



Convention on Biological Diversity

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CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY

Eleventh meeting

Hyderabad, India, 8-19 October 2012

Agenda item 11.1

DECISION ADOPTED BY THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY AT ITS ELEVENTH MEETING

XI/19. Biodiversity and climate change related issues: advice on the application of relevant safeguards for biodiversity with regard to policy approaches and positive incentives on issues relating to reducing emissions from deforestation and forest degradation in developing countries; and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries

The Conference of the Parties,

Taking into account decision X/33 and decisions 1/CP.16, 2/CP.17 and 12/CP.17 of the Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC);

1. *Noting* that the Conference of the Parties to the United Nations Framework Convention on Climate Change, in paragraph 70 of decision 1/CP.16, encourages developing country Parties to contribute to mitigation actions in the forest sector by undertaking the following activities, as deemed appropriate by each Party and in accordance with their respective capabilities and national circumstances:

- (a) Reducing emissions from deforestation;
- (b) Reducing emissions from forest degradation;
- (c) Conservation of forest carbon stocks;
- (d) Sustainable management of forests;
- (e) Enhancement of forest carbon stocks;

2. *Recalling* the guidance and safeguards adopted in UNFCCC decision 1/CP.16, appendix I, as well as noting the different approaches referred to in paragraphs 66 and 67 of UNFCCC decision 2/CP.17 and the guidance on systems for providing information on how safeguards are addressed and respected in UNFCCC decision 12/CP.17;

3. *Further noting* that paragraph 74 of UNFCCC decision 1/CP.16 recognizes that the implementation of such activities depends on the specific national circumstances, capacities and capabilities of each developing country Party and the level of support received;

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4. *Noting* that relevant technical guidance for achieving benefits for biodiversity and indigenous and local communities in the context of the activities referred to in paragraph 1 above is available or under development at national, regional and international level;

5. *Noting* that the indicative list of indicators to assess progress towards the goals of the Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets, as contained in recommendation XV/1 of the Subsidiary Body on Scientific, Technical and Technological Advice, could be useful for assessing the contributions of the activities referred to in paragraph 1 above for achieving the objectives of the Convention on Biological Diversity;

6. *Acknowledging* the large potential for synergies between the activities referred to in paragraph 1 above and the implementation of the Strategic Plan for Biodiversity 2011–2020 and its Aichi Biodiversity Targets, *urges* Parties, other Governments, and relevant organizations to fully implement the relevant provisions and decisions of the Convention on Biological Diversity and the United Nations Framework Convention on Climate Change in a coherent and mutually supportive way;

7. *Invites* Parties, other Governments, and relevant organizations to continue and strengthen their efforts to promote the contribution of the activities referred to in paragraph 1 above to achieving the objectives of the Convention on Biological Diversity, and provide benefits for biodiversity and for indigenous and local communities, with particular attention to:

(a) Building synergies between national biodiversity strategies and action plans, and national strategies or action plans as referred to in paragraphs 71(a) and 72 of UNFCCC decision 1/CP.16;

(b) Further strengthening existing technology transfer and capacity-building processes for the elements referred to in paragraph 71 of UNFCCC decision 1/CP.16, with a view to building the synergies referred to in sub-paragraph (a);

8. *Notes* that the safeguards referred to in paragraph 2 of this decision may also enhance benefits for biodiversity and for indigenous and local communities, and invites developing countries to share their experiences and lessons learned when planning and implementing the activities referred to in paragraph 1;

9. *Takes note with appreciation* of the annex to this decision;

10. *Invites* developing country Parties to consider the information in the annex to this decision when planning and implementing the activities referred to in paragraph 1;

11. *Also invites* Parties, other Governments, and relevant organizations to consider the information in the annex when preparing national reports and other submissions on progress towards the Aichi Biodiversity Targets of the Strategic Plan for Biodiversity 2011–2020, and, where applicable, for other relevant submissions under other processes;

12. *Noting* that there are ongoing initiatives, processes and instruments focused on the conservation and sustainable use of forest biodiversity within the framework of sustainable forest management, *invites* Parties, other Governments and relevant organizations involved in these initiatives, processes and instruments to share their experiences and lessons learned related to safeguards, with a view to assisting developing countries in addressing biodiversity concerns and in achieving multiple benefits in relation to the implementation of the activities referred to in paragraph 1;

13. *Invites* Parties and other Governments, according to national circumstances and priorities, as well as relevant organizations and processes, to consider the relevant guidance in decision X/33,

paragraph 8 (m)-(q), (s), (u), (v), (y) and (z) when addressing safeguards for and multiple benefits of the activities referred to in paragraph 1;

