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JOINT NATURE CONSERVATION COMMITTEE

CONVENTION ON BIOLOGICAL DIVERSITY: UPDATE FOLLOWING THE 7TH CONFERENCE OF PARTIES IN FEBRUARY 2004

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1. Background

1.1 A paper on JNCC and country agency involvement with the Convention on Biological Diversity (CBD) was discussed by the Joint Committee at their meeting in December 2003. Since that meeting, the 7th Conference of the Parties to the CBD (COP 7) has taken place (in Kuala Lumpur, February 2004). The 8th Conference of the Parties (COP 8) is scheduled to be held in Brazil in May/June 2006.

1.2 This paper:

- i. summarises the outcomes from COP 7;
- ii. describes the major issues now facing the UK and the EU with regard to the CBD; and
- iii. presents initial thinking on JNCC's role in supporting Defra in implementing the COP 7 decisions and preparing for COP 8.

2. Main outcomes of COP 7

2.1 COP 7 in Kuala Lumpur was seen as a great success by both the UK and the European Commission. The UK achieved all of its objectives (Annex 1), and all but a few of the EC Environment Council conclusions were achieved. UK and EU teamwork was extremely effective. This provides an excellent foundation from which to implement decisions within the UK and EU, and to prepare for COP 8 in Brazil.

2.2 The full text of all the decisions made by COP 7 is available on the CBD website (www.biodiv.org). From a UK/EU perspective, some of the key decisions were:

- i. agreement of a global framework of outcome-oriented targets and indicators for measuring progress towards the World Summit on Sustainable Development (WSSD) target to significantly reduce the current rate of global biodiversity loss by 2010;
- ii. agreement of a protected areas work programme;

- iii. agreement of a marine and coastal work programme;
- iv. agreement of a work programme for mountain ecosystems;
- v. a revision of the inland waters work programme;
- vi. a mandate for a working group to develop an international regime for access and benefit sharing (not traditionally an area for JNCC involvement);
- vii. a request for the CBD Secretariat to develop a 'sourcebook' to facilitate implementation of the ecosystem approach;
- viii. agreement of the Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity.

3. Implementing the COP 7 decisions

3.1 The Support Unit are currently analysing the suite of COP 7 decisions to identify and prioritise JNCC interests. Some of the issues that are likely to require significant input from JNCC are listed below. A schedule of known CBD meetings is attached as Annex 2.

Protected areas work programme

3.2 The achievement of a substantive work programme on protected areas is seen by many, including the European Commission, as an essential step forward to balance the work programmes on access and benefit sharing and indigenous rights/local knowledge. This balance needed to be achieved before the Convention could concentrate wholeheartedly on implementation. This is the challenging milestone at which we are now placed.

3.3 Globally, the EU is seen as 'responsible' for many aspects of the work programme on protected areas, and so will need to be well prepared to deal with this responsibility at the expert group meetings in April and December 2005. JNCC intends to support Defra at these meetings. The EU has to be seen as strong and influential on this topic despite differences between the Member States on a few issues, some of which arise from Habitats Directive implementation within the EU. From a UK perspective, the major CBD protected areas issues are:

- i. ensuring that the protected areas work programme, and by implication protected areas, is not seen as the answer to achieving all of the CBD's work on nature conservation;
- ii. ensuring that protected areas are not seen in isolation, but are integrated into the wider landscape;

- iii. promoting issues such as self-financing of protected areas and sustainable tourism, given the massive oversubscription of current resources for implementing CBD more widely in the developing world;
 - iv. considering the position of the UK Overseas Territories, which are often not eligible for international funding support and have to try to implement CBD decisions on very limited resources;
 - v. avoiding 'paper parks' where protected areas work stops the moment sites have been designated; the whole EU are fairly joined up on this point.
- 3.4 International politics and their interaction with the common sense of conservation science makes this a difficult subject. For example, at COP 7 the developing world, through Brazil, was actively and openly trading access and benefit compromises for protected areas. These tactics make a basic understanding of all CBD issues and good teamwork across the whole UK delegation important.

Marine and coastal work programme

- 3.5 A challenging programme of work was agreed at COP 7, including the establishment of a network of marine protected areas by 2012, thus enabling implementation of the WSSD target. Difficult issues for the EU and UK were the process for establishing marine protected areas in the high seas and the extent to which strictly protected 'no-take' zones needed to be represented within the network. At the 8th meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) the UK had been quite isolated on these issues, both within the EU and globally, but surprisingly many countries had changed position at COP 7 and the UK found itself well prepared and in a central position. Defra made the most of this position to play a key role in agreeing the final decision, which gave countries flexibility in determining 'use' in protected areas, and invited discussion through the UN General Assembly on high seas matters.
- 3.6 Globally, the issues of corals is a growing priority. Increasingly, cold water corals are being included with warm water corals, raising the UK interest. Defra jointly chair the international coral reef initiative (ICRI) with the Seychelles.
- 3.7 JNCC has already played a substantial role in advising Defra on offshore protected areas, high seas issues and cold water corals. The likely extra burden of work caused by Defra's high international profile in these areas will need to be met.

Measuring progress towards the WSSD 2010 target on biodiversity loss

- 3.8 COP 7 was impressive in agreeing a framework of targets and indicators for measuring progress towards the WSSD 2010 target to significantly reduce the

current rate of biodiversity loss. It also considered how to ensure that the different CBD work programmes and implementation mechanisms contribute to the 2010 target, established an expert group on CBD implementation (which Defra will attend), and made these subjects a standing item on SBSTTA and COP agendas until 2010. This decision has already had positive impacts on European biodiversity indicator work and specifically in the current review of the EC Biodiversity Strategy and Action Plans.

