



CBD COP8: Overview of Positions

SUMMARY

The WSSD 2010 biodiversity target, as well as the CBD Programmes of Work on Protected Areas, Marine and Coastal Areas and Forest Biological Diversity, have not been effectively implemented. As such, further decisions at COP-8 and beyond are essential if the targets and timelines outlined in these Programmes of Work are to be met – and indeed, if states are to ensure that future generations will be able to enjoy and benefit from the wealth of biodiversity on our planet.

The 2005 Millennium Ecosystem Assessment has concluded that the degradation of ecosystems caused by industrial exploitation has continued apace, leading to further loss of biodiversity and the destruction of peoples' livelihoods, particularly in the poorest countries. It is also clear that over the past two years, your country's internal and external ecological footprint has grown even further, increasing the pressure on natural resources, and contributing to greater pollution, poverty and consequently human hardship.

The 8th Conference of parties of the CBD in Curitiba, Brazil, in March 2006 will cover a series of issues, which are highly relevant for the achievement of the 2010 Biodiversity Target. Thus, the outcomes of CoP-8 must ensure that:

- The recommendations from the CBD Working Group on Protected Areas (June 2005) on the establishment of a **global network of protected areas** by 2010 on land, and by 2012 at sea must be strengthened and adopted, including agreed timelines and an ongoing review process. Special emphasis and urgency must be placed on the conservation of large intact ecosystems, which are vital to the protection of the world's biodiversity.
- A new **international financing mechanism** must be developed and additional resources allocated to facilitate the effective implementation of the agreed Programmes of Work. These programmes make a direct contribution to achieving the Millennium Development Goals, which call for action to be taken to reverse the loss of environmental resources.
- The COP must reiterate its call for urgent action to protect high seas marine biodiversity, including genetic resources, from destructive practices. A United Nations General Assembly resolution establishing an immediate **moratorium on high seas bottom trawling** would be the most effective way to do this. In addition, the CBD must begin to immediately set criteria, identify, map and establish **Marine Reserves** covering 40% of the world's oceans, so as to meet the 2012 target for the establishment of a global network of Marine Reserves.
- The COP must also take stock of the recent CBD decisions on **Forest Biological Diversity** and on Protected Areas, and set specific, measurable, achievable, realistic and time-bound (SMART) global targets for the review of the 2010 Biodiversity Target. In

addition, COP-8 must take strong measures to combat illegal logging and related trade, and improve forest law and governance.

- Unsustainable and inequitable use, overconsumption, rampant **illegal and destructive activities**, and poor governance and law enforcement are pervasive problems that have a devastating impact on biodiversity globally, and the communities and economies of the poorest countries dependent on them for their livelihoods. CBD COP-8 must take clear, strong decisions to ensure that the use and trade in biodiversity resources is sustainable and equitable.
- Greenpeace is disappointed at the lack of urgency governments show when addressing biopiracy of all kinds. A fair regime on **access and benefit sharing (ABS)**, ensuring that biopiracy is ended, is urgently required. At COP 8 governments must ensure that the process on Access and Benefit Sharing is sped up, ensuring the full participation of indigenous peoples, local communities and civil society in this process.

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PROTECTED AREAS

Protected Areas (PAs) free from industrial extractive activities are a key management and conservation tool to ensure the long-term future of the livelihoods of local and indigenous communities, biodiversity, and the provision of essential ecosystem services. The 1st CBD Open Ended Working Group (OEWG) on Protected Areas in June 2005 in Italy has provided recommendations, which lay the groundwork for the negotiations at COP-8 and the establishment of a global network of protected areas by 2010 on land, and by 2012 sea. These can, however, be further strengthened.

The postponement of the 2nd meeting of the OEWG on PAs does not bode well for the comprehensive protection of biodiversity on the planet, or the implementation of the Protected Areas Programme of Work. Greenpeace urges parties to ensure the finalisation and adoption of the recommendations of the 1st OEWG on PAs at CoP-8.

PA: 1. Mobilising Financial Resources

There is a clear need to mobilise additional long-term sources of funding for the implementation of the CBD. The global nature of additional funding mechanisms is important. Biodiversity is not evenly distributed, and a number of important natural ecosystems produce goods and services that have regional and global benefits. This includes the regulation of water cycles, carbon sequestration and biodiversity conservation. Therefore, the international community has an obligation to fund, internationally, biodiversity conservation and sustainable use.