14. *Also invites* Parties and other Governments, according to national circumstances and priorities, as well as relevant organizations and processes, to reduce the risk of displacement of deforestation and forest degradation to areas of lower carbon value and higher biodiversity value, and other adverse impacts to biodiversity and to indigenous and local communities;

15. *Requests* the Executive Secretary, subject to the availability of funds, to collate and summarize information, based on the systems for providing information on how safeguards are addressed and respected, as referred to in UNFCCC decision 12/CP.17, on experiences regarding how the potential effects of the activities referred to in paragraph 1 above on the traditional way of life and related knowledge and customary practices of indigenous and local communities are being addressed, and to submit this information to the Working Group on Article 8(j) and Related Provisions for its consideration, and *invites* the Working Group on Article 8(j) and Related Provisions to consider this information when undertaking its broader work, as appropriate;

16. *Also requests* the Executive Secretary, subject to the availability of funds, to:

(a) Enhance collaboration with the UNFCCC Secretariat and other members of the Collaborative Partnership on Forests (including its Global Forest Expert Panel on Biodiversity, Forest Management and REDD+), as well as with other relevant organizations and initiatives, to further support the efforts of Parties to promoting the contribution of the activities referred to in paragraph 1 above towards achieving the objectives of the Convention, including by offering further capacity-building activities;

(b) Compile information relevant to the application of safeguards for biodiversity, and make it widely available, including through the clearing-house mechanism;

(c) Submit a progress report on the activities referred to in paragraphs 16 (a) and (b) to the Conference of the Parties at its twelfth meeting;

17. *Further requests* the Executive Secretary, subject to the availability of funds, to compile information from Parties on initiatives and experiences regarding paragraph 67 of UNFCCC decision 2/CP.17 with regard to its possible contribution to the objectives of the Convention on Biological Diversity, without pre-judging any future decisions by the Conference of the Parties to UNFCCC, and to submit a progress report to the Conference of the Parties to the Convention on Biological Diversity at its twelfth meeting;

18. *Requests* the Executive Secretary to further develop advice on issues included in paragraph 9 (h) of decision X/33, taking into full account the relevant UNFCCC decisions, based on further views from Parties and in collaboration with the Collaborative Partnership on Forests, and to report to the Subsidiary Body on Scientific, Technical and Technological Advice prior to the thirteenth meeting of the Conference of the Parties.

Annex

1. With reference to relevant decisions and documents of the United Nations Framework Convention on Climate Change (UNFCCC), this annex relates to biodiversity-related safeguards.
2. The term “safeguards” in this annex refers to the biodiversity-related safeguards set out in UNFCCC decision 1/CP.16, appendix I, paragraph 2.
3. Safeguards are intended to reduce the risks, and may also enhance multiple benefits, of the activities referred to in paragraph 1 of decision XI/19, thereby supporting the credibility and long-term success of such activities.
4. The application of safeguards considers *inter alia* the following possible adverse impacts, as noted by the Global Expert Workshop¹ on Biodiversity Benefits from Reducing Emissions from Deforestation and Forest Degradation in Developing Countries:
 - (a) The conversion of natural forests to plantations and other land uses of low biodiversity value and low resilience;
 - (b) Displacement of deforestation and forest degradation to areas of lower carbon value and high biodiversity value;
 - (c) Increased pressure on non-forest ecosystems with high biodiversity value;
 - (d) Afforestation in areas of high biodiversity value;
 - (e) The loss of traditional territories and restriction of rights of indigenous and local communities to access to, use of and/or ownership of land and natural resources;
 - (f) Lack of tangible livelihood benefits to indigenous and local communities and lack of equitable benefit-sharing;
 - (g) Exclusion of indigenous and local communities from designing and implementation of policies and measures;
 - (h) Loss of traditional ecological knowledge.
5. Developing countries are in different stages of preparations for the activities referred to in paragraph 1 of decision XI/19, and when addressing and respecting safeguards, this should be taken into account. There is a need to further enhance capacity across developing countries, to address safeguards and to fully integrate biodiversity concerns into the planning and implementation of relevant strategies or activities.
6. When planning and implementing the activities referred to in paragraph 1 of decision XI/19, developing countries should promote and support safeguards as early as possible, in the context of the provision of adequate and predictable support, including financial resources and technical and technological support to developing country Parties.

¹ Global Expert Workshop on Biodiversity Benefits from Reducing Emissions from Deforestation and Forest Degradation in Developing Countries, Nairobi, 20-23 September 2010 (UNEP/CBD/WS-REDD/1/3).

