



Convention on Biological Diversity

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BUREAU OF THE CONFERENCE
OF THE PARTIES
Berlin, Germany
26 November 2008

MINUTES OF THE SECOND MEETING OF THE BUREAU OF THE 9TH CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY HELD IN BERLIN, GERMANY ON 26 AND 27 NOVEMBER 2008

INTRODUCTION

1. With the generous financial contribution of Germany, the second meeting of the COP-9 Bureau was held on 26 and 27 November 2008 at the Paul Löbe Haus in Berlin, Germany. The meeting was chaired by Mr. Jochen Flasbarth, Director General, Nature Conservation and Sustainable Use of Natural Resources, Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, Government of Germany, representing the President of the ninth meeting of the Conference of the Parties. The following Bureau members attended the meeting:

Ms. Somaly Chan (Cambodia)
Ms. Tania Temata (Cook Islands)
Mr. Joseph Ronald Toussaint (Haiti)
Professor James H. Seyani (Malawi)
Mr. Damaso Luna (Mexico)
Ms. Snezana Prokic (Serbia)
Ms. Åsa Norrman (Sweden)
Dr. Abdelbagi Mukhtar Ali (Sudan)
Mr. Robert Lamb (Switzerland)

Dr. Volodymyr Domashlinets, the Bureau member from the Ukraine, was unable to attend and expressed his regrets.

2. The meeting was also attended by Mr. Kazuaki Hoshino of the Ministry of Environment of Japan, as well as Mr. Kayuza Otsuka and Ms. Ai Gonda of the Ministry of Foreign Affairs of Japan, ex-officio members of the Bureau as the host of the tenth meeting of the Conference of the Parties. Mr. Fernando Casas, representing the Co-Chairs of the Working Group on Access and Benefit-sharing (ABS) also attended the meeting. The Executive Director of UNEP was represented by Ms. Elizabeth Mrema, Senior Legal Officer and Chief, Biodiversity and Land Law and Governance Unit, Division of Environmental Law and Conventions (DELIC). The Secretariat was represented by the Executive Secretary of the Convention, Dr. Ahmed Djoghlaif, Ms. Dominique Kayser, the Secretary of the Governing Bodies and Ms. Nandhini Krishna, the SCBD Liaison Officer based in New York.

ITEM 1 OPENING OF THE MEETING

3. The meeting was opened by Mr. Flasbarth. He welcomed the members to Berlin, the capital of Germany, and a city steeped in history which he stressed holds great significance for the German people. He explained the significance of the venue, which houses the offices of Germany's parliamentarians. He explained that the Bureau was meeting in the room dedicated to meetings of Germany's Parliamentary Environment Committee, which had generously agreed to loan the room for

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the purposes of the Bureau meeting. He explained that this second meeting of the Bureau would take place over two days and would include a special afternoon session the second day to which the members of the SBSTTA Bureau would be invited.

4. The President welcomed the Executive Secretary and members of the Secretariat team, as well as Ms. Mrema from UNEP. He expressed thanks to the Secretariat and Presidency teams for preparations made in support of the meeting. He further welcomed Mr. Fernando Casas, transmitted apologies from Mr Tim Hodges who was unable to attend, and informed the Bureau that the SBSTTA Chair, Mr. Spencer Thomas, would only be able to join the Bureau meeting during the session to which SBSTTA Bureau members were invited, as the SBSTTA Bureau was meeting in parallel with the COP Bureau.

5. The President then extended an official invitation to Bureau members to attend a dinner that evening and indicated that the invitation had also been extended to SBSTTA Bureau members. He further indicated that Parliamentary Secretary of State Ms. Astrid Klug, the Head of the German Delegation during COP 9, would join Bureau members during the dinner to say a few words.

6. The Executive Secretary added his voice to that of the President in welcoming the members of the Bureau. He thanked the Presidency for its continued leadership and for convening and hosting a second meeting within less than 6 months following the COP, an initiative that he stressed was unprecedented. He further thanked the Presidency for initiating a session of the COP Bureau involving the members of the SBSTTA Bureau. He closed his intervention by welcoming the representative from UNEP and informing the Bureau that Ms. Mrema was the 2008 winner of the UNEP Baobab Award for excellence in management.

7. Prior to moving to the adoption of the agenda, the minutes of the Bureau's first meeting were formally adopted. The President reminded members that during that meeting a number of decisions had been agreed upon which relied upon the involvement of Bureau members for effective follow-up and action. He proposed that such a model, wherein the workload of decisions be shared amongst the members of the Bureau, be followed in future. This suggestion was met with agreement.

8. The President then proposed to review what activities had been completed since the Bureau's first meeting and what remained to be done. Seeing no objection, the list of activities was enumerated as follows:

- i. Extension of the contract of the Executive Secretary: The Presidency had acted upon the decision taken in October and written to the Executive Director to express the views and opinions of the Bureau. A response had been received from the Office of the Executive Director and the President informed the Bureau that both letters had also been deposited with UN Headquarters in New York.
- ii. Provision of lists of CBD Focal Points, by region, to Bureau members: Following requests from Bureau members from Asia and the Pacific and Latin America, the Secretariat had prepared lists of the CBD focal points by region to facilitate rapid communication between the Bureau and members of their constituencies. Such lists were required for the African and Central and Eastern European regions as well, and the Secretariat agreed to follow-up on this immediately.

On a related issue, the representative of Switzerland indicated that provision of similar lists for national focal points under the Cartagena Protocol would also be most useful. The Secretariat agreed to follow-up on this immediately as well.

