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THE EUROPEAN UNION**

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INFORMATION NOTE

from: General Secretariat

to: Delegations

Subject: Biological Diversity and Biosafety

- a) Preparation of the Eleventh meeting of the Conference of the Parties (COP 11) to the Convention on Biological Diversity (CBD) (Hyderabad, India, 8 to 19 October 2012)
 - (b) Preparation of the Sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP 6) (Hyderabad, India, 1 to 5 October 2012)
- Council conclusions
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Delegations will find in the Annex the conclusions adopted by the Council (Environment) on 11 June 2012.

Greece made a statement with respect to paragraph 25 that will be entered to the minutes of this Council meeting.

Biological Diversity and Biosafety

Preparation of the Eleventh meeting of the Conference of the Parties (COP 11) to the Convention on Biological Diversity (CBD) (Hyderabad, India, 8 to 19 October 2012)

Preparation of the Sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP 6) (Hyderabad, India, 1 to 5 October 2012)

- Council conclusions -

THE COUNCIL OF THE EUROPEAN UNION

1. CONFIRMS that the EU and its Member States are committed to putting in place concrete, feasible and cost-effective measures with a view to achieving the three objectives of the Convention on Biological Diversity (CBD), within the EU and globally, in particular by engaging the relevant actors and sectors in the implementation of the CBD provisions and decisions adopted by its Conference of the Parties (COP);
2. RECALLS the commitments made in Nagoya (Japan) in 2010 by the Parties during CBD COP 10, and especially the Strategic Plan for Biodiversity 2011-2020 and its 20 Aichi Biodiversity Targets ("the Strategic Plan"), the decision on the Strategy for Resource Mobilisation ("SRM"), and the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilisation ("the Nagoya Protocol");
3. IS CONVINCED that the implementation of the Strategic Plan is key to achieving sustainable development and poverty eradication, including a green economy, and that the Strategic Plan should therefore be taken fully into account by the UN Conference on Sustainable Development (Rio+20) (Rio de Janeiro, Brazil, 20 to 22 June 2012); and LOOKS FORWARD to the outcomes of the Rio+20 conference as an potentially important input for the negotiations at CBD COP 11 in Hyderabad (India) in October 2012 and for achieving the CBD objectives;

4. STRESSES the importance of the full and effective implementation of the Cartagena Protocol on Biosafety to the CBD ("the Cartagena Protocol") by all Parties; and REITERATES its commitment to the Strategic Plan for the Cartagena Protocol adopted at COP-MOP 5 in 2010 as a prioritised long term framework for the actions needed to promote the effective implementation of the Cartagena Protocol;

CHAPTER I: the Convention on Biological Diversity

Strategic Plan: EU and global

5. RECALLS the Council Conclusions ¹ of 19 December 2011 where the Council invited the Commission to develop a common implementation framework to underpin the effectiveness of the EU Biodiversity Strategy to 2020, which, together with its targets, is a key instrument to enable the EU to reach its overall 2020 headline target and contribute significantly to the 20 Aichi targets; WELCOMES, in general, progress made regarding the common implementation framework; STRESSES the need for all Member States to review and when necessary update their National Biodiversity Strategies and Action Plans (NBSAPs) as a first step towards implementation of the Strategic Plan; and ENCOURAGES Member States to submit information on progress on NBSAPs to the Secretariat of the CBD prior to CBD COP 11;
6. UNDERLINES the intrinsic value of biodiversity and its importance for life on earth and for supporting ecosystem services, sustainable development and poverty reduction, as well as the need to ensure that biodiversity considerations are integrated in decisions and actions across all sectors; EMPHASISES the commitment of the EU and its Member States to address all the objectives of the CBD; and STRESSES their determination to play a proactive role in preparations of and at the negotiations to contribute to ambitious yet realistic outcomes at CBD COP 11 in Hyderabad in October 2012;

¹ Doc. 18862/11.

7. HIGHLIGHTS that greater cooperation and synergy at all levels is needed to address relevant environmental issues in a mutually reinforcing manner, optimising opportunities and resources in ongoing global processes within the three Rio Conventions ² and at Rio+20, as well as biodiversity related Multilateral Environmental Agreements (MEAs); and URGES the CBD and its Parties to contribute actively to the development and implementation of biodiversity safeguards under REDD+ ³ as a crucial opportunity for cooperation between the CBD and the United Nations Framework Convention on Climate Change (UNFCCC); and ENCOURAGES the use of indicators and other mechanisms to assess the impacts of REDD+ measures on biodiversity;
8. CALLS for enhanced synergies among biodiversity related MEAs with the aim of making national implementation more coherent and effective; and SUPPORTS enhanced cooperation with other organisations such as the Food and Agriculture Organisation (FAO) and its Commission on Genetic Resources for Food and Agriculture, and the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA);
9. IS CONVINCED that the United Nations Decade on Biodiversity 2011 – 2020 offers an opportunity to increase political momentum to strengthen implementation of the CBD including its Strategic Plan;
10. IS CONSCIOUS of the fact that the Strategic Plan and its full implementation are key to building a sustainable Europe, and should be an integral part of the sustainable growth objective of the Europe 2020 Strategy by integrating biodiversity targets into the implementation of the Resource Efficiency Roadmap; STRESSES the importance of developing and applying indicators to effectively track global progress against the Aichi targets; and RECALLS the precautionary approach where agreed in CBD provisions and decisions adopted by its COP including CBD COP 10 Decision X/13 on New and emerging issues;

² CBD, UNFCCC and the United Nations Convention to Combat Desertification (UNCCD).

