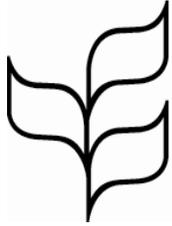




CBD



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BUREAU OF THE CONFERENCE
OF THE PARTIES
Montreal, Canada
9 July 2010

**MINUTES OF THE TWELFTH MEETING OF THE COP-9 BUREAU HELD AT THE
HEADQUARTERS OF THE SECRETARIAT IN MONTREAL, CANADA, ON 9 JULY 2010**

INTRODUCTION

1. The twelfth meeting of the COP-9 Bureau was held on 9 July 2010 in Montreal in conjunction with the opening of the resumed ninth meeting of the Ad Hoc Open-Ended Working Group on Access and Benefit-sharing (ABS-9R). The meeting was chaired by Mr. Jochen Flasbarth, who represented the President of the ninth meeting of the Conference of the Parties.

2. The following Bureau members attended the meeting:

Ms. Somaly Chan (Cambodia)
Ms. Tania Temata (Cook Islands)
Mr. Joseph Ronald Toussaint (Haiti)
Mr. Damaso Luna (Mexico)
Prof. James Seyani (Malawi)
Dr. Abdelbagi Mukhtar Ali (Sudan)
Ms. Snežana Prokic (Serbia)
Dr. Volodymyr Domashlinets (Ukraine)
Mr. Robert Lamb (Switzerland)

Ms. Asa Norrman (Sweden) was replaced by Dr. Borje Alriksson

3. The meeting was also attended by:

- Mr. Masayoshi Mizuno, Director of the Global Environment Division in the Ministry of Foreign Affairs - Japan, Ms. Tokuko Nabeshima, Ministry of Foreign Affairs - Japan and Mr. Masamichi Saigo, Ministry of Agriculture - Japan, as representatives of the host of COP-10 and *ex-officio* member of the Bureau;
- Mr. Timothy Hodges and Mr. Fernando Casas, Co-Chairs of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing;
- Mr. Spencer Thomas, Chair of SBSTTA;
- Mr. Balakrishna Pisupati, representing the Executive Director of UNEP;
- Mr. Ahmed Djoghlaif, Executive Secretary of the Convention, Mr. Olivier Jalbert, Principal Officer, and Mr. David Cooper, Secretary, COP-10

ITEM 1: OPENING OF THE MEETING

4. The President welcomed participants.

ITEM 2: ADOPTION OF THE AGENDA

5. The provisional agenda as contained in document UNEP/CBD/COP9/Bur/2010/4/1 was adopted as the agenda of the meeting:

1. Opening of the meeting
2. Adoption of the agenda
3. Preparations of the resumed ninth meeting of the Ad Hoc Open-Ended Working Group on Access and Benefit-sharing and regional consultations
4. Update on preparations of the High Level Segment of the sixty-fifth session of UNGA
5. Preparations for the tenth meeting of the Conference of Parties
6. Other matters
7. Closure of the meeting

ITEM 3: PREPARATIONS OF THE RESUMED NINTH MEETING OF THE AD HOC OPEN-ENDED WORKING GROUP ON ACCESS AND BENEFIT-SHARING AND REGIONAL CONSULTATIONS

6. In introducing this item, the President expressed the Bureau's appreciation to Japan which had made possible the resumed ninth meeting of the Working Group on Access and Benefit Sharing, thus giving the Working Group an additional opportunity to carry out its mandate. This was echoed by the Executive Secretary who emphasized that the financial support provided evidence of Japan's political will to the process.
7. The Co-Chairs of the Working Group, Mr. Timothy Hodges and Mr. Fernando Casas, outlined their plans with regard to the process for the resumed ninth meeting of the Working Group on the basis of the scenario note reflecting their understanding of the mandate and desire of Parties to finalize the negotiation of the International Regime in the most efficient way, in order to reach agreement on a "package" for a draft Protocol to be submitted for adoption by COP-10. It was important that all participants have a common understanding of the process for the resumed session.
8. In essence, the Co-Chairs intended to move promptly to Cali-style format to negotiate on the basis of the Annex I to the report of the first part of the ninth meeting. In response to multiple requests, the Co-Chairs intended to chair the Cali-style negotiations themselves.
9. Bureau members expressed general support for the approach outlined by the Co-Chairs and in particular to the suggestion to proceed by means of the Cali setting. The African Group pointed out that, while the scenario note was welcomed, the Group was concerned with the balance of representation around the table in the Cali setting. Specifically, it was important to ensure regionally balanced representation of the stakeholders groups. While the representative character of some stakeholders could be debatable, the concern of the African Group was addressed by the Co-Chairs clarification that, at this advanced stage in the process and if it were the wish of the Parties and the Bureau, the Co-Chairs were prepared to allow indigenous and local communities and other stakeholders to provide guidance, but to restrict the introduction of textual proposals to Parties only.
10. Bureau members sought clarification with respect to the "rules of engagement" and the need to provide opportunity to introduce new text or changes to the Co-Chairs text so as to reach consensus. The Co-Chairs clarified that this would be possible in the course of the Cali-style negotiations as they would conduct an article-by-article review of the text. Text proposals should

be intended to refine the existing text while preserving its integrity and to put forward compromise text.