- iii. Dedicated COP Bureau page on the CBD website: The President informed the Bureau that a dedicated COP Bureau page had been created on the CBD website. To date, postings included the names of the Bureau members and minutes of the meetings. He expressed the view that the webpage could be a useful communication tool between Bureau members and their constituencies, and encouraged the Bureau to request that relevant links be added, as they deemed appropriate. He further asked whether the e-mail contacts and photos of each member could be added to the page. No objection was noted, hence this will be done.
- iv. COP 9 Budget : The President noted that the Secretariat had been requested to send out a notification to Parties regarding underfunded activities. The Secretariat had acted upon this

request immediately following the Bureau's October meeting, but prioritization of COP 9 approved activities remained to be addressed. The President called upon the representatives of the Cook Islands and Switzerland to complete the exercise of identifying the top priorities emanating from COP 9 decisions in order that a targeted resource mobilization exercise amongst donors could ensue.

The Bureau was further informed that UNEP had generously offered to support the implementation of the Convention in a number of areas, and that confirmation had been received from the Office of the Executive Director informing that UNEP was pleased to host and provide financial and in-kind support for the preparation and conduct of the WGABS-9, SBSTTA-14 and WGRI-3 in Nairobi in 2010. In addition, UNEP would support the work of the ABS Co-Chairs with funding of US \$50,000.

With specific respect to the SBSTTA-14 meeting, UNEP had indicated agreement to cover the cost differential to host an 8-day meeting. In the margins of the recent IPBES meeting, the President advised the Bureau that UNEP had received a request to extend the meeting by a further 2 days, to a total of 10 days, and that the Executive Director had indicated that UNEP would help, if possible. It was noted that additional funding required for holding an extended meeting includes conference services costs, as well as support for travel expenses of delegates from a large number of countries. As the Bureau would meet with the SBSTTA Bureau the following day, it was agreed to continue discussion on the issue the next day.

- v. Nominations and participation in the ABS Expert Group meetings: The representative from Serbia informed the Bureau that, following the October Bureau meeting, there had been a misunderstanding in the CEE region regarding the deadline for submission of nominations of experts to the meeting of the Expert Group on concepts, terms, working definitions and sectoral approaches that will take place in Namibia from 2-5 December. As a result, additional consultation within the CEE region had not been conducted within the approved additional timeframe, the result being that participation from her region remained unfortunately, limited.

Underlining the importance of balanced representation in these processes, the President reminded the Bureau that an issue had been raised about NGO participation in the workshop. He reminded members that in order to deal with the issue, the Presidency had held a conference call with the Secretariat and the Co-chairs. While it was recognized that the COP decision limited participation in the Expert Group to 15, given that there had been no objection to including 2 NGOs in the process following a written procedure within the Bureau, an invitation had been extended to them to participate.

The representative of Japan informed the Bureau that 2 Japanese experts would attend the meeting in Namibia and asked whether they would be entitled to make presentations. In response, Mr. Casas advised members that the format of the Expert Group meetings would be based on preparing recommendations on issues related to the text agreed upon at the COP, not presentations.

The representative of Japan then asked how the Co-chairs of the Expert Group meetings would be selected, and was advised that, as is the practice, the host Government will provide one Co-chair and the body will elect the second.

- vi. Hosting of the WGABS-8 and WGA8(j)-6 meetings: The President informed the Bureau that on the margins of the IPBES meeting held in Malaysia, he had approached the Government of Malaysia regarding its pledge to host WGABS-8 and WGA8(j)-6 in 2009. He informed the Bureau that he was pleased to announce that although he'd been informed that Cabinet approval was required, the Government of Malaysia was committed to the pledge it had made and that the meetings would be convened in Kuala Lumpur in November 2009. The announcement was extremely well received by members of the Bureau.
- vii. Meeting of the Ad Hoc Technical Experts' Group on Biodiversity and Climate Change held in London from 17-21 November: The President reminded the Bureau that the

representative of Serbia had been invited by the Bureau to represent it at the meeting. The representative of Serbia reported that the first meeting of the second AHTEG had focused on REDD. What emerged from the meeting, where attendance drew heavily on forestry experts vs. ecology specialists, was recognition of the need to harmonize biodiversity and climate change related language within the context of REDD. While REDD is directly linked to forestry, its link to biodiversity requires attention. She further informed members that a 4 minute presentation slot on the results of the AHTEG by Bob Watson was scheduled at the UNFCCC COP-14 in Poznan.

The Executive Secretary informed the Bureau that a 2nd AHTEG meeting on Biodiversity and Climate Change would be held in Helsinki, Finland in early 2009 (dates to be finalized shortly), and the possibility of convening a 3rd AHTEG, subject to the availability of financial resources, was suggested by the participants.

The representative of Haiti requested clarification as to when the issue of adaptation would be addressed by the AHTEG, stressing the need to ensure that the SIDS perspective with respect to adaptation be captured. The Bureau was informed that a 2nd AHTEG meeting would focus on adaptation.

The President concluded discussion on this issue stating that discussion on how to include REDD and other biodiversity-related issues into the UNFCCC scope of work during the Poznan meeting would be a good means by which to influence the 2009 Copenhagen process.

- viii. Post-2010 target: The President introduced the issue by informing members of the intent to establish an inter-agency group on the development of post-2010 target under the leadership of the Secretariat and UNEP. The proposed eminent persons' workshop discussed at the Bureau's first meeting would contribute to the process. He also advised members that on the margins of the IPBES meeting he'd had the opportunity to discuss this with the Executive Director who had advised him that UNEP's EMG would be involved in the process.

He then requested a report from the Bureau members who'd agreed to develop a proposal on how to organize work on the post 2010 target. The representative of Haiti informed members that a 3 page proposal for a high level workshop for the advancement of the CBD beyond 2010 which contained some preliminary thoughts on the objectives, structure, content and profile of participants had been prepared further to consultation with the representatives of Mexico, Sweden and Switzerland. The president thanked their contribution and encouraged them to continue liaising in order to finalize the proposal.

