



**STATEMENT BY**

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**Convention on  
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Thank you very much for the very kind invitation to speak to you during this segment of the World Summit of Legislators.

The timing of this event is excellent. Just over 20 years ago, the Convention on Biological Diversity was opened for signature here in Rio. Your meeting provides an excellent opportunity to reflect on the Convention and some of the innovative concepts central to its implementation that ultimately relate to a country's laws and institutions. It also provides an opportunity to introduce you to a new international instrument on genetic resources, the Nagoya Protocol, which was adopted under the Convention in 2010. In the process I would like to suggest how Parliamentarians could increase their engagement to support the implementation of the CBD and the Protocol.

Twenty years ago, biodiversity – the variety of life on earth - was seen as a powerful new unifying concept that would facilitate a more holistic approach to conservation and sustainable use. Shifting focus to the frequency and variety of life at ecosystem, species and genetic levels stressed interconnectedness between those levels, while the biodiversity concept allowed the human dimensions of conservation and sustainable use to be recognized and treated not just as a problem but as part of the solution.

The Convention with its three objectives on biodiversity conservation, sustainable use of biological resources and the fair and equitable sharing of benefits arising from the use of genetic resources was hailed because of its potential to unify the sectoral approaches that had categorized conservation and sustainable use up until that time. For the first time an international legal instrument recognized the concept of biodiversity, its many values to humanity and in so doing recognized that biodiversity conservation and sustainable use would contribute to sustainable development.

The Convention takes an innovative approach to implementation. Its obligations are generally expressed as overall goals and policies.

It was foreseen that each Contracting Party would tailor the Convention's implementation to its own unique situation by developing a national biodiversity strategy or action plan (NBSAP) as required by Article 6(a). In other words, a biodiversity planning process would provide the basis for Parties to organize their approach to implementing the Convention and attain its three objectives at country-level.

Among other things, this would require:

- Integrating biodiversity considerations into sectoral and cross-sectoral plans, programmes and policies (article 6(b));
- Integrating conservation and sustainable use into national decision-making (article 10(a));
- Identifying processes and categories of activities having or are likely to have significant adverse effects on biodiversity conservation and sustainable use (Article 7(c)); and

- Regulating or managing those processes and activities identified (Article 8(l)).

This approach implicitly recognized that to adequately conserve and sustainably use biodiversity a country needs to look at the underlying causes and direct drivers of biodiversity loss. In many cases these are very much related to policy decisions made in relation to various sectors that, although made for perfectly valid political and socio-economic reasons, may have the unintentional consequence of causing biodiversity loss. These policy decisions are in many cases reflected in laws, and various governmental institutions are likely involved with their implementation.

While national biodiversity planning is at the heart of implementing the Convention, effective laws and institutions will be a cornerstone of any country's approach to biodiversity conservation and sustainable use. But while many countries even twenty years ago had laws concentrating on species protection and protected areas, such laws are only a small piece of the larger scale legal and institutional situation in a country that must be considered to implement the Convention if biodiversity is to be conserved and sustainably used. The biodiversity planning process is the ideal place to explore a country's legal and institutional landscape as it relates to biodiversity, and the resulting NBSAP could provide a mechanism for proposing appropriate legal and institutional reform.

In addition, if the country is party to the Convention's Cartagena Protocol on Biosafety, and the Nagoya - Kuala Lumpur Supplementary Protocol on Liability and Redress adopted in 2010, the biodiversity planning process could also be used as an opportunity to organize an approach to implement these instruments as well as article 8(g) of the Convention.

2010 was a turning point for the Convention. The Convention achieved near universal membership. The implementation of the Convention's first strategic plan was assessed and the tenth meeting of the Conference of the Parties (COP10) launched the new Strategic Plan for Biodiversity 2011-2020 and its 20 targets known as the Aichi Biodiversity Targets.

Feeding into this process was the Convention's Third Global Biodiversity Outlook (GBO-3). GBO-3's major conclusions influenced the Strategic Plan for Biodiversity and the Aichi Targets. Among other things GBO-3 emphasized the need to:

- Act at a sufficient scale to address biodiversity pressures.
- Capitalize on win-win scenarios by tapping opportunities to conserve biodiversity while addressing other social objectives (e.g., climate change).
- Address underlying causes / indirect drivers of biodiversity loss.
- Achieve greater efficiency in land use, energy, freshwater and materials.
- Seek greater reliance on market incentives.

- Reconcile development with the maintenance of multiple ecosystem services through strategic planning.
- Reflect the real benefits of biodiversity and the costs of its loss as concluded in the Economics of Ecosystems and Biodiversity Initiative (TEEB).
- Reduce direct drivers of biodiversity loss while optimizing multiple ecosystem services.
- Restore terrestrial, inland water and marine ecosystems.
- