

The Convention on Biological Diversity

Biodiversity, the variety of life on Earth, contributes directly to human well-being in many ways. It is the foundation of the Earth's life support system on which the welfare of current and future generations depend.

The Convention on Biological Diversity (CBD) is an international legally-binding treaty with three main goals: the conservation of biodiversity; sustainable use of biodiversity; and, the fair and equitable sharing of the benefits arising from the use of genetic resources. With its three objectives, the CBD is often seen as the key international instrument for sustainable development.

The Convention on Biological Diversity covers biodiversity at all levels: ecosystems, species and genetic resources. It also covers biotechnology, including through the Cartagena Protocol on Biosafety. In fact, it covers all possible domains that are directly or indirectly related to biodiversity and its role in development.

The CBD's governing body is the Conference of the Parties (COP). This ultimate authority of all governments (or Parties) that have ratified the treaty meets every two years to review progress, set priorities and commit to work plans.

The Secretariat of the Convention on Biological Diversity is based in Montreal, Canada. Its main function is to assist governments in the implementation of the CBD and its programmes of work, including organizing meetings, draft documents, and coordinate with other international organizations and collect and spread information. The Executive Secretary is the head of the Secretariat.

The notion of an international convention on biodiversity was conceived at a United Nations Environment Programme (UNEP) Ad Hoc Working Group of Experts on Biological Diversity in November 1988. Soon after, in May 1989, it established the Ad Hoc Working Group of Technical and Legal Experts to prepare an international legal instrument for the conservation and sustainable use of biological diversity. The experts were to take into account "the need to share costs and benefits between developed and developing countries" as well as "ways and means to support innovation by local people".

By February 1991, the Ad Hoc Working Group had become known as the Intergovernmental Negotiating Committee. Its work culminated on 22 May 1992 with the Nairobi Conference for the Adoption of the Agreed Text of the Convention on Biological Diversity.

The Convention was opened for signature on 5 June 1992 at the United Nations Conference on Environment and Development (better known as the "Rio Earth Summit"). It remained open for signature until 4 June 1993, by which time it had received 168 signatures. The Convention entered into force on 29 December 1993, which was 90 days after the 30th ratification.

2018 marks the 25th anniversary of the entry into force of the Convention on Biological Diversity. Since entering into force, the Convention has been implemented through the vision and leadership displayed by countries, non-governmental and inter-governmental organizations, indigenous peoples and local communities, the scientific community and individuals alike.

The results are considerable: the development of scientific guidance for the conservation and sustainable use of biodiversity for biomes around the world, the entry into force of the Cartagena Protocol on Biosafety, the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization and the creation and implementation of national biodiversity strategies and action plans. After adopting the Strategic Plan for Biodiversity 2011-2020, Parties have made significant headway in the achievement of a number of its Aichi Biodiversity Targets.

With 196 Parties so far, the Convention on Biological Diversity has near universal participation among countries.

Conference of the Parties

The Conference of the Parties (COP) is the highest governing body of the Convention on Biological Diversity. The COP brings together representatives of the Parties to the Convention along with other key players from civil society, business, indigenous and local communities, youth and others to review and advance the implementation of the Convention.

To date the COP has held 13 ordinary meetings, and one extraordinary meeting (the latter, to adopt the Biosafety Protocol, was held in two parts). From 1994 to 1996, the Conference of the Parties held its ordinary meetings annually; and somewhat less frequently afterwards. Following a change in the rules of procedure in 2000, the meetings are now held every two years. The agenda of the meetings of the COP is very wide-ranging, reflecting the programme of work the COP has established for itself.

The thirteenth meeting of the Conference of the Parties (COP 13) was held in Cancun, Mexico, in December 2016. The Fourteenth meeting of the Conference of the Parties (COP 14) is being held in Sharm-el Sheik, Egypt in November 2018.

Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA)

The Conference of the Parties (COP) is assisted by the Subsidiary Body on Scientific, Technical, and Technological Advice (SBSTTA). SBSTTA is responsible for providing recommendations to the COP on the technical and scientific aspects of the implementation of the Convention. Meetings of SBSTTA include government representatives with expertise in relevant fields, as well as observers from non-Party governments, the scientific community, and other relevant organizations.

As a subsidiary body of the COP, SBSTTA is to report regularly to the COP on all aspects of its work. Its functions include: providing assessments of the status of biodiversity; providing assessments of the types of measures taken in accordance with the provisions of the Convention; and responding to questions that the COP may put to the body.

The twenty-second meeting of the Subsidiary Body on Scientific, Technical and Technological Advice takes place 2-7 July 2018. The recommendations from this will be addressed by the COP in Egypt in November 2018.

Subsidiary Body on Implementation

Agreed by Parties at the twelfth meeting of the Conference of Parties in Pyeongchang in 2012, the Subsidiary Body on Implementation is the second permanent subsidiary body (after the Subsidiary Body on Scientific, Technical and Technological Advice) of the Convention on Biological Diversity.

The Conference of the Parties to the Convention on Biological Diversity established the Subsidiary Body on Implementation (SBI) to replace the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention (which existed from 2004 to 2014 and met five times). The first meeting of the SBI was held on 2-6 May 2016 in Montreal, Canada.

The four functions and core areas of work of the SBI consist of: (a) review progress made in the implementation of the Convention on Biological Diversity and the implementation of the Strategic Plan for Biodiversity; (b) provide advice on strategic actions to enhance implementation; (c) strengthening means of implementation; and (d) and, reviewing the effectiveness of the operations of the Convention and the Protocols.

The second meeting of the SBI will be held on 9-13 July 2018 in Montreal, Canada. The recommendations from this will be addressed by the COP in Egypt in November 2018.

Working Group on Article 8(j)

The Working Group on Article 8(j) addresses issues related to protection of traditional knowledge. The Convention on Biological Diversity recognizes the dependency of indigenous and local communities on biodiversity and the unique role of indigenous peoples and local communities in conserving life on Earth. This recognition is enshrined in the preamble of the Convention and in its provisions. It is for this reason that in Article 8(j) of the Convention on Biological Diversity, Parties have undertaken to respect, preserve and maintain the knowledge, innovations and practices of indigenous and local communities relevant for the conservation of biodiversity and to promote their wider application with the approval of knowledge holders and to encourage equitable sharing of benefits arising out of the use of biodiversity. Furthermore, because of its relevance to the work of the Convention, considerations relating to the traditional knowledge of indigenous peoples and local communities are also being incorporated in all the programmes of work under the Convention.

The Working Group on Article 8(j) and Related Provisions was established in 1998 by the fourth meeting of the Conference of the Parties (COP 4). At its fifth meeting in 2000, the COP adopted a programme of work to implement the commitments of Article 8 (j) and to enhance the role and involvement of indigenous peoples and local communities in the achievement of the objectives of the Convention.

To date, the Working Group has met 10 times.

Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity

The Nagoya Protocol on Access and Benefit-sharing is an international agreement adopted under the auspices of the Convention on Biological Diversity (CBD) in Nagoya, Japan, in 2010. Its objective is the fair and equitable sharing of benefits arising from the utilization of genetic resources, thereby contributing to the conservation and sustainable use of biodiversity and implementing the three objectives of the CBD. The Protocol entered into force on 12 October 2014 and has been ratified by 105 Parties to the Convention on Biological Diversity.

Genetic resources, whether from plants, animals or micro-organisms, are used for a variety of purposes ranging from scientific research to the development of products in various sectors, such as cosmetics, pharmaceuticals, agriculture, food and beverage or horticulture. For centuries, indigenous and local communities have developed and passed on traditional knowledge about local biodiversity. This knowledge can provide useful leads to users of genetic resources in identifying the properties of biological resources.

Building on Article 15 and 8(j) of the CBD, the Nagoya Protocol promotes equity between providers and users of genetic resources and associated traditional knowledge by ensuring that access is granted on the basis of prior informed consent and that any benefits derived from their use is shared fairly and equitably with the provider country and indigenous and local communities, as appropriate.

In exchange for access to genetic resources or associated traditional knowledge, the provider obtains a fair share of the benefits derived from their utilization, whether monetary or non-monetary (e.g. sharing of research results, technology transfer, benefits arising from the commercialization of products based on genetic resources).