7. By addressing safeguards, developing countries can also enhance multiple benefits from activities referred to in paragraph 1 of decision XI/19 for biodiversity and for indigenous and local communities, noting that:

(a) The timely and effective inter-sectoral coordination and synergies among and within relevant ministries are of great importance for the application of safeguards and achieving multiple benefits;

(b) Existing national forest programme processes could be used to accelerate progress and create synergies with overall national forest policy frameworks.

8. Clarifying tenure issues, as deemed appropriate by each Party, and in accordance with national priorities, objectives, circumstances, capabilities and national legislation, remains a challenge for many aspects of the activities referred to in paragraph 1 of decision XI/19, including for applying safeguards related to indigenous and local communities. This will require nationally specific solutions. Impacts on indigenous and local communities and benefit-sharing are closely linked to solving land tenure and rights issues, as deemed appropriate by each Party, and in accordance with national priorities, objectives, circumstances, capabilities and national legislation.

9. Land zoning and land-use planning, as deemed appropriate by each Party, and in accordance with national priorities, objectives, circumstances, capabilities and national legislation, would facilitate the application of safeguards. Particular attention to biodiversity issues may be needed when aiming to increase the forest area in the context of the activities referred to in paragraph 1 of decision XI/19, taking into account the multiple functions of forests.

10. Lack of benefits and/or lack of equitable distribution of benefits for relevant stakeholders, in particular for indigenous and local communities, are possible threats to the success of the activities referred to in paragraph 1 of decision XI/19.

11. Where appropriate, the activities referred to in paragraph 1 of decision XI/19 should acknowledge the shared responsibility of subnational and local levels, including indigenous and local communities, with regard to domestic forest governance to achieve sustainable use, management and conservation of forests, biodiversity and natural resources.

12. Existing biodiversity-related national level processes, policies, laws, regulations and experiences² could support the further integration of biodiversity concerns into national strategies or action plans, as referred to in paragraph 71 and 72 of UNFCCC decision 1/CP.16, including the application of safeguards. Well-designed national forest inventories, including through remote sensing, can also provide valuable - information relevant to biodiversity.

13. Specifically, national strategies or action plans, as referred to in paragraphs 71 and 72 of UNFCCC decision 1/CP.16, could benefit from national experience in implementing the following decisions of the Conference of the Parties to the Convention on Biological Diversity, as appropriate:

(a) The Strategic Plan for Biodiversity 2011-2020 and its Aichi Biodiversity Targets (decision X/2);

(b) The expanded programme of work on forest biodiversity (decisions VI/22 and IX/5);

² For example, in many countries, national biodiversity strategies and action plans or national or regional criteria for sustainable forest management already contain elements relevant for biodiversity safeguards. Other examples include national forest programmes, forest and protected area legislation, mechanisms for payments for ecosystem services, and community-based natural resource management.

- (c) Voluntary guidelines on biodiversity-inclusive impact assessment (decision VIII/28);
- (d) The ecosystem approach, and relevant operational-level guidance (decisions V/6 and VII/11);
- (e) The Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity (decision VII/12, annex II);
- (f) The Akwé: Kon voluntary guidelines for the conduct of cultural, environmental and social impact assessments regarding sacred sites and lands and waters traditionally occupied or used by indigenous and local communities (decision VII/16);
- (g) Elements of the Tkarihwaié:ri Code of Ethical Conduct (decision X/42) as they pertain to research into, access to, and use, exchange and management of information concerning traditional knowledge, innovations and practices for the conservation and sustainable use of biological diversity; and
- (h) Spatially explicit information on biodiversity priority areas, for example as developed by many countries in their national ecological gap analysis under the programme of work on protected areas (decision VII/28).

14. The risk of adverse impacts on biodiversity and on indigenous and local communities from displacement of deforestation and forest degradation could be addressed by:

- (a) Applying the ecosystem approach and its operational guidance (decisions V/6 and VII/11) and utilizing standard criteria to identify sites of high biodiversity value so as to prioritize their conservation (decision X/31), when undertaking planning and activities referred to in paragraph 1 of decision XI/19;
- (b) Promoting full and effective participation when developing and implementing national strategies or action plans and in all activities referred to in paragraph 1 of this decision at national and subnational levels, including of relevant stakeholders, in particular indigenous and local communities;
- (c) Gathering information on the progress towards achieving relevant Aichi Biodiversity Targets and promoting regional and subregional collaboration on this activity, with technical and financial support for developing countries to this end.

15. To ensure that experience from the implementation of the decisions of the Conference of the Parties to the Convention on Biological Diversity referred to in paragraphs 13 and 14 above and other relevant information can inform and support the implementation of the activities referred to in paragraph 1 of decision XI/19, Parties and relevant organizations should make use of communication hubs and relevant forums to exchange information on a regular basis, drawing on national systems for providing information on how safeguards are addressed and respected.

16. In addition, the application of safeguards could also benefit from experiences under ongoing initiatives, processes and instruments focused on the conservation and sustainable use of forest biodiversity, including:

- (a) The UN-REDD Programme³ Social and Environmental Principles and Criteria;

³ The United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (UN-REDD).

(b) The Forest Carbon Partnership Facility Readiness Fund Strategic Environmental and Social Assessment and Common Approach to Environmental and Social Safeguards for Multiple Delivery Partners; and

(c) The REDD+ Social and Environmental Standards;

17. As per paragraph 13 of decision XI/19, the following relevant guidance in decision X/33, paragraph 8, should be considered when addressing safeguards for and multiple benefits of the activities referred to in paragraph 1 of decision XI/19:

(a) Consider the achievement of multiple benefits, including ecological, social, cultural and economic benefits, among ecosystem-based approaches for climate change mitigation and adaptation activities;

(b) Implement ecosystem management activities, including the protection of natural forests, natural grasslands and peatlands, and the sustainable management of forests, considering the use of native communities of forest species in reforestation activities;

(c) In forest landscapes subject to harvesting, clearing and/or degradation, implement, as appropriate, improved land management, reforestation and forest restoration, prioritizing the use of native communities of species, to improve biodiversity conservation and associated services while sequestering carbon and limiting the degradation and clearing of native primary and secondary forests;

(d) When designing, implementing and monitoring afforestation, reforestation and forest restoration activities for climate change mitigation, consider conservation of biodiversity and ecosystem services through, for example:

- (i) Converting only land of low biodiversity value or ecosystems largely composed of non-native species, and preferably degraded ecosystems;
- (ii) Prioritizing, whenever feasible, local and acclimated native tree species when selecting species for planting;
- (iii) Avoiding invasive alien species;
- (iv) Preventing net reduction of carbon stocks in all organic carbon pools;
- (v) Strategically locating afforestation activities within the landscape to enhance connectivity and increase the provision of ecosystem services within forest areas;

(e) Enhance the benefits for, and avoid negative impacts on, biodiversity from reducing emissions from deforestation and forest degradation and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries, and other sustainable land management and biodiversity conservation and sustainable-use activities, taking into account the need to ensure the full and effective participation of indigenous and local communities in relevant policy-making and implementation processes, where appropriate; and to consider land ownership and land tenure, in accordance with national legislation;

(f) Where appropriate, promote biodiversity conservation, especially with regard to soil biodiversity, while conserving and restoring organic carbon in soil and biomass, including in peatlands and other wetlands, as well as in grasslands, savannahs and drylands;

(g) Based on national circumstances, increase positive and reduce negative impacts of climate change mitigation and adaptation measures on biodiversity based, *inter alia*, on results from strategic environmental assessments and environmental impact assessments that facilitate the consideration of all available climate change mitigation and adaptation options;

(h) In planning and implementing effective climate change mitigation and adaptation activities, including renewable energies, take into account impacts on biodiversity and the provision of ecosystem services and avoid the conversion or degradation of areas important for biodiversity by:

- (i) Considering traditional knowledge, including the full involvement of indigenous and local communities;
- (ii) Building on a scientifically credible knowledge base;
- (iii) Considering components of biodiversity that are important for its conservation and sustainable use;
- (iv) Applying the ecosystem approach; and
- (v) Developing ecosystem and species vulnerability assessments.

(i) Take into account the values of biodiversity and ecosystem services when planning and undertaking climate change related activities by using a range of valuation techniques;

(j) Consider, as appropriate, incentives to facilitate climate change related activities that take into consideration biodiversity and related social and cultural aspects, consistent and in harmony with the Convention on Biological Diversity and other relevant international obligations.

18. The Convention on Biological Diversity could contribute to the work of UNFCCC and relevant initiatives, processes and instruments to promote and support safeguards by disseminating information on the implementation of relevant guidance from the Convention on Biological Diversity, by supporting further capacity building efforts, and by providing information on the contribution of the activities referred to in paragraph 1 of decision XI/19 to achieving the objectives of the Convention on Biological Diversity, as per decision X/33.