³ 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.

11. REITERATES the call on the EU and its Member States to commit to mainstream and integrate biodiversity considerations across different sectors at all levels and to promote the integration of the values of biodiversity and ecosystem services into decision making processes, accounting and reporting systems in order to conserve and sustainably use biodiversity; and REITERATES the urgent need for vigorous efforts at all levels and further concrete actions to achieve the EU 2020 headline target for biodiversity;
12. STRESSES the importance of protected areas and ecological networks and thereby the need for renewed emphasis on the LifeWeb Initiative, aimed at matching voluntary commitments by Parties for the designation and management of protected areas with voluntary commitments from donors for dedicated (co-)financing;
13. RECOGNISES the need to address and reduce the global ecological footprint of the EU and its Member States effectively through giving consideration to biodiversity in production and consumption patterns; and COMMITS the EU and its Member States to take urgent measures to this effect and to protect biodiversity within and outside the EU to support the global efforts;

Resource mobilisation

14. EMPHASISES the need to substantially increase resources (financial, human and technical) from all possible sources, including innovative financial mechanisms (IFM), for biodiversity globally, balanced with the effective implementation of the CBD and its Strategic Plan, against an established baseline; REITERATES the commitments made by the EU and its Member States at CBD COP 10 in Nagoya as a part of the decision on the SRM in support of the achievement of the Strategic Plan; and EMPHASISES the need to continue to play a proactive role to fulfil those commitments and keep the momentum from Nagoya;
15. HIGHLIGHTS that prior to the establishment of targets, robust baselines and an effective reporting framework are needed in line with the CBD COP 10 Decision X/3; and COMMITS itself to engage constructively in the negotiations and to adopt a flexible and pragmatic approach on target setting;

16. RECALLS that the SRM reaffirms the commitment of all Parties to meet the obligations set out in the provisions of Article 20 of the CBD and in accordance with the Rio principles; STRESSES the already significant contributions by the EU and its Member States to global biodiversity funding; and RECOGNISES the need to further improve the effectiveness of existing funding and mobilise new types of funding sources, including the private sector and other stakeholders, e.g. through mainstreaming and integration of biodiversity considerations at all levels;
17. EMPHASISES the importance of IFM as an essential and necessary funding source, in addition to traditional financing mechanisms, and as a tool for mainstreaming biodiversity; and STRESSES the need to contribute to an evaluation of advantages and disadvantages of different types of IFM as well as to promote and further develop good examples of IFM in the context of the CBD;
18. RECALLS the specific role of the CBD COP in reviewing the effectiveness of the Global Environment Facility (GEF) in supporting the objectives of the CBD and in providing guidance on the funding priorities for the GEF, as the Financial Mechanism to the CBD; and TAKES NOTE of the preliminary results of the GEF needs assessment, as a useful contribution to the initial discussion on resource mobilisation, including baselines and target setting;
19. WELCOMES the establishment of the High-Level Panel on global assessment of resources for implementing the Strategic Plan; EXPRESSES gratitude to the Governments of India and of the United Kingdom for establishing the Panel; and ENCOURAGES the Member States to engage with the work of the Panel and LOOKS FORWARD to its findings;
20. CALLS for continued efforts: to raise awareness of benefits and values that can be gained from biodiversity and ecosystem services by all sectors; to integrate these benefits and values into economic decision making processes; to promote further use of market, corporate responsibility and relevant regulatory measures as appropriate; to support business with operational tools; and to encourage new incentives to develop public and private partnerships that will support the conservation and sustainable use of biodiversity and benefit for all;

Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS)

21. IS COMMITTED to ratifying and implementing the Nagoya Protocol at the earliest possible time before CBD COP 12;
22. COMMITS itself to contribute to the substantive discussions on further development of measures to support the implementation of the Nagoya Protocol, in particular discussions related to issues of compliance, capacity building, awareness raising and development of the ABS Clearing House Mechanism as well as to engage in dialogue to consider the need for and modalities of a Global Multilateral Benefit Sharing Mechanism;

Marine biodiversity

23. STRESSES the need for the conservation and sustainable use of marine biological diversity, in particular in areas beyond national jurisdiction (ABNJ); CALLS for the launching, as soon as possible, of the negotiations, in the framework of the United Nations General Assembly (UNGA), of a United Nations Convention on the Law of the Sea (UNCLOS) implementing agreement for the conservation and sustainable use of marine biological diversity, in particular addressing marine protected areas, environmental impact assessments and the access to and benefits sharing of genetic resources in ABNJ; and NOTES in this regard the establishment by the UNGA of an Ad Hoc Open-ended Informal Working Group;
24. COMMITS itself to the effective and full implementation of relevant existing commitments, in particular the CBD Programme of work on Marine and Coastal Biodiversity and other ongoing processes;