- ix. 2009 High-level Dialogue: The President turned discussion to consideration of the organization of a high-level dialogue in 2009 and asked members to explore an appropriate time and venue for such a meeting. It was suggested to hold such a meeting in February 2009 following the Bureau's next meeting on the margins of the UNEP Governing Council meeting. The President also indicated that Minister Gabriel planned to host a 'Friends of the Presidency' high-level Ministerial stock-taking meeting in Bonn on 22 May 2009, to coincide with the International Day on Biodiversity.
- x. Other Matter Addressed since October 2008: The President advised members that a delegation from Japan, representing the COP-10 Presidency, would visit soon Germany to have bilateral discussions regarding the organization of the 2010 COP. In addition, the Presidency and the Secretariat had provided the Government of Japan cost estimates for the organization of the next COP.

He also advised members that discussion was underway with UNEP to host the next Bureau meeting on 13 February in Nairobi.

ITEM 2 ADOPTION OF THE AGENDA

9. Under this agenda item, the Bureau adopted the agenda outlined below:
- 1) Opening of the meeting

- 2) Adoption of the agenda
- 3) Briefing of the COP-9 President on inter-sessional activities
- 4) Briefing from the ES on recent and forthcoming activities, including the Ad hoc Technical Expert Group meeting on Biodiversity and Climate Change, London 17-21 November 2008
- 5) Briefing of the Co-chairs on the Implementation of the Bonn mandate on Access and Benefit-sharing (ABS)
- 6) Draft agenda of the inter-sessional meetings
- 7) List of priority for underfunded activities arising from COP9 decisions
- 8) Revision of the strategic plan. Process for developing the draft to be submitted to CoP-10, including the organisation of an “eminent persons workshop”.
- 9) International Year on Biodiversity
- 10) Any other business
- 11) Closure of the meeting

10. Under Agenda item 10, ‘Any other business’, the representative of Japan was asked to provide a brief report on preparations for COP-10, and the Bureau was advised that they would receive a report on credentials from the Secretariat.

11. The President also informed the Bureau that in order to ensure that the joint meeting of the Bureaus of the COP and of SBSTTA be considered official, the SBSTTA Bureau members would be invited to join the COP Bureau meeting on the afternoon of 27 November, and that the agenda of that meeting would be considered under ‘Any other Business’.

ITEM 3 BRIEFING OF THE COP-9 PRESIDENT ON INTER-SESSIONAL ACTIVITIES

12. The President informed the Bureau that, at the invitation of the Executive Director of UNEP and the Government of Malaysia, he’d attended the Ad Hoc Intergovernmental and Multi-stakeholder Meeting on an Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) held from 10-12 November.

13. In outlining the result of the IPBES meeting, he indicated that some participants had expressed disappointment that the body had not reached agreement whether or not to develop it as the IPCC equivalent for global biodiversity issues. He explained that there had been much discussion on whether the establishment of an IPBES would weaken the CBD’s SBSTTA or otherwise. In recognizing that SBSTTA has limited mandate, time and capacity to do necessary fundamental research, he expressed the view that the work of a future IPBES could be of significant use to SBSTTA, and drew a parallel to the value of the TEEB analysis in economic valuation of global biodiversity. He then underlined that all this adds to the Presidency’s ongoing commitment and support for SBSTTA, and the need to ensure that SBSTTA can work effectively as a scientific and advisory body. He emphasized that the Presidency will advise COP-10 to ensure that 2 SBSTTAs be held in the COP-10/COP-11 inter-sessional period.

14. In response, the representative of Haiti suggested that a gap analysis could be prepared for the consideration by the Governing Council.

15. The representative of Malawi asked whether discussion had taken place on whether an IPBES would be a stand alone initiative or UNEP-driven. In response, the President stated that several proposals had been made regarding how an IPBES could be hosted, but no decision had been taken. These include: a) stand alone; b) UNEP-hosted; c) UNESCO-hosted; d) jointly hosted by UNEP and UNESCO; e) IUCN involvement, following a strong statement made by IUCN indicating that they should be involved; and f) CBD-hosted, as a sub-body of SBSTTA.

16. The President then reconfirmed to the Bureau that in the margins of the IPBES meeting, the Government of Malaysia had expressed its commitment to honour the pledge made to host the WGABS-8 and WGA8(j)-6 meetings in November 2009, and indicated that the meetings would be held at the international conference centre in Kuala Lumpur.

17. The President informed the Bureau that UNEP would host the TEEB Secretariat, and that its offices would be located at the UN Tower in Bonn. The Secretariat, which would begin its activities

on 1 December 2008, would be comprised of 3 staff members, under the leadership of Mr.Pavan Sukhdev.

18. In reporting on progress of the LifeWeb Initiative, the President indicated that so far 47 countries had prepared concrete proposals for protected area projects with a total value of 160 million €. In terms of ongoing support for the LifeWeb Initiative, he highlighted that the Federal Chancellor had announced a commitment of €500 million until 2012, and an additional annual €500 million from 2013 onwards. The hope was that other donors would pledge funds in support of the Initiative. He cited, for example, the commitment from the Government of Norway who has set aside US \$500 million to reduce deforestation from agriculture, explaining that they had agreed to review LifeWeb proposals that targeted protected areas with forests, with a possibility of providing funding for such initiatives from the US \$500 million fund.

19. Another interesting case involves private sector engagement for protected areas in Chile, undertaken in cooperation with ECLAC. The President had recently had the opportunity to visit Pumalin Park in southern Chile developed by Douglas Tompkins. He explained that while there he was briefed that the investment had been made following thorough consultation with the Government of Chile. He advised the Bureau that Mr. Tompkins had agreed to visit Berlin in 2009 to work with the Presidency to involve more philanthropists in the LifeWeb Initiative.

20. The President then informed members that the Presidency had decided to provide additional capacity up to €1 million to the Secretariat to support implementation of the LifeWeb Initiative, including personnel for project coordination and webpage development and maintenance, as well as meeting organization and preparation of publications.