The Nagoya Protocol was adopted to provide greater legal certainty and transparency to both providers and users of genetic resources. A clear framework for access and benefit-sharing helps potential users, such as research institutions or private companies, by enhancing clarity and legal certainty when they access genetic resources in a given country. It also benefits providers by helping to ensure benefit-sharing when genetic resources leave the provider country.

By enhancing legal certainty and promoting benefit-sharing, the Nagoya Protocol creates incentives to conserve and sustainably use genetic resources, and encourages the advancement of research on genetic resources which could lead to new discoveries for the benefit of all.

The Nagoya Protocol is an innovative environmental treaty that encompasses not only ecological, but also social and economic aspects. Therefore, the Protocol is of particular relevance in light of the adoption of the 2030 Agenda for Sustainable Development and its Sustainable Development Goals.

Once implemented, the Protocol can contribute to efforts towards poverty alleviation, food security, human health, scientific research, economic growth, innovation, and governance.

The Cartagena Protocol on Biosafety to the Convention on Biological Diversity

The Cartagena Protocol on Biosafety is an international treaty governing the movements from one country to another of living modified organisms (LMOs) resulting from modern biotechnology, also often referred to as genetically modified organisms (GMOs). The Cartagena Protocol establishes advance informed agreement rules and procedures for transboundary movements of LMOs. These rules and procedures enable countries to take informed decisions based on the risks to biodiversity before

agreeing to the import of LMOs for release into the environment. The Cartagena Protocol also establishes a Biosafety Clearing-House (BCH) to facilitate the exchange of information on LMOs and to assist countries in the implementation of the Protocol.

The Cartagena Protocol is a supplementary agreement to the Convention on Biological Diversity. The Cartagena Protocol was adopted in January 2000 and entered into force in September 2003. As of January 2018, 170 countries and the European Union have become Parties to the Cartagena Protocol. The year 2018 and the ninth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety will thus mark the 15th anniversary of this important instrument.

Since 2010, the activities under the Protocol have been guided by the Strategic Plan for Biosafety and discussions on a process for a follow-up to this plan will start at the ninth meeting of the Parties, in Egypt.

The Nagoya - Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety

The Nagoya - Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety was adopted on 15 October 2010 and entered into force on 5 March 2018. There are 41 Parties to the Supplementary Protocol as of April 2018.

Adopted as a supplementary agreement to the Cartagena Protocol, the Supplementary Protocol aims to contribute to the conservation and sustainable use of biodiversity by providing international rules and procedures in the field of liability and redress relating to LMOs. The Supplementary Protocol applies to damage resulting from LMOs which find their origin in a transboundary movement.

The Supplementary Protocol provides that Parties must require operators to take response measures in the event of damage resulting from living modified organisms which find their origin in a transboundary movement. Such measures must also be taken where there is a sufficient likelihood that damage will result if timely response measures are not taken. Parties may develop further civil liability rules in this regard.

In addition to imposing a requirement for response measures, the Supplementary Protocol seeks that Parties continue to apply existing legislation on civil liability or develop specific legislation concerning liability and redress for material or personal damage associated with damage as defined in the Supplementary Protocol.

The COP-MOPs

Protocols have a Meeting of the Parties (MOP) as the main governing body. Composed of all Parties to the Protocol in question, the MOP serves the same function as set out for the Conference of the Parties (COP). At the Convention on Biological Diversity, the two Protocols established the Conference of the Parties serving as the Meeting of the Parties as their main governing body.

The Conference of the Parties serving as the meeting of the Parties to the Protocol currently meets every two years in conjunction with the regular meetings of the Conference of the Parties to the Convention on Biological Diversity. To date, the COP-MOP has held eight meetings.

- **ICCP Process** - 2000 - 2003
- **COP-MOP 1** - 23-27 February 2004, Kuala Lumpur, Malaysia
- **COP-MOP 2** - 30 May-3 June 2005, Montreal, Canada
- **COP-MOP 3** - 13-17 March 2006, Curitiba, Brazil
- **COP-MOP 4** - 12 - 16 May 2008, Bonn, Germany
- **COP-MOP 5** - 11 - 15 October 2010, Nagoya, Japan
- **COP-MOP 6** - 1-5 October 2012, Hyderabad, India
- **COP-MOP 7** - 29 September - 3 October 2014, Pyeongchang, Republic of Korea
- **COP-MOP 8** - 4 December - 17 December 2016, Cancun, Mexico

Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets

The Strategic Plan for Biodiversity 2011-2020 and its Aichi Biodiversity Targets provide an agreed overarching framework for action on biodiversity and a foundation for sustainable development for all stakeholders, including agencies across the UN system.