It is fundamental that countries ensure that new and additional resources are allocated to ensure the Programmes of Work on Protected Areas, Forest Biological Diversity and Marine and Coastal Biodiversity, can be effectively carried out. Whilst countries are allocating further funds it is important for them to recognise that these programmes make a direct contribution to achieving the Millennium Development Goals, which call for action to be taken to reverse the loss of environmental resources. This is especially relevant for poorer countries that may be biodiversity-rich, yet would require the most financial assistance.

Therefore, it is essential that Parties to the CBD and the CBD itself:

- Recognise that **an extra US\$25 billion is needed per year** to finance a well-managed global network of protected areas.
- **Begin to develop an international financing mechanism** (e.g. through taxes on international trade) for protected areas and the implementation of the CBD in general.
- Highlight the critical role of protected areas in sustaining human livelihoods and achieving the Millennium Development Goals (MDGs), and ensure that **financing for the implementation of the Programme of Work (PoW) on Protected Areas is integrated in financing the measures to achieve the MDG goal.**
- Ensure increased financing by donor countries for assisting implementation of the PoW on Protected Areas in developing countries, including significantly **increasing contributions to the 4th Replenishment of the Global Environment Facility (GEF).**
- **Continue the Donor Forum on Protected Areas to mobilise new financial support** for implementation.
- Commit to undertake immediate measures to **eliminate perverse subsidies** and to redirect these funds towards protected areas.
- Deliver the results of **national and regional assessments of the financial gaps** in meeting the costs of protected areas, and decide to take action to **address these unmet costs at COP-8 in March 2006.**
- Urge countries to deliver financial sustainability plans for protected areas for the COP-8 meeting.
- **Decide to disburse funding to ensure the full and effective participation of local communities and indigenous peoples** in implementing the work programme.

PA: 2. Development of Toolkits

A collection of toolkits is not sufficient in guiding parties through implementation. In the Programmes of Work on PAs and on Forest Biological Diversity, special emphasis for conservation needs has been given to large intact, unfragmented ecosystems and forests. The reliable and independent global and regional information about those areas is essential to address the conservation needs as a matter of urgency. It could provide an essential toolkit for

the PoWs. Also it could be a reference for the review processes by the CBD COP. Therefore, it is essential that CBD Parties and the CBD itself:

- Support and use toolkits, which help to address the need for the conservation of **large intact ecosystems**. As outlined in the Millennium Ecosystem Assessment (MA) the size of protected areas will be critical for the achievement of the 2010 target and the increasingly important adaptation potential of ecosystems to climate change.
- **Include Greenpeace's new tool kit "Intact Forest Landscapes of the World: a method of identification of large unfragmented areas of natural ecosystems based on satellite imagery as core HCVPs", as a key tool to identify priority forest areas requiring protection.**

PA: 3. Review of Implementation

The ongoing review of implementation of the Programmes of Work is crucial if these decisions are to be taken seriously. The PoW on PAs has decided on an ongoing implementation and review process. This must be secured, further developed and refined. It is essential that CBD Parties and the CBD itself:

- Review national activities to adequately address the time-bound targets and relevant activities for 2006, especially the **gap analysis** of both protected areas and financial needs and draw the necessary conclusions.
- Review progress on meeting the goal of target 1.1.2 (high priority areas) to "*establish and expand protected areas in large, unfragmented, intact, irreplaceable or highly threatened areas*".
- Set up a process to **ensure that stakeholders can participate in the peer review of national reports**, focusing on the achievement of the goals and targets, best practices, obstacles to implementation and lessons learnt.
- **Adopt the proposed timeline of the 1st OEWG on PAs to review key issues regarding implementation** between now and 2010 starting at COP-8.
- Develop and **adopt a work-plan** for the Ad Hoc Open Ended Working Group on Protected Areas from now until 2010 drawing on the experiences and lessons learnt from its first meeting in Italy 2005.

PROTECTED AREAS AND MARINE & COASTAL BIODIVERSITY

Increasingly, the international community is recognising that high seas marine biodiversity is under threat from industrial activities, as ever more sophisticated technology enables us to exploit resources that until recently were out of reach. The numerous threats to marine biodiversity from human activities, and their negative impacts on marine ecosystems cannot be underestimated.