21. The President then advised the Bureau that, at the invitation of President Lula, he had attended recently a Bioenergy conference in Brazil, and had taken the floor in his capacity as both the representative of Germany and the President of the COP to inform participants of the urgent need to ensure that biofuel production and use should be sustainable in relation to biological diversity. In working to solve climate change issues, he underscored that it was vital that new problems not be created.

ITEM 4 BRIEFING OF THE EXECUTIVE SECRETARY ON RECENT AND FORTHCOMING ACTIVITIES, INCLUDING THE AD HOC TECHNICAL EXPERT GROUP MEETING ON BIODIVERSITY AND CLIMATE CHANGE, LONDON, 17-21 NOVEMBER 2008

22. The Executive Secretary introduced the note submitted under this agenda item. He also briefly advised members that the report of the CBD to the GEF Council in early November had been well received. He informed the Bureau that the second committee of the United Nations General Assembly concluded the negotiation on a draft Resolution which includes the agreement to convene a high level segment of the 65th session of UNGA in September 2010. In closing, he informed the Bureau that, further to a MoU signed with UNDP, an additional seconded staff would join the Secretariat in early 2009.

23. The representative of Haiti expressed appreciation for initiatives undertaken by the Secretariat, drawing attention to the recent NBSAP and CEPA workshop organised in Trinidad and Tobago. He expressed thanks for the direct advice provided by the Secretariat to Parties through such fora, explaining that information provided was very helpful in terms of helping countries address difficulties encountered at the national level.

24. Following on this intervention, the President informed the Bureau that, in an attempt to better engage CEE countries in inter-sessional discussions, during a recent mission to Geneva he discussed the issue with UNECE. The outcome was agreement to hold a meeting back-to-back with a UNECE Meeting of Directors for International Policy in order to promote greater support for the CEE region on biodiversity-related issues. The representative of Serbia expressed appreciation for this initiative, emphasizing the need for encouragement within the CEE region of dialogue on processes underway, particularly ABS.

ITEM 5 BRIEFING OF THE CO-CHAIRS ON THE IMPLEMENTATION OF THE BONN MANDATE ON ACCESS AND BENEFIT-SHARING (ABS)

25. Mr. Casas began by informing the Bureau that his Co-Chair, Mr. Tim Hodges, was attending an informal consultation with Ministers and negotiators from key member states of the African Group in Madagascar and hence, was unable to join the meeting of the Bureau.
26. He then proceeded to highlight elements of the detailed workplan prepared by the Secretariat on ABS activities, citing the compilation of views submitted by Parties and stakeholders in preparation for the Expert Group to be held in Namibia from 2-5 December, as well as that in Japan in January 2009. He also informed members that the first drafts of the ABS studies commissioned would soon be available, for consideration at WGABS-7.
27. He then highlighted the expectations of the Co-chairs for the Expert Group meetings, indicating that the Co-chairs would attend the meetings as observers. With respect to the Expert Group on Concepts, Terms, Working Definitions and Sectoral Approaches being held in Namibia, he expressed the view that the expertise in the room would be heavily weighted towards legal expertise, to the detriment of other disciplines, he nevertheless noted that the experts selected presented a strong group. Stressing that the point of the meeting was not to negotiate, but rather to share expert knowledge on concepts, terms, working definitions and sectoral approaches relevant to ABS, he indicated that the expected result was clarification of meaning which would in turn eliminate the confusion that had been blocking the negotiation of the substance, thereby allowing Parties to negotiate in earnest. With respect to the Expert Group on Compliance that would be held in Japan from 27-31 January, he emphasized that the TORs adopted clearly spelled out what was expected of the experts.
28. On the margins of the Bureau meeting scheduled for 13 February, he informed that it was the intention of the Co-Chairs to address the Governing Council, as they have done with the Permanent committee of Representatives.
29. In preparation for WGABS-7, Mr. Casas advised members that the Co-chairs were working on preparation of the pre-WGABS-7 informal consultations whose structure and content, he stressed, would be informed by the results of the two Expert Group meetings and their pre-WGABS-7 bilateral consultations.
30. Mr. Casas advised the Bureau that effective management of the flow of work at WGABS-7 will rely upon efficiency. Within this context, he noted that the Co-chairs are considering provision of a Co-chairs note to the meeting, as well as considering prospective contact group Co-chairs. With respect to the latter, he explained that any contact group formed would require experienced and credible chairs, and that gender balance would figure in any recommendations made.
31. In reporting on the Co-chairs consultation process, he advised the Bureau that the Co-chairs would travel to Japan prior to the Expert Group meeting on compliance in January 2009 to hold bilateral discussions with the COP-10 host. On the margins of this mission, they had also accepted an offer to visit Australia and New Zealand for bilateral consultations.
32. Mr. Casas then informed the Bureau that equally important for the Co-chairs was the possibility to consult with interested stakeholders and industry. In this context, he advised that the Co-chairs would like to consult with indigenous industry and called upon the assistance of the Secretariat in reaching out to CBD focal points to identify those with whom they should be making contact. The representative of Malawi informed members that a number of organizations in Africa dealt with local industry and that such organizations could benefit from participation in regional consultations. He also took the opportunity to note the lack of African NGO participation in the Namibia Expert Group meeting. It was noted that this was due to the lack of nominations.
33. The representative of Malawi further asked whether the Co-chairs would submit a written summary report to the Bureau on the results of their bilateral consultations, highlighting their views. Mr. Casas indicated that the results of the bilateral consultation process could result in a Co-chairs note to WGABS-7 on a suggested way forward. Given the sensitivities involved, the President invited the Co-chairs to report to the Bureau when and if they felt that the advice or guidance of the Bureau was required, and this was agreed upon by Mr. Casas and all Bureau members.

34. In response to a query raised by Mr. Casas regarding the financing and hosting of the Expert Group on Traditional Knowledge for Genetic Resources, scheduled for June 2009, it was clarified that the Government of Sweden had offered to fund the meeting and that an offer to host had been received from the Government of India.