- 3.9 Defra have taken a prominent role in this area, alongside the Dutch, by leading on the development of EU positions and working very closely with the CBD Secretariat. JNCC intends to continue to work closely with Defra on this issue.

Ecosystem approach

- 3.10 The decision from COP 7 calls for the CBD Secretariat, in collaboration with Parties and relevant international organisations, to analyse existing tools and approaches, develop new tools where necessary, collect case studies, and make all this available as a sourcebook to assist implementation of the ecosystem approach.
- 3.11 JNCC has made resources available to do this work, and assistance was formally offered to the Secretariat by Defra. The UK is the only country to have made such an offer to the Secretariat, and so JNCC are in a very influential position to plan, undertake and deliver the work, which needs to be ready for first discussion by SBSTTA in February 2005. This is an opportunity to turn the ecosystem approach into a useful tool for delivering biodiversity gain and CBD decisions, as opposed to an intellectual concept.

Links between the CBD and the UK BAP

- 3.12 The UK BAP was initially written as a response to the CBD but has quite justifiably moved away from this starting point in order to add value to the implementation of the necessary activities on the ground. It is now difficult to make the links between concepts and priorities raised by the CBD and the UK BAP as a means of implementing these. Perhaps, in an ideal world, the devolved lead on UK biodiversity issues would allow the UK role to move towards providing a two-way conduit for ideas to flow from UK BAP implementation to CBD decisions and from CBD to UK BAP implementation. This may be an important area for JNCC.

4. The UK Presidency of the EU

- 4.1 The UK will hold the EU Presidency from July-December 2005. This period will include meetings of the protected areas expert group and SBSTTA 11 in Guatemala during November/December 2005. This presents a challenge as well as a significant opportunity to assist Defra to develop some of the UK priorities for the CBD.
- 4.2 UK priorities during the Presidency will largely depend on the agenda for SBSTTA 11 and the major topics for the Working Party on International

Environment Issues (WPIEI)¹ during the UK Presidency, neither of which are known at present. Work with WPIEI in Brussels will be intense for JNCC throughout the Presidency, and the UK delegation will need to be strong for the Guatemala meetings. This needs careful thought and planning now.

5. COP 8

- 5.1 The main themes for COP 8 will be a new theme on island biodiversity and in-depth reviews on:
- WSSD 2010 target and Millennium Development Goals
 - Work programme for dry and sub-humid lands
 - Global Taxonomy Initiative
 - Communication and public awareness
 - Implementing mechanisms
 - Access and benefit sharing
- 5.2 These themes are likely to create less work for SBSTTA than those of previous COPs. They also represent a potential reduction in the support required by Defra from JNCC.
- 5.3 There will be an expert group meeting on island biodiversity in Tenerife in July 2004 for which the Support Unit has decided not to prioritise UK attendance. However, we have advised FCO of the importance of the theme for the UK's Overseas Territories, and FCO are considering sending a representative from the Falkland Islands.
- 5.4 At its December 2003 meeting, the Joint Committee considered a paper that included a list of potential areas of work for future COPs, as approved by SBSTTA. As COP 7 has chosen to focus on implementation, all of these subjects, with the exception of island biodiversity, have been deleted from the multi-year programme of work.

6. Summary

- 6.1 JNCC will continue to provide scientific advice to Defra over the next two years, in particular on issues such as protected areas, marine and coastal conservation, indicators and the ecosystem approach. The level of support that Defra will require is still unclear. While the UK Presidency is likely to require additional input from JNCC, the agenda for COP 8 indicates that Defra may need less support from JNCC than previously. Further planning and discussions with Defra will be necessary to achieve clarity.
- 6.2 An important role for JNCC will be to encourage active engagement from the country agencies in CBD work. This will help to ensure that:

¹ The Biodiversity sub-group of the Working Party on International Environment Issues (WPIEI) co-ordinates EU positions with regard to the CBD. The group also helps to coordinate the Member States' and the Commission's implementation of CBD decisions.

- i. there are closer links between the CBD and implementation of national biodiversity initiatives;
- ii. expertise from country agency staff can contribute to important work areas, such as the ecosystem approach;
- iii. there is a more joined-up approach to issues such as indicators.

Annex 1. UK objectives for COP 7

1. The main UK objectives for the meeting were:
 - i. to secure a process for monitoring progress towards the 2010 biodiversity target (to achieve a significant reduction in the rate of loss of biodiversity by 2010);
 - ii. to agree a flexible work programme on protected areas with challenging but realistic targets to timelines that are achievable for Overseas Territories;
 - iii. to develop a framework for marine protected areas that bolsters the WSSD commitment (to establish networks by 2010) which reflects a bottom-up approach and avoids no take zones as the main policy tool;
 - iv. to secure greater visibility and commitment to protection of vulnerable marine biodiversity in areas beyond national jurisdiction;
 - v. to support progress towards the WSSD commitment to negotiate an international regime on benefit sharing from the use of genetic resources whilst avoiding a prior commitment to a legally binding regime and ensuring access to genetic resources is part of the regime.

Annex 2. Schedule of CBD meetings

2004

19-23 July	Tenerife	Ad Hoc Technical Expert Group on Island Biodiversity
27 September - 1 October	Montreal	Expert Group on Indicators
November	Spain	Donors Meeting to discuss funding for Protected Areas

2005

14-18 February	Thailand	SBSTTA 10
21-25 February	Thailand	Ad Hoc Expert Group on Access and Benefit Sharing
18-22 April	Italy	Open-ended Working Group on Protected Areas
19-23 September	Montreal	Review of Implementation Expert Group
November	New York	UN General Assembly meeting on high seas issues
28 November - 2 December	Guatemala	Open-ended Working Group on Protected Areas
5-9 December	Guatemala	SBSTTA 11