The high seas account for over 2/3 of the world's seas and oceans, and biodiversity in these regions is as much under threat as within areas of national jurisdiction. To not recognise this would effectively ignore the fact that high seas marine areas make up an integral part of the world's oceans and that as a recognised part of the global commons, require comprehensive joint-action by states to conserve and protect its biodiversity.

There is also increasing recognition of the lack of understanding about how vulnerable deep-sea ecosystems function and the effect that any disturbance or damage would have on the broader marine ecosystem as a whole, and the species which rely on them. Therefore, in line with the precautionary principle, which underpins the work of the CBD¹, such destructive activities must be halted.

Parties to the CBD recognised this threat in Decision VII/5, which called on states as well as the United Nations General assembly to take urgent short-, medium- and long-term measures to address the problem of high seas bottom-trawling. **The CBD is clearly mandated to be part of a co-ordinated international effort to conserve and sustainably manage the rich biodiversity of planet Earth for today and in the interests of future generations (Articles 3, 4.2 & 5)**, consistent with the Convention on the Law of the Sea.

Document UNEP/CBD/SBSTTA/10/8/Add.1, recognises the detrimental impact that excessive fishing activities as well as destructive fishing practices have on the marine ecosystem. In order to prioritise action it is important for countries to agree that these activities pose one of the biggest threats to the ecological integrity of our world's oceans.

In this connection, the UN General Assembly has specifically noted the CBDs role in the protection and management of marine resources and vulnerable marine ecosystems, and has urged its co-operation in their conservation. Greenpeace strongly urges Parties to ensure the following issues are prioritised in COP-8's final recommendations:

- Recognising the urgent need to ensure the conservation of deep-sea biodiversity and seabed genetic resources and that high seas bottom-trawling is one of the biggest threats to these resources, Parties must recommend that **the United Nations General Assembly (UNGA) establish an immediate, global moratorium on high seas bottom trawling at its 61st Session**, as an urgent short-term measure to protect high seas biodiversity from destructive fishing practices such as high seas bottom trawling.
- Currently under goal 1, target 1.2, it is recommended that *“Particularly vulnerable marine and coastal habitats and ecosystems, such as tropical and cold water coral reefs, seamounts, mangroves, seagrasses and other vulnerable ecosystems effectively protected”*. **It is essential that 100% of these areas are conserved**. This is also a key target under the CBD Programme of Work on Protected Areas, (target 1.1.2- high priority areas) – *“establish and expand protected areas in large, unfragmented, intact, irreplaceable or highly threatened areas”*.
- **Increase co-operation** to make the full and effective use of existing international instruments and elaborate them, as necessary, **in order to facilitate the establishment of high seas marine reserves**.
- Recommend and work to ensure the **development and entry into force of a new implementing agreement under the United Nations Convention on the Law of the Sea (UNCLOS) that comprehensively addresses the conservation and sustainable management of marine biodiversity in areas beyond national jurisdiction**, including through the establishment of marine protected areas and marine reserves.
- **Secures the role of the CBD** in establishing the scientific criteria for and identification of protected areas in areas beyond national jurisdiction.
- **Works to identify, map and establish Marine Reserves covering 40% of the world's oceans to meet the 2012 target** for the establishment of a global network of Marine

¹ “Noting also that where there is a threat of significant reduction or loss of biological diversity, lack of full scientific certainty should not be used as a reason for postponing measures to avoid or minimize such a threat”, Preamble, CBD Convention text.

Reserves (areas where extractive industries such as fishing and mining as well as disposal activities are prohibited).

- The collective impacts of global climate change and pollution are taking their toll on oceans ecosystems. It is insufficient to only urge parties to reduce pollution, or maintain and enhance resilience of biodiversity to adapt to climate change. **Parties must address the root causes of climate change, and also take immediate international action to reduce emissions of greenhouse gases.** Furthermore, it is essential to curb activities such as carbon sequestration as a means of alleviating atmospheric CO₂ levels, and deep-seabed mining for the provision of additional oil and gas resources because of the serious future implications for oceans life and healthy ocean functioning.