35. The representative of Haiti queried the need for contact groups to be established during WGABS-7, and asked whether the Co-chairs envisaged whether during WGABS-7 Parties may question the conclusions of the expert group meetings. In response to the first point, Mr. Casas indicated that the agenda for WGABS-7 was challenging and that the Co-chairs would have to be able to exercise as much use flexibility as possible. This, he indicated, may require running activities in parallel through contact groups in order that the work might be completed on time, or continuing discussions of some issues during WGABS-8. The representative of Malawi stressed the need to ensure regional balance in the composition of contact groups. In response to the second question, he stressed that what will be essential during the Namibia meeting is in-depth knowledge and understanding of the concepts. As conclusions drawn would be based on knowledge, not negotiation, he did not foresee any issues arising at WGABS-7.

36. The representative of Switzerland thanked Mr. Casas for the report, and expressed the view that inter-sessional regional consultations were advantageous to future negotiations and should therefore, be encouraged. In this regard, he asked the Secretariat whether there was any surplus on voluntary contributions to date that may serve to fund such consultations, to which the Executive Secretary informed the Bureau that no surplus was available at this time.

37. The representative of Switzerland proposed to the Bureau that it may be worthwhile to have a Bureau member attend the Expert Group on Compliance as an observer, as had been done for the biodiversity and climate change AHTEG. It was agreed that the representative of Switzerland will represent the Bureau at the meeting.

38. In response to thanks expressed by Mr. Casas to UNEP for the support extended to the work of the Co-chairs, the representative of UNEP informed members that UNEP was prepared to continue to support their work, and would continue to identify additional funds.

39. The representative of Japan indicated that his Government would be pleased to host the Expert Group on Compliance in Tokyo, and expressed interest to take part in the consultation related to the selection and election of the in the expert group co-chairs.

40. The issue of regional consultation in preparation for the ABS negotiations was also discussed. Mr. Casas asked UNEP whether, further to an offer made during the first Bureau meeting, it might be possible to finance and organize regional consultations, at UNEP regional offices for example, either prior to WGABS-7 or between WGABS-7 and WGABS-8. This request was met with support by the representatives of Malawi, Mexico and the Cook Islands, with the representative of Malawi indicating that ideally such regional consultations could occur 1-2 months prior to WGABS-7.

41. The representative of Mexico further encouraged regional coordinators to organize pre-ABS regional consultations as efficiently as possible and to provide concrete guidance. He further suggested that pre-ABS inter-regional consultations would also be of value, citing that the Lima Declaration also supports such an approach.

42. The representative of the Cook Islands stressed that the ASP region strongly supported the need for regional consultations prior to WGABS-7 in order to support the effective involvement of the region which, she underlined, is composed of 5 important sub-regions. She also expressed support for the suggestion made to host inter-regional consultations, citing the opportunity to bring the SIDS perspective to the fore. In this respect, she indicated that the region would look to identify opportunities to maximize exchange of information in the lead-up to WGABS-7, including the possibility of briefing experts involved in ABS expert group meetings, as well as examining the possibility of inviting the Co-chairs to engage in bilateral consultations in the region.

43. Mr. Casas agreed that view that inter-regional consultations would be helpful to the ABS process as they could help further understanding and narrow differences in opinion.

44. The President stressed the need for convening regional consultations/capacity-building activities in support of the ABS process during the first quarter of 2009 in four regions was strong. He

asked whether the GEF MSP would be a suitable means by which to finance such initiatives. In response, the Executive Secretary indicated that the GEF MSP could be an excellent mechanism through which to fund regional consultations in support of ABS, but stressed that the project had not yet been submitted and taking into account the GEF project cycle, it is unlikely that the project be operational before ABS 7. The representative of UNEP, concurred with the view presented by the Executive Secretary and indicated that UNEP and its regional office will be fully occupied by the preparation and servicing of the 25th session of the UNEP's Governing Council to be held in February 2009. Given the constraints presented, the President suggested that in the immediate, regional consultations be held back-to-back with WGABS-7 and that further regional consultations at UNEP's regional centres be organized in the intervening months leading up to WGABS-8.

45. Expressing agreement, the representative of Switzerland also requested that time for inter-regional consultations be allocated during WGABS-7. Mr. Casas indicated that inter-regional consultations through the LMMC and G77 would be most welcome in the process.

46. Recapitulating, the President underscored the following shared views amongst Bureau members:

- i. regional preparatory consultations are essential for the progress on the ABS process;
- ii. organizing additional regional and inter-regional consultations to those held on the margins of WGABS meetings is of value and importance;
- iii. regional and inter-regional consultations should be scheduled during the run up towards the WGABS-7 and WGABS-8 periods;
- iv. the COP Bureau will be represented at the ABS Expert Group meetings as an observer, with the Presidency representing the Bureau at the Namibia meeting and the representative of Switzerland representing the Bureau at the meeting in Japan;
- v. continue to take note of the state of play of UNEP GEF activities that can support capacity development with respect to the ABS process;
- vi. invite the Co-chairs to share information regarding the bilateral consultation process with members when they feel it may be of use to the work of the Bureau; and
- vii. further to a suggestion made by the representative of Switzerland, building upon the climate change workshop for the Bureau organized at Barcelona, it was unanimously agreed that a one-day ABS briefing workshop for Bureau members would be organized, at a future time and date.

47. The President then turned the attention of the group to the list of experts nominated for participation in the Expert Group on Compliance. The Executive Secretary informed members that the Secretariat's ABS team had worked in close cooperation with the Presidency and the Co-chairs in preparing the list from the nominations received. Nominations received had allowed for the selection of 6 participants per region, as well as observers, including 3 representatives from indigenous and local communities. The list was before the Bureau for approval. In response to a query as to whether UNEP would be invited to participate as an observer, the Executive Secretary responded that UNEP would participate as facilitator servicing the meeting. The representative of Switzerland noted that NGO involvement in the meeting should be taken into consideration. The list was then approved by the Bureau.