11. In conclusion, the Bureau was supportive of the Co-Chairs' plan to go ahead with Cali setting and advised that stakeholders not be allowed to directly propose text but that their guidance be welcomed.

ITEM 4: PREPARATION OF THE HIGH LEVEL EVENT OF THE SIXTY-FIFTH SESSION OF UNITED NATIONS GENERAL ASSEMBLY (UNGA)

12. The Executive Secretary briefed the Bureau on the preparations for the high-level meeting of the United Nations General Assembly on biodiversity scheduled for 22 September, in New York. He reported on the recent visit to the Secretariat of the President-elect of the General Assembly Mr. Joseph Deiss (former President of Switzerland), who has also confirmed his participation in the preparatory brainstorming session in Geneva, 1-3 September 2010. He noted that the CBD Secretariat had prepared elements for the note of the Secretary-General and that further development of the note and programme for the high-level meeting were now in the hands of the Office of the Secretary-General. The Executive Secretary also reported on meetings he had had with the Secretary-General and his staff to encourage early finalization and distribution of the note. The Executive Secretary also noted the appointment by UN Secretary-General Ban Ki-moon of Mr. Edward Norton as the United Nations Goodwill Ambassador for Biodiversity.
13. In response to a query from a member of the Bureau concerning the preparation of the note, the Executive Secretary and the President noted that the draft note had been circulated at successive meetings of the Bureau prior to this one, and that comments from Bureau members had been reflected in subsequent drafts. Additional briefings to consult member states through all regional groups had been organized.
14. In response to a query from a member of the Bureau concerning the final programme for the high-level meeting, the Executive Secretary indicated that it was envisaged that the President and Chairs of the sessions would have discretion in calling for speakers to ensure a good balance between presentations and discussion.

ITEM 5: PREPARATIONS FOR THE TENTH MEETING OF THE CONFERENCE OF PARTIES

15. The representative of Japan, Mr. Masayoshi Mizuno, updated the Bureau on preparations for COP-10, focussing on the high-level segment on 27-29 October. Invitations to countries had been sent out the previous week through diplomatic channels, mostly to Ministers of the Environment. For countries expected to be represented at the level of head of State or Government, invitations would be sent from the Prime Minister. A briefing session for diplomatic missions in Tokyo had recently been held. He noted that any questions about the high-level segment would be addressed by respective diplomatic missions in Japan (A list is available at: http://www.mofa.go.jp/about/emb_cons/over/index.html) He further added that any new information would be dispatched to the various embassies, but would also be made available on the official COP-10 website.
16. Mr. Mizuno noted that the high-level segment would include, on 28 October, a panel discussion for exchange with stakeholders. There would also be opportunities for statements by ministers (focussing on lessons from the 2010 target and expectations of achievements for 2020). In response to a question from a Bureau member concerning the timing of statements and the opportunity for other heads of delegations to make statements, Mr. Mizuno noted that priority would be given to heads of State or Government and ministers. Guidance concerning requests and timing of statements by ministers and other heads of delegations is available on the website.

17. In response to a query from a member of the Bureau concerning the anticipated outcome of the high-level segment, Mr. Mizuno noted that the COP President would present a Chair's summary of the proceedings, including the outcome of the panel discussions.
18. The President conveyed to the Japanese representative the appreciation of the Bureau for his presentation.
19. The Secretariat circulated a draft version of the annotated agenda of COP-10. The Executive Secretary informed the Bureau that since Mr. Olivier Jalbert would be occupied with matters relating to Access and Benefit Sharing, Mr. David Cooper would act as Secretary of the meeting.

ITEM 6: OTHER MATTERS

20. The Executive Secretary, pointed out that this was the last meeting of the COP Bureau before the deadline of 19 July for the dispatch of COP-10 documents three months in advance. He noted with regret that, in spite of all efforts, it was not possible to finalize the revised administrative arrangements, including the issue of 13% programme support cost, with the Executive Director of UNEP, as requested by COP. The Executive Secretary will therefore report accordingly to COP-10 and suggest that this issue be addressed by the Government through COP and the Governing Council of UNEP and their respective Bureau, similar to the arrangements between COP and the GEF Council. He expressed his deep regret for such a failure. The President expressed the hope that the matter would be resolved prior to COP-10. Some Bureau members noted the lack of consistency among the Rio Conventions and other conventions concerning the way the 13% programme support cost is applied. A member of the Bureau stated that if the figures contained in the note submitted by the Executive Secretary are correct, this will be tantamount to a mother taking advantage of her daughter. The representative of UNEP recalled the statement of the UNEP Executive Director at the third meeting of the Working Group on Review of Implementation of the Convention, stressed that UNEP was looking for a coherent approach among the UNEP-administered conventions, and indicated that he expected the matter to be resolved before CBD COP 10 meeting.

ITEM 7: CLOSURE OF THE MEETING

21. The meeting was closed by the President at 18:30 on Friday, 9 July 2010. The next CBD COP 9 Bureau meeting will take place on 17 October 2010, in Nagoya – Japan.
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