FOREST BIOLOGICAL DIVERSITY

The recent UN FAO Forest Resources Assessment (FRA) again underscored the dramatic loss of the world's last ancient forests. Although there are some severe methodological mistakes in the assessment, forest loss is estimated at much more than 13 million hectares per year globally. The major failure of the UN Forum on Forests in May 2005 to negotiate a legally-binding multilateral agreement on forests has further demonstrated, the central role that the Convention on Biological Diversity and its Programme of Work on Forest Biological Diversity (FBD) should play in promoting forest conservation, sustainable use and the equitable sharing of benefits arising from the use of these very valuable resources.

- Parties must recognise the relevance and **prioritise implementation of the programme of work on protected areas as a key contribution to implementing programme element 1 goal 3 objective 3 in the work programme on FBD**, which calls on parties to ensure there are “adequate and effective protected forest area networks”. **A global network of forest protected areas will be a key tool in protecting the world's remaining forests.**
- **Parties must consider and take into account the outcomes of a number of relevant forest fora and processes** when reviewing the programme of work on forest biodiversity and making further recommendations. This includes the outcomes derived from the sixth session of the United Nations Forum on Forests (UNFF) in 13-24 February 2006 regarding the future of an international arrangement on forests, as well as the different Forest Law Enforcement, Governance and Trade processes facilitated by the World Bank.
- Furthermore, there needs to be much **more effective collaboration** between the CBDs Executive Secretary, the World Bank and relevant countries and bodies regarding the **forest law enforcement, governance and trade regional initiatives** in Africa, East Asia, European Union and Europe and North Asia, in order to strengthen the implementation of the FBD work programme.
- **Information sharing is vital in order to develop further recommendations and identify areas that require further attention.** Therefore it is important that the CBD urges parties, and also international organisations, NGOs and other relevant stakeholders to provide information to the Executive Secretary in order to review the work programme on forest biodiversity.

FBD: Sustainable use and consumption of biological resources, illegal logging, Forest Law Enforcement, Governance and Trade (FLEGT)

Unsustainable and inequitable use, consumption and trade of biodiversity resources; rampant illegal and destructive logging; poor governance and law enforcement are pervasive problems that are having a devastating impact on the world's forests and biodiversity, local and indigenous communities and the economies of poorest countries.

At COP-8, parties must take stock on the commitments made in the programme of work on FBD; decision VI/22; especially para 30; and the PoW on Protected Areas; decision VII/28, especially para 22.

- It is important that **countries set measurable, time-bound targets and take strong measures to promote sustainable use and consumption of biodiversity resources, reduce their impact on third countries' biodiversity, combat illegal logging** and related trade, and **improve forest law and governance**.
- **By 2008**, they should ensure the use, consumption and **trade of biodiversity resources only coming from sustainable and equitable sources**. They should prohibit the import/export and trade in biodiversity resources derived from illegal sources. This will be an important contribution to the Millennium Development Goals (MDG).
- In order to be effective, it will require the **development of a credible licensing scheme** for biodiversity resources with a strong tracking or chain of custody system, based on third party verification.

FBD: Global forest targets for the review of the 2010 target

Greenpeace welcomes the efforts by the CBD to develop target s for each programme of work in order to measure the success of parties in reaching the 2010 biodiversity target. However, we believe that the current proposal for targets regarding the review of implementation of the expanded programme of work on forest biological diversity does not adequately address the ongoing forest crisis.

In order to be effective Greenpeace urges parties to agree on Specific, Measurable, Achievable, Realistic and Time-bound (SMART) global targets including:

- In **target 1.1** Greenpeace recommends **that at least 20% of the world's forest areas be effectively conserved in protected areas**. Whilst this is a baseline target, which countries should aim to exceed by 2010, it is important to recognise **that in the longer term this figure should be substantially higher** in order to effectively promote the long-term conservation of forest biodiversity. Only following thorough assessment and gap analysis will it be possible to quantify all areas requiring conservation.
- In **target 1.2** **at least 50% of forests that are ecologically, socially and/or most important for biological diversity** (including 'primary forests' according to the FRA definition) for all biomes and relevant forest types **must be protected by 2010** according IUCN categories I to VI. Recognising that the world's ancient forests contain 2/3 of the planet's terrestrial biodiversity, the conservation of these forest areas will be a significant contribution to meeting the 2010 biodiversity target.