48. Discussion then turned to the proposed UNEP GEF project. The representative of UNEP explained that there were in fact a number of medium-size projects (MSP) in the pipeline but had been delayed due to the advent of the resource allocation framework (RAF) instituted in the lead up to the approval of the GEF 4 funding window. She explained that projects remained in the pipeline for a number of countries in the African region, the ASEAN community, and the Andean community. She further explained that a regional MSP for the Latin and Caribbean region had been developed for submission under the global and regional exclusion financing window, and that a full size project (FSP) of US \$3.5 million with an ABS focus, developed with the Government of India, had been submitted in October this year. The representative of Switzerland asked whether the CHF 180,000 that his government had provided to allow Mozambique to participate in the African regional project that had been delayed before GEF 4 could be used to support the pipeline projects. He further requested

that UNEP prepare a note explaining the status of the pipeline projects, highlighting concrete planning expectations, to the next meeting of the Bureau.

49. In response to the comments made by UNEP, the representative of the Cook Islands stated that given GEF processes and national allocation considerations, it was likely that some countries in her constituency would simply not be covered by the projects under discussion. This concern was shared by the representative of Malawi.

50. The President requested the Secretariat to prepare in consultation with UNEP/GEF and the COP Presidency, the elements of a draft MSP on capacity building on the international regime on access and benefit sharing with a view of convening regional consultations based on the experience gained with the Netherlands/German initiative for Africa on ABS. The suggested draft will be circulated to the Bureau and the proposal will be submitted to the CEO of the GEF by the Executive Director of UNEP and it will be supported by a letter to be sent to the CEO by Minister Gabriel. He further nominated the representatives of the Cook Islands, Haiti, Malawi and Serbia to act as the Bureau focal points on the issue of regional consultations.

ITEM 6 DRAFT AGENDA OF THE INTER-SESSIONAL MEETINGS

51. The Executive Secretary introduced the agenda item and informed the Bureau that the meeting agendas presented for their consideration and approval were based on decisions adopted by the COP. With respect to the WGRI-3 agenda, he suggested that the item 8.c., 'Administrative arrangements between UNEP and the Secretariat', be deleted as the Executive Director had indicated that the arrangement will be submitted to COP-10 after consultation with the Bureau.

52. With respect to the WGRI-3 agenda, the representative of Sweden queried whether item 5, 'Science-policy interface on biodiversity, ecosystem services and human well-being; consideration of the outcome of the intergovernmental meeting', should figure as a stand-alone agenda item or whether it should be merged in to agenda items 4, 'Beyond 2010', or 8, 'Operations of the Convention'. The Executive Secretary informed the Bureau that it had been included as a separate agenda item as a result of a specific request emanating from COP-9 under Decision IX/15, paragraph 9, which requested WGRI-3 to consider the outcome of the intergovernmental meeting and its implications for the implementation and organization of work of the Convention, including its Strategic Plan, and to make recommendations for consideration by COP-10. Given that the overall outcome of the IPBES process was unknown, but that it was logically linked to both agenda items 4 and 8, members ultimately agreed to move it above up in the agenda as a new agenda item 4, above the agenda item on 'Beyond 2010'.

53. The representative of Sweden asked if the issue of the financial mechanism could be considered as a separate item on the agenda of WGRI-3. It was agreed that the issue of GEF can be addressed under the item draft agenda item 6.c. (Implementation of the Strategy for Resource Mobilization, Innovative financial mechanism) and draft agenda item 8 (Operations of the Convention).

54. Clarification was requested by the representative of Japan regarding the process for preparation and finalization of the COP-10 agenda. The Executive Secretary informed members that final draft agenda will be dispatched six weeks in advance, however the finalization of the draft agenda by the Bureau at an early stage will facilitate better preparation and planning within the Secretariat.

55. The President noted that issue of bioenergy will be on the agenda of SBSTTA 14 as a separate item and asked, whether it should fall under agricultural biodiversity or rather be allocated a separate agenda item at COP10. Following discussion among the Bureau members, the President suggested to include on the draft agenda of COP10 a new agenda item 4.10 "biofuels and biodiversity". In response to concerns raised by the representatives of the Cook Islands and Malawi regarding a) the authority of the Bureau to add items to the COP agenda and b) the possibility that separating the biofuels issue from the agricultural biodiversity discussion could raise important issues at Nagoya, the President suggested that on the basis of Decision IX/2 biofuels be put on the agenda and that this be communicated to the regions by the Bureau members, as well as to interested Parties by the Presidency, for consideration.

56. With respect to the agenda for WGABS-8, the representative of Malawi asked how the outcomes of WGABS-7 would be linked to WGABS-8, and how those of WGA8(j)-5 would be linked to WGA8(j)-6. Mr. Casas responded by reminding members that COP-9 had clearly laid out the issues to be considered by the 7th, 8th and 9th meetings of the WGABS, and that this had been based on a negotiated rationale. He went on to point out that the timing of WGA8(j)-6 between WGABS-7 and WGABS-8 would allow for contribution of TK associated with GR into the WGABS-8 negotiations, and drew the Bureau's attention to WGABS-8 agenda item 3.2, which would allow WGA8(j)-6 outcomes to be properly included in the negotiation of the international regime for ABS.

57. The draft agendas for WGABS-8, WGABS-9 and WGRI-3 were approved in the light of these comments.

ITEM 7 LIST OF PRIORITY FOR UNDERFUNDED ACTIVITIES ARISING FROM COP-9 DECISIONS

58. The Executive Secretary presented the agenda item, highlighting the status of contributions to the BE and BZ Trust Funds, as well as decision approved by COP-9 but not included in the budget. He informed the Bureau that the Secretariat has just received a multi-million contribution from Germany for the implementation of COP9 decisions and therefore the table will need to be adjusted. He commended Germany for its leadership and invited other donors in a position to do so to make voluntary contribution.

