



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

from: General Secretariat

to: Council

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Subject: Convention on Biological Diversity: outcome of and follow-up to the Nagoya
Conference (11-29 October 2010)
- Draft Council conclusions

1. In previous conclusions ¹, the Council underlined the importance of a successful tenth meeting of the Conference of the Parties (COP 10) to Convention on Biological Diversity (CBD), inter alia in terms of the conclusion of the negotiations on the international regime on access to genetic resources and the fair and equitable sharing of benefits arising from their utilisation (the ABS Protocol) and of the adoption of an updated and revised Strategic Plan for Biodiversity for the period 2011-2020.

¹ 17785/09; 7536/10.

2. At the eve of COP 10, the Council adopted conclusions² that confirmed an ambitious negotiating position for the EU on several other key topics for implementing the CBD (e.g. the Strategy for Resource Mobilisation, and the cooperation among the three Rio Conventions³).
3. Following the Nagoya Conference (Japan, 11-29 October 2010)⁴, the Presidency has prepared draft Council conclusions that, on the one hand, welcome the results of this conference and, on the other, show the commitment of the European Union and its 27 Member States to their follow-up.
4. The draft conclusions were discussed by the Permanent Representatives Committee at its meeting on 8 December 2010. At that meeting, Germany underscored the importance of the issue of access to pathogens and health protection being reflected in the impact assessment that the Commission intends to prepare on the effects of the ABS Protocol on the relevant sectors, and EU policies and laws. The Commission confirmed that this issue would be fully taken into account in that impact assessment.
5. The latest text of the draft conclusions is contained in the Annex to this note and is acceptable to delegations. The Council (Environment) is invited to adopt these conclusions at its meeting on 20 December 2010.

² 14975/10.

³ The United Nations Convention on Biological Diversity (CBD), the United Nations Framework Convention on Climate Change (UNFCCC) and the United Nations Convention to Combat Desertification (UNCCD).

⁴ The Nagoya Conference includes: the fifth meeting of the Conference of the Parties serving as the Meeting of the Parties (COP - MOP 5) to the Cartagena Protocol on Biosafety and the tenth meeting of the Conference of the Parties (COP 10) to the Convention on Biological Diversity (CBD).

**Convention on Biological Diversity:
Outcome of and follow-up to the Nagoya Conference (11-29 October 2010)
- Draft Council conclusions -**

THE COUNCIL OF THE EUROPEAN UNION,

RECALLING its conclusions of 25 June 2009⁵, 22 December 2009⁶, 15 March 2010⁷ and 14 October 2010⁸ and the positions contained therein, and the conclusions⁹ of the European Council of 25 and 26 March 2010;

1. WELCOMES the successful outcomes of the tenth Conference of the Parties (COP 10) to the Convention on Biological Diversity (CBD) in particular the adoption of the new Strategic Plan for Biodiversity for the period 2011-2020 (herein after "the CBD Strategic Plan"); the further development of the Strategy for Resource Mobilisation; and the Nagoya Protocol on access to genetic resources and the fair and equitable sharing of benefits arising from their utilisation (the ABS Protocol); in this context, further WELCOMES the agreement at COP 10 to strengthen synergies between climate change, desertification and biodiversity policies;
2. Further WELCOMES the successful outcomes of the fifth meeting of the Conference of the Parties serving as the Meeting of the Parties (COP - MOP 5) to the Cartagena Protocol on Biosafety, in particular the adoption of the Nagoya - Kuala Lumpur Supplementary Protocol on Liability and Redress and of the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020;

⁵ 11412/09.
⁶ 17785/09.
⁷ 7536/10.
⁸ 14975/10.
⁹ 7/1/10.