Adopted at the 10th meeting of the Conference of the Parties to the Convention on Biological Diversity, in Nagoya, Japan in 2010, the Strategic Plan for Biodiversity has been recognized or supported by the governing bodies of other biodiversity-related conventions, including the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Convention on the Conservation of Migratory Species of Wild Animals, the Convention on Wetlands of International Importance, the International Treaty on Plant Genetic Resources for Food and Agriculture and the World Heritage Convention, as well as the UN General Assembly.

Governments at Rio+20 affirmed the importance of the Strategic Plan for Biodiversity and achieving its Aichi Biodiversity Targets, emphasizing the role that the Strategic Plan plays for the UN system, the international community and civil society worldwide to achieve the world we want. It is primarily implemented by countries through national biodiversity strategies and action plans, with Parties encouraged to set their own national targets within the framework of the Aichi Biodiversity Targets.

The Strategic Plan for Biodiversity includes a vision for 2050, five strategic goals and twenty Aichi Biodiversity Targets, mostly to be achieved by 2020. The twenty Aichi Biodiversity Targets are grouped under five strategic goals:

- 1) Address the underlying causes of biodiversity loss by mainstreaming biodiversity across government and society
- 2) Reduce the direct pressures on biodiversity and promote sustainable use
- 3) Improve the status of biodiversity by safeguarding ecosystems, species and genetic diversity
- 4) Enhance the benefits to all from biodiversity and ecosystem services
- 5) Enhance implementation through participatory planning, knowledge management and capacity building.

The 2050 Vision stresses the role of biodiversity for human wellbeing: “biodiversity to be valued, conserved, restored and wisely used, maintaining ecosystem services, sustaining a healthy Planet and delivering benefits essential for all people”. The Strategic Plan also includes means of implementation, monitoring, review and evaluation as well as support mechanisms (strategy for resource mobilization, capacity building, technical and scientific cooperation).

Biodiversity and ecosystem services are essential to achieve the 2030 Agenda for Sustainable Development, which sets out an ambitious framework of universal and indivisible goals and targets to address a range of global societal challenges. Importantly, the Strategic Plan for Biodiversity and the Sustainable Development Goals (SDGs) are mutually supportive and reinforcing, and therefore the implementation of one contributes to the achievement of the other. Virtually all of the elements of the Aichi Biodiversity Targets are reflected in the targets associated with the SDGs. This includes the two goals (Goals 14 and 15) focused on biodiversity and ecosystems (oceans and coasts, and terrestrial, respectively). Many other SDGs include targets related to biodiversity and ecosystems. These include Goal 1 (poverty eradication), Goal 2 (food security), Goal 6 (water resources) and Goal 12 (sustainable consumption and production).

United Nations Decade on Biodiversity

The goal of the United Nations Decade on Biodiversity is to support the implementation of the Strategic Plan for Biodiversity 2011-2020, its Aichi Biodiversity Targets, and to promote its overall vision of *Living in Harmony with Nature*.

The United Nations General Assembly at its 65th session declared the period 2011-2020 to be the “United Nations Decade on Biodiversity, with a view to contributing to the implementation of the Strategic Plan for Biodiversity for the period 2011-2020”, and requested the Secretary-General, in consultation with Member States, to lead the coordination of the activities of the Decade on behalf of the UN system, with the support of the CBD Secretariat, the secretariats of other biodiversity related-conventions and relevant United Nations funds, programmes and agencies, and invited Member States in a position to do so to contribute, on a voluntary basis, to the funding of the activities of the Decade.

Since the start of the Decade, encouraging actions have been taken around the world to tackle biodiversity loss. However, based on current trends, it is clear that pressures on biodiversity will continue to increase at least until 2020, and that the status of biodiversity will continue to decline. This is despite the fact that society’s responses to the loss of biodiversity are increasing dramatically, and based on national plans and commitments are expected to continue to increase for the remainder of this decade.