59. The President indicated that even with additional financial resources received since the last Bureau meeting, deficits still remained, which underscored the importance of identifying priority activities.

60. The representative of Switzerland, nominated during the first Bureau meeting to participate in the prioritization process, informed the Bureau of the proposed criteria for the prioritization exercise, as follows:

- i. Priority to activities already included in the budget but underfunded;
- ii. Activities almost funded and called for by the COP;
- iii. Activities that lend themselves to involvement of cooperating partners (ie. other international organizations), followed by identification of and outreach to cooperating partners.

61. Based on these criteria, he suggested to the Bureau that priority activities should include an AHTEG on agricultural biodiversity, the second and proposed third AHTEGs on biodiversity and climate change, protected areas, and business and biodiversity. With respect to the activity, the Executive Secretary expressed the view that good progress had been made in engaging the Business community, and informed the Bureau of the letter of support received from the Executive Director addressed to the President of COP9.

62. The representative of Malawi asked if alien invasive species should not be included in the list. The representative of Switzerland indicated that other issues should not be excluded, but that in conducting a prioritization exercise some activities would necessarily rise to the top. On the basis of additional commitments received since the first Bureau meeting, he proposed that the list be reviewed to better assess funding status at present, then revised.

63. The President indicated that he would approach Minister Gabriel and request that he reach out to his fellow Ministerial colleagues to highlight the issue of underfunding, in order to encourage those donors with resources to contribute.

64. The Executive Secretary then drew the attention of the bureau to the issue of the recommendations for cancellation of outstanding balances owed to the BE and BZ trust Funds which he indicated, had been requested by the auditors. He explained that outstanding pledges required cancellation in order to be removed from UNEP's books. The Bureau approved the recommendations for cancellation.

ITEM 8 REVISION OF THE STRATEGIC PLAN. PROCESS FOR DEVELOPING THE DRAFT TO BE SUBMITTED TO COP-10, INCLUDING ORGANISATION OF A “EMINENT PERSONS WORKSHOP”

65. In introducing this agenda item, the President noted its importance with respect to the future of the Convention, stating that the need to involve the ‘outside world’, including other UN institutions, the private sector, NGOs and the scientific community, was paramount in contributing to the post-2010 scenario. He informed the Bureau that he’d approached the Executive Director regarding the establishment of an inter-agency process for the post-2010 target that would include UNESCO, FAO and UNDP, amongst others, and in which the Secretariat would play a leading role. This had been agreed upon, as outlined in the letter of support received from the Executive Director. He also informed the Bureau of a discussion he’d had with the Director General of IUCN regarding the need to establish a common understanding of the post-2010 target and harmonize key messages, or branding, with IUCN and other UN organization. He then informed the Bureau that he had made a presentation during a side event on the subject organized by the Secretariat during the IPBES meeting, and suggested that a similar side event could be organized to raise awareness during the Governing Council in February.

66. The Executive Secretary thanked the President for his participation in the Secretariat side event in Kuala Lumpur. He informed the Bureau that a notification on revisions of the strategic plan and the development of a post-2010 target had been issued and an e-forum launched in order to seek input from CBD focal points, as well as others. He further advised the Bureau that the Executive Director of UNEP has suggested that the 2010 biodiversity target and beyond be discussed at the next meeting of the Environmental Management Group (EMG) to be held on 10n December in Poznan, on the margins of the UNFCCC COP-14.

67. Discussion then turned to the issue of the organization of events regarding the development of the proposal for a post 2010 target. The President reminded the Bureau of the suggestion to organize an ‘eminent persons workshop’ on the post 2010 target, and also reminded members that at the Barcelona meeting 4 members (Haiti, Mexico, Sweden, Switzerland) had been asked to reflect upon the process for developing a proposal for the organization of such an event. A 3-page think-piece on preliminary thoughts on a “High Level Workshop for the advancement of the Convention of Biological Diversity beyond 2010” prepared by the representative of Haiti was circulated for consideration. The representative of Sweden informed the Bureau that a virtual consultation process had taken place between the members to date. They proposed to build on the structure of the Potsdam workshop and involve 20 persons in the High Level Workshop. She stressed the view that it was important to identify appropriate participants and that TORs outlining the selection criteria for the participants should be prepared. With respect to venue and timing, the members had discussed the possibilities of organizing the events on the margins of the Governing Council, recognizing that the agenda at Nairobi in February may already be too full, and linking the High Level Workshop to IYB.

68. The President thanked the members and reflected on the fact that the think-piece provided a good starting point that identified the right messages. He proposed that the team continue to assist the Presidency and the Secretariat in the organization of the workshops. The pressing issues before the Bureau concerned venue and dates, and the profile of participants which would in turn, allow organizers to move to concrete suggestions. Echoing the concerns raised by the team, he acknowledged that Nairobi in February may not be the best place to hold a workshop, as the heavy and diverse workload of the Governing Council would no doubt make it difficult to draw participants. As the objective was to allow participants to disconnect and focus, he proposed Potsdam as the venue, and invited the 4 member team to consider this option.

69. It was agreed that the meetings may include between 25 to 40 participants and will be of a two days duration. The month of March 2009 as a suitable date, in order to be able to influence the 2010 preparatory process. It was decided that by 5 December, concrete proposals regarding possible participants would be submitted to the COP Presidency, and that by 12 December a pre-announcement would be circulated.

70. The representative of Japan informed the Bureau that given the importance of the 2010 target evaluation at COP-10, Japan was very interested in participating in the preparations for the workshop, and underlined that in identifying participants, a balance with respect to regional provenance and expertise should be ensured.

ITEM 9 INTERNATIONAL YEAR ON BIODIVERSITY

71. The Bureau took note of the IYB-2010 Implementation Strategy and referenced the important link this will have to the revision of the strategic plan and the development of a post-2010 target.