3. CONFIRMS that the EU is committed to putting in place concrete, feasible and cost-effective measures and engaging the relevant actors and sectors in the implementation of the decisions adopted at COP 10, with a view to furthering the three objectives of the CBD, within the EU and globally;
4. HIGHLIGHTS the need to undertake appropriate commitments to comply with the mission contained in the CBD Strategic Plan to "Take effective and urgent action to halt the loss of biodiversity in order to ensure that by 2020 ecosystems are resilient and continue to provide essential services, thereby securing the planet's variety of life, and contributing to human well-being and poverty eradication" and RECALLS the EU headline target, set out in the Council's conclusions of 15 March 2010 and endorsed by the European Council in March 2010, 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;
5. UNDERLINES, in this context, the necessity of further integrating and mainstreaming biodiversity into the development and implementation of all relevant policies, as a contribution to the implementation of the CBD including by reviewing, and as appropriate updating and revising, the national biodiversity strategies and action plans, in line with the CBD Strategic Plan, by making use of the upcoming and ongoing EU policy reform process and by enhancing political and public awareness; in particular through integration and mainstreaming of biodiversity into those national and EU policies related to natural resource management, such as agriculture, food security, forestry, fisheries and energy, as well as spatial planning, transport, tourism, trade, and development;

6. STRESSES the need to put the necessary arrangements into place in a timely manner to ensure that the vision, mission, strategic goals and associated headline targets of the CBD Strategic Plan are embraced beyond the biodiversity community by all institutions, organisations and processes concerned, and to facilitate, in cooperation with the sectors, the development and adoption of appropriate and measurable targets for sectors in order to fully implement the CBD Strategic Plan; and HIGHLIGHTS the importance of cooperation with the business sector;
7. COMMITS to integrating the relevant targets of the CBD Strategic Plan into all relevant EU sectors and policies and implementing them, including through the future EU biodiversity strategy, and to enhancing public awareness, participation, knowledge and capacity building, and in this respect, UNDERLINES the importance of further improving the knowledge of ecosystem services and their role in sustainable development processes;
8. RECOGNISING the central role of biological diversity in the global fight against hunger and in favour of food security and the importance of promoting more sustainable production and consumption patterns with a view to reducing the ecological footprint of the EU on biodiversity within and outside its borders; EMPHASISES that it is crucial to address the underlying causes of biodiversity loss, to reduce direct pressures on biodiversity and promote sustainable use to improve the status of biodiversity by safeguarding ecosystems, species and genetic diversity, and to enhance the benefits to all from biodiversity and ecosystem services;
9. IS AWARE that the implementation of the CBD and its Strategic Plan will require an adequately increased mobilisation of resources from all possible sources and COMMITS to the implementation of the Strategy for Resource Mobilisation and to substantially increasing resources (financial, human and technical) from all possible sources balanced with the effective implementation of the CBD and its Strategic Plan against an established baseline to be presented for agreement by the Parties at CBD COP 11 in 2012;

10. REITERATES the view of the EU that improved funding of biodiversity and ecosystem services related measures should also include more effective and efficient use of existing resources and the development of innovative mechanisms, particularly with regard to leveraging resources from private sources with the full involvement of stakeholders;
11. HIGHLIGHTS the need for strong EU leadership both from the Member States and the Commission on follow-up efforts at global level in order to assess the existing resource inputs and needs for the achievement of goals and objectives under the Strategy for Resource Mobilisation and the targets under the CBD Strategic Plan;
12. COMMITS to fully contributing to the development of baselines for monitoring the implementation of the Strategy for Resource Mobilisation, based on the indicators adopted at COP 10, and to the implementation of the decision of COP 10 to adopt targets at CBD COP 11 provided that robust baselines have been identified and endorsed and that an effective reporting framework has been adopted;
13. UNDERSCORES the particular importance of reflecting biodiversity priorities in the EU Financial Framework to ensure that biodiversity's contribution to sustainable and green growth, social and human well-being is fully factored in;
14. WELCOMES the adoption of the ABS Protocol as an important instrument under the CBD contributing to the three objectives of the Convention by providing fairness, transparency and legal certainty on access to genetic resources and traditional knowledge associated with genetic resources and for sharing of benefits arising from their utilisation in a fair and equitable way and COMMITS to its timely ratification and effective implementation;

