and development of a policy-science interface for biodiversity.

Biofuel discussions were closely linked with agricultural biodiversity. The Conference of the Parties reached an agreement on **biofuels**, which, for the first time at global level, establishes that the production and use of biofuels should be sustainable in relation to biodiversity. This agreement will now enable more specific guidance for the development of sustainability criteria to be drawn up. A process has been launched to develop such guidance for consideration at COP 10, but the nature of the outcome has been left open.

The decision on **forest biodiversity** generally reflects the agenda of the EU. The main interests related to forest biodiversity were effectively taken forward by the EU in the context of the decisions on biodiversity and climate change as well as biofuels. The decision adopted by the COP provides an adequate response to concerns about the development and release of GM trees. The issue had already been addressed at the MOP 4 of the Cartagena Protocol, where an approach based on proper risk assessment was adopted.

The decision on **protected areas** was based on the recommendations from the Rome WG-PA meeting. Section A focused on technical aspects of implementation. Section B, on mobilising financial resources for the establishment and management of protected areas, led to prolonged negotiations throughout the meeting until the final plenary. The most contentious issues centred on mobilising new and additional financial resources. Reference to the Paris declaration on aid effectiveness was instrumental to reaching a compromise. This decision will bring new life to the Programme of Work on Protected Areas, which was greatly facilitated by the Life Web Initiative, originally proposed by Germany, to pledge new resources for the establishment and better management of protected areas in the regions in which they are most needed.

The EU's objectives in relation to marine biodiversity were fully achieved. A major step forward has been taken to reach the target of establishing a global network of **marine protected areas** by 2012. The Conference adopted scientific criteria for the identification of marine areas in need of protection. Importantly, the Conference also agreed that, in support of the United Nations General Assembly, work will also be done to identify marine areas that meet the criteria and to provide guidance for the assessment of environmental impacts of activities undertaken in the high seas. The COP encouraged effective collaboration and synergies at all levels between the Rio Conventions and other related instruments and processes. In this context, linkages between biodiversity and climate change policies were reinforced. On **biodiversity and climate change**, governments agreed on a process which will feed biodiversity concerns into the ongoing climate negotiations under the United Nations Framework Convention on Climate Change (UNFCCC). The EU targeted proposal for the technical scientific work to be undertaken in an Expert Group, was adopted. Additionally, ocean fertilization was also an issue raised by the EU and consequently, the Conference adopted a decision which severely limits any activity with regard to **ocean fertilization**.

A key achievement was reached in the ongoing negotiation of an international regime on access to genetic resources and the fair and equitable sharing of benefits arising from their use (**ABS**). The decision provides clear guidance to finalise the international regime in the ABS Working Group so that COP 10 in October 2010 can consider adopting the international ABS regime. It also includes a detailed roadmap for finalising these negotiations and envisages three meetings of the ABS Working Group between COP 9 and COP 10 as well as three technical expert groups on key conceptual challenges (compliance; terms, definitions and sectoral approaches; traditional knowledge associated with genetic resources) that will feed into the negotiations.

On the development of an **international science-policy interface on biodiversity, ecosystem services and human well-being** progress has been made. Parties welcomed the agreement of the Executive Director of UNEP to convene an ad-hoc open-ended intergovernmental multi-stakeholder meeting to consider establishing such an interface and invited Parties to ensure that appropriate scientific and policy experts from various regions and disciplines are made available to attend. This meeting is likely to take place in November. This interface should not only support the interests of the CBD but also of other MEAs and intergovernmental bodies (e.g. FAO).

In the last plenary the meeting also welcomed the Government of Japan's offer to host the 10th meeting of the Conference of the Parties to the Convention on Biological Diversity to be held in the City of Nagoya in Japan between 18 and 29 October 2010. The High Level Segment is scheduled between 27 and 29 October.

Some 230 side-events took place during the two weeks. The two outstanding side-events during the High Level Segment included Natura 2000 – Europe's practical commitment to the 2010 target, where the Natura 2000 Book was launched, and the Big Win for Dinaric Arc where the governments of the Dinaric Arc countries (Albania, Bosnia and Hercegovina, Croatia, Montenegro, Serbia and Slovenia) agreed on building a viable and representative protected areas network and providing a platform for future engagement of donors in fulfilling national commitments towards implementation of the CBD in the Region, taking into account River Basin Management and Integrated Coastal Zone Management.

Fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP 4) (Bonn, 12 to 16 May 2008)

- Information from the Presidency -

The EU achieved all of its objectives for COP-MOP 4 as reflected in the Council decision on liability and redress (8112/08) and Council conclusions on other key issues (6346/08).

In accordance with the mandate granted to it in the Council decision, the Commission will provide a report on liability and redress.

The EU's overarching objective for MOP 4 was to agree ambitious decisions to boost the implementation of the Protocol: particularly decisions on capacity building, risk assessment and risk management, sampling and detection and the Biosafety Clearing House. The decisions taken at MOP 4 clearly coincide with this EU objective. They provide for intersessional processes that should help to shift discussions within the framework of the Protocol from the development of rules to their implementation.

After lengthy and difficult discussions, MOP 4 adopted a decision on risk assessment establishing an intersessional process that fully reflects the EU position, both in terms of convening two intersessional meetings of a technical experts' group and the terms of reference for this group. In addition Parties requested the Executive Secretary to convene, prior to MOP 5, (sub)regional training courses to enable countries to gain hands-on experience in preparing and evaluating risk assessment reports in accordance with the articles of and Annex III to the Protocol.

In the discussion on the sampling and detection of GMOs, the EU took a proactive role by provided a wealth of information on experience and activities. The Joint Research Centre also presented its work during the CEPA fair at MOP 4 and the EU announced the First Global Conference on GMO Analysis, which the Joint Research Centre is organizing in June 2008. MOP 4 specifically encouraged the Global Environment Facility (GEF) and others to cooperate with and support developing countries in their efforts to build their capacities in the area of sampling and detection, including by setting up laboratory facilities and training.

The MOP 4 decision on the Biosafety Clearing House (BCH) calls for further development of the BCH and also gives specific guidance to the GEF to extend the UNEP/GEF BCH project.

The EU was also a key player in the budget discussions and was able to ensure that the budget accurately reflects the priorities for the implementation of the Protocol and is consistent with the decisions adopted on such key issues as risk assessment, the Biosafety Clearing-House, capacity building and Article 18 (Handling, Transport, Packaging and Identification).

In addition, guidance to the GEF with respect to support for the implementation of the Protocol during its fifth replenishment (2010-2014) fully coincides with the implementation priorities envisaged by the EU: legal and administrative systems, risk assessment and risk management, enforcement measures, including detection of GMOs, and liability and redress.

EU coordination in preparation for MOP 4 and on the spot in Bonn was constructive and effective. Slovenia made opening statements not only on behalf of the European Community and its 27 Member States but also on behalf of the candidate countries, Croatia, the former Yugoslav republic of Macedonia and Turkey, the potential candidate countries, Bosnia and Herzegovina and Serbia, and Ukraine and kept representatives of those countries present at MOP 4 updated on discussions within the EU.

Last but not least, Slovenia would like to thank all EU delegations that supported its work in preparation for and during MOP 4 in a very friendly, constructive atmosphere and, in particular, to extend its gratitude to the delegations of AT, NL and the Commission with whom it shared this workload.