- In target 5.1, the gross rate of forest loss (period 2000-2005, FRA), **conversion to other land uses and forest degradation should be reduced by half by the year 2010** at the global, regional and national level.
- Regarding indigenous and local community rights under goal 9, it is essential to emphasise the importance of **protecting and respecting the rights of these communities** in any activities regarding the conservation and sustainable use of forests biodiversity.
- Without substantial new flows of financial, technical and human resources it will be impossible to effectively implement the programme of work or reach the 2010 target. Therefore it is important that parties prioritise under target 11.1 **the development of an international financing mechanism** to generate new and additional financial resources for developing country parties to ensure the conservation of biodiversity in general. This should be **established by 2008**, and will allow for the effective implementation of the expanded programme of work on forest biological diversity under the Convention, in accordance with Article 20.
- In the meantime developing countries should prioritise the inclusion of activities, which implement the programme of work on forest biodiversity in their development assistance and poverty reduction strategies.

INCENTIVE MEASURES

The CBD is currently trying to find positive measures that governments can use in order to encourage the protection and sustainable use of biodiversity. Greenpeace has highlighted environmental taxation as a financing mechanism that has the potential to raise significant additional funds for biodiversity conservation, including the financing of protected areas. However, this mechanism appears to be absent from CBD discussions on financing so far. Greenpeace is therefore focussing its recommendations on these environmental tax options. This does not imply that the other options are not equally valid and have the potential to raise the necessary revenue, but that environmental tax options should be investigated more thoroughly with a view to contributing to closing the gap between the money required to implement the Programmes of Work and current expenditure. Finally, the redirection of perverse subsidies is considered as an important longer-term option. Therefore, it is essential that CBD Parties and the CBD itself:

- **Take the lead in developing an international tax mechanism** as a key incentive to encourage the conservation and ecologically and socially sustainable use of biodiversity. COP 8 should outline a serious process with a clear deadline for decision for its development and implementation.
- Commit to undertake immediate measures to **eliminate perverse subsidies** and to redirect these funds towards protected areas.

ACCESS AND BENEFIT SHARING (ABS)

The CBD is tasked to look at ways to find equitable and fair ways of sharing the world's biodiversity, including genetic resources. Governments must develop effective rules for the access and benefit sharing (ABS) of these resources in order to implement the World Summit of Sustainable Development outcome as well as the – albeit vague – negotiating mandate for an ABS regime, that governments agreed at COP-7.

Biopiracy continues to be a day-to-day reality in many parts of the world. This 'free' use by corporations of resources and knowledge from developing countries, indigenous peoples and local communities is unacceptable and must be stopped. Greenpeace is thus very concerned, that negotiations on an ABS regime are proceeding at best at a snails pace. Governments are failing to address the issue of biopiracy with the urgency it deserves. At the Open Ended Working Group meeting in Granada, the African Union negotiation proposal was not adopted; the text submitted to COP-8 is so bracketed that its real value is questionable. In addition many governments still seemed unwilling to negotiate on a legally binding regime, thereby obstructing progress.

Therefore, it is essential that CBD Parties at COP-8:

- Reinforce the urgency to end biopiracy and **ensure a legally binding global ABS regime**.
- Give a **clear mandate** for negotiations on a legally binding ABS regime. COP-8 should adopt a **timetable and set target dates** by which an ABS regime should be negotiated, be adopted and be operational.
- **Ensure that indigenous peoples, local communities and civil society fully participate** and contribute to the negotiations on an ABS regime.
- Ensure that an **ABS regime fully respects the rights of indigenous peoples and local communities** on their traditional knowledge and their genetic resources.

For Greenpeace, the legitimacy of asserting intellectual property rights over resources that are considered of public interest must be questioned. There must be no patents on life. Both the CBD and the World Trade Organization (WTO) must respect this principle, as rules on the fair and equitable use of biological, including genetic, resources are developed.

The World Trade Organization (WTO) agreed at its last Ministerial Conference in Hong Kong in 2005 to look further at the issues relating to the relationship of the CBD and global trade law and report on the progress made by the end of July 2006. This illustrates that the world is watching, and is expecting parties to develop rules leading to justice and sustainability. Any further delays in the ABS negotiations are unacceptable. At COP-8 all governments must instruct their negotiators to get serious and ensure that a legally binding ABS regime is negotiated, that helps deliver the 2010 biodiversity target.

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