15. REITERATES that a stronger relationship among the three Rio Conventions is of crucial importance to improving their implementation and reaching the objectives of the CBD, the United Nations Framework Convention on Climate Change (UNFCCC) and the United Nations Convention to Combat Desertification (UNCCD), as well as development objectives, including the Millennium Development Goals (MDGs); in this context WELCOMES the invitation to the Conferences of the Parties to the UNFCCC and the UNCCD to collaborate with the CBD, with a view to, among other things, considering joint activities and identifying areas for Party-driven collaboration regarding climate change, biodiversity, land degradation, and ecosystem-based approaches to climate change mitigation and adaptation; and UNDERLINES the opportunity provided by the CBD Strategic Plan for enhancing synergies between Conventions, international and regional agreements and other relevant bodies, with a view to fostering enhanced implementation of the relevant decisions of these bodies;
16. Further WELCOMES the decision of COP 10 to establish a repository for scientific and technical information and experience related to the identification of marine Ecological and Biological Significant Areas, as an essential contribution to the CBD Strategic Plan as well as towards achieving the 2012 objective of the World Summit on Sustainable Development on the establishment of marine protected areas, consistent with the United Nations Convention on the Law of the Sea (UNCLOS) and its implementation agreements, and based on the best scientific information available, including representative networks; and COMMITS to taking action as necessary to advance the work of the United Nations General Assembly, including through the United Nations Ad Hoc Open-ended Informal Working Group¹⁰ to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction and to supporting the organisation of regional workshops to facilitate the establishment of such areas; furthermore EMPHASISES the need to manage all fish stocks sustainably, applying ecosystem based approaches, to prevent, deter and eliminate illegal, unregulated and unreported fishing activities, to avoid overfishing and to ensure that fisheries have no significant adverse impacts on threatened species and vulnerable ecosystems;

¹⁰ United Nations Ad Hoc Open-ended Informal Working Group on Marine Biological Diversity beyond areas of national jurisdiction (established by Resolution 59/24 of the General Assembly of the United Nations).

17. WELCOMES the study on "The Economics of Ecosystems and Biodiversity" (TEEB) and the conclusions contained in its reports and UNDERLINES the importance of integrating the economic value of biodiversity and ecosystem services in public and private sector decision-making and of incorporating the values of biodiversity in the systems of national accounts;
18. WELCOMES the request by General Assembly of the United Nations to the United Nations Environment Programme to convene a plenary meeting in order to fully operationalise the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) and to determine modalities and institutional arrangements for the IPBES at the earliest opportunity;
19. CALLS ON THE EUROPEAN COMMISSION to:
 - ensure that the relevant targets of the CBD Strategic Plan are implemented through the future biodiversity strategy and strategy on invasive alien species at EU level as a demonstration of the continued commitment of the EU and its Member States to halting the loss of biodiversity;
 - integrate the relevant targets of the CBD Strategic Plan through every ongoing policy reform processes at EU level, i.a. the Common Fisheries Policy, the Common Agricultural Policy, the Rural Development Policy and the Cohesion Policy and ensure full coherence between biodiversity objectives and priorities under these policies when developing new proposals;
 - ensure mutual supportiveness of the measures taken to reach the targets of the CBD Strategic Plan and the EU Climate and Energy targets to be met by 2020;

- ensure appropriate linkages and biodiversity coverage in the priorities related to the green growth agenda at EU and global level, in particular through EU 2020 Strategy implementation with a particular focus on resource efficiency, innovation and research;
- ensure that, when adequate financing for Natura 2000 network is being put in place, account is taken of the fact that biodiversity is unevenly spread throughout the EU;
- prepare a thorough impact assessment of the effects on relevant sectors and EU policies and laws of the ABS Protocol;

20. INVITES the Member States to revise their own national biodiversity strategies and action plans in accordance with the CBD Strategic Plan to drive action at national and local levels, and as a complement to the future EU biodiversity strategy;

21. INVITES the Member States and the Commission to:

- sign at the earliest opportunity the ABS Protocol and to start preparations for its timely ratification and implementation;
- actively contribute to the preparation of advice on the application of relevant safeguards for biodiversity in relation to REDD+ ¹¹, in line with the COP 10 decision, and facilitate the development and implementation of such safeguards under REDD+.



¹¹ 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.