25. WILL STRIVE FOR the establishment of a global representative network of marine protected areas within and beyond areas of national jurisdiction in accordance with UNCLOS; EMPHASISES its commitment to deliver regarding the Aichi Target 11, inter alia through the full and timely implementation of Natura 2000 in marine areas and the establishment and management of protected areas networks in the context of relevant international conventions including in ABNJ; in this regard WELCOMES the identification of ecologically or biologically significant areas (EBSAs) based on scientific criteria adopted by the CBD and CALLS FOR further identification of such areas; and STRESSES the need for CBD COP 11 to endorse the summary reports of the regional workshops on EBSAs and to request the Executive Secretary of the CBD to include the results of Regional workshops on describing areas that meet the criteria for EBSAs, without prejudice to UNCLOS, in the repository;
26. CALLS for urgent action to manage all fish stocks sustainably, consistent with the precautionary principle and applying ecosystem-based approaches, to prevent, deter and eliminate illegal, unregulated and unreported fishing activities, to avoid overfishing and destructive fishing practices, and to ensure that fisheries have no significant adverse impacts on threatened species and vulnerable ecosystems;

Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES)

27. WELCOMES the establishment of IPBES; CALLS for early initiation of the work of IPBES; and HOLDS that robust knowledge and understanding of biodiversity and ecosystem services needs to be channelled effectively to decision-makers and that strengthening the enabling environment at the science-policy interface should play a catalysing role in capacity development;

Chapter II: the Cartagena Protocol on Biosafety to the Convention on Biological Diversity

28. REITERATES its continued commitment to support capacity-building activities as one important tool for an effective implementation of the Cartagena Protocol; and WELCOMES the review of the updated Action Plan for Building Capacities as an important tool to clearly set out the strategy and priorities for the coming period, which proposes robust measures relevant to the current policy context while also responding to emerging issues including the evaluation of the performance of the Roster of Experts and of the Voluntary Fund;
29. STRESSES the importance of the ratification and implementation of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress;
30. WELCOMES the progress achieved during the inter-sessional period between COP-MOP 5 and COP-MOP 6 on socio-economic considerations through regional online conferences and through the regionally-balanced workshop on capacity-building for research and information exchange on socio-economic impacts of living modified organisms (LMOs); and ENDEAVOURS to contribute to identifying potential ways forward for socio-economic considerations at COP-MOP 6;
31. CONSIDERS that the second Assessment and Review, while taking into account the recommendations from the Ad Hoc Technical Expert Group on Assessment and Review, should principally focus on the effectiveness of the Cartagena Protocol with a view to achieve full and effective implementation of the Cartagena Protocol by all Parties; and WELCOMES the wide participation of Parties on the second national report on the implementation of the Cartagena Protocol;
32. REITERATES the crucial importance of the environmental risk assessment and of taking into account evaluations of local and regional environmental conditions and risks when making decisions related to the intentional transboundary movement of LMOs in order to identify and evaluate their possible effects on the conservation and sustainable use of biological diversity taking into account risks to human health;

33. CALLS for COP-MOP 6 to take the necessary steps to further strengthen and implement the Cartagena Protocol framework by:
- a) making use of the work of the Compliance Committee in order to ensure full and effective implementation of the Cartagena Protocol by all Parties and by encouraging the Committee to make full use of its new and enhanced supporting role to assist Parties in achieving compliance;
 - b) identifying and supporting targeted and effective ways forward for the appropriate implementation by all Parties to the Cartagena Protocol of the risk assessment and risk management provisions under the Cartagena Protocol, based on and acknowledging the results of the Ad Hoc Technical Expert Group and on identified needs, as well as knowledge and information sharing to avoid duplication of efforts;
 - c) encouraging more active use of the Biosafety Clearing House (BCH) by all stakeholders in order to facilitate access to information on biosafety and eliminating obstacles that hinder the adequate use of the BCH or the easy submission of information to the BCH;
 - d) considering appropriate follow-up to the study commissioned by the Executive Secretary on existing standards, methods and guidance relevant to the handling, transport, packaging and identification of LMOs bearing in mind the importance of avoiding duplication of existing rules and standards by other relevant international bodies, providing they take into account the Cartagena Protocol's specific objective, scope and categories of LMOs;
 - e) agreeing on a realistic budget that is consistent with the agreed strategic priorities functions, and programme of work for the effective implementation of the Cartagena Protocol;

- f) ensuring a strategic, efficient and responsive use of the available financial mechanism to support capacity building projects at the national, regional and sub-regional level; and
 - g) encouraging non-Parties to join the Cartagena Protocol and the Nagoya-Kuala Lumpur Supplementary Protocol.
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