ITEM 10 ANY OTHER BUSINESS, INCLUDING JOINT MEETING WITH THE SBSTTA BUREAU

72. The President reminded the Bureau that two issues were to be addressed under this agenda item, the Report on credentials and a brief presentation from Japan on preparations underway for COP-10, following which the members of the SBSTTA Bureau would join the Bureau meeting for a joint discussion.

73. The Executive Secretary informed the Bureau that the Report on Credentials before them presented the credentials statistics for COP-9. Twenty-three (23) Parties had attended COP-9 without their credentials being in good order, and that while this presented a better showing than in the past, it was quite serious. The President proposed that the Secretariat prepare a letter for his signature to these Parties noting with regret that they have failed to submit proper credentials and urging to ensure that proper credentials be submitted for COP10.

74. The representative of Malawi also took the opportunity to highlight the upcoming accession of a new administration in the United States, and stressed that this may be the propitious moment to request the administration to not lose sight of the importance of global biodiversity. The president informed the Bureau that Minister Gabriel was very keen to see the CBD become a truly global convention, and that both the Government of Germany and the Secretariat were using all channels available to encourage the new administration to close the gap.

75. The representative of Japan advised the Bureau that as of September, an inter-governmental agency including national and regional government representatives, local government representatives from Nagoya and Aichi Prefecture, as well as representative of Nagoya City had been formed to work on preparations for COP-10. He reiterated that two staff members, one from the Ministry of Environment and the other from the City of Nagoya, would join the Secretariat as liaison officers. He further stated that a contract with a convention services company responsible for the logistics of the COP had been concluded, and that representatives of the company would visit Germany in 2009 to learn from the COP-9 experience. In response to a request to have the government facilitate receipt of visas at the airport, the representatives of Japan indicated that this would be looked into.

76. On the afternoon of 27 November, the members of the SBSTTA Bureau joined the COP Bureau meeting in the first joint Bureau meeting of its kind. The SBSTTA Bureau Chair thanked the COP Bureau for the invitation to interact, stressing that such opportunity was very useful in enhancing cooperation between the two bodies in supporting the advancement of the implementation of the Convention. He expressed the hope that such cooperation would continue in future and beyond COP-10.

77. The President then introduced the agenda for the meeting:

- i. Opening of the meeting
- ii. Adoption of the Agenda
- iii. Briefing on the status of preparations for the SBSTTA-14
 - (i) Confirmation of dates, venue and duration of SBSTTA-14;
 - (ii) Draft agenda;
 - (iii) Expert meetings convened by COP-9
- iv. Enhancing the role of SBSTTA in the preparations for COP-10
 - (i) Global Biodiversity Outlook (GBO) 3;

- (ii) Relationship between SBSTTA and IPBES;
 - (iii) Preparations for IYB;
 - (iv) Relationship with ABS
 - (v) Modus operandi for the election of the Chair of SBSTTA and its Bureau members
 - (vi) Date and venue of the second Joint meeting of the COP-9 and SBSTTA Bureaus, proposed Saturday, 22 May 2010, Nairobi
- v. Any other business
 - vi. Closure of the meeting

The agenda was agreed upon, as presented.

78. Further to a briefing provided by the SBSTTA Chair, the meeting took note of, and agreed upon, the following issues related to SBSTTA-14 and the inter-sessional work programme of SBSTTA:

- i. the venue for SBSTTA-14 was confirmed to be Nairobi, with thanks expressed to UNEP for its offer to host the meeting;
- ii. given the heavy substantive issues on the SBSTTA-14 (6 issues for in-depth review and an additional 12 items requiring discussion), it was agreed that the meeting would be extended from 5 to 10 days, and that it would run from 10-21 May 2010;
- iii. the financial pledge made by UNEP to support the extension of the meeting was welcomed and the Secretariat and UNEP were requested to work to identify the funding necessary to cover the remaining deficit and to report back to the Bureau at its third meeting in February. Should necessary funds not be found, the extension will need to be cancelled.
- iv. the SBSTTA-14 agenda was approved;
- v. the SBSTTA Bureau agreed to interact with its constituencies to encourage national reporting required to inform the GBO3 process, members agreed to use opportunities, such as the Trondheim Conference, as venues through which to organise scientific discussion in support of GBO3, and it was agreed that a face-to-face SBSTTA Bureau meeting in early 2010 would be of value in supporting the preparation of GBO3, contingent on financing ;
- vi. the Secretariat will report regularly to the Bureau on submission of national reports and progress with respect to preparation of GBO3;
- vii. agreed that with respect to IPBES, two issues were paramount: a) ultimately, with or without an IPBES, a strengthened SBSTTA was required; and, b) development of a future IPBES framework must be complementary to SBSTTA and must support the Convention;
- viii. agreed that SBSTTA would mobilize the scientific community in support of International Year on Biodiversity taking into account that 2010 International Day on Biodiversity will be celebrated while SBSTTA will be meeting in Nairobi;
- ix. agreed that SBSTTA would support, where relevant and as necessary, the ABS and A8(j) processes, supported by the initiative to have both the SBSTTA chair and the ABS Co-chairs participate in COP Bureau meetings;
- x. agreed that a change to the modus operandi for the election of the Chair of SBSTTA and its Bureau members may require a change in the Rules of Procedure and therefore, the Secretariat, SBSTTA Chair and COP-9 and COP-10 Presidencies would prepare a report for the consideration of COP-10 presenting concrete options and proposals on the issue;
- xi. agreed that the next joint meeting of the COP-9 and SBSTTA Bureaus would be held on 22 May 2010, in Nairobi, and that should informal opportunities present themselves in advance of that date (e.g. Trondheim Conference), members of the Bureaus would use them to advantage.

. ITEM 11 CLOSURE OF THE MEETING

79. It was confirmed that the third meeting of the COP-9 Bureau will be held in Nairobi on 13th February 2009. The meeting was closed at 18:00 on Thursday, 27 November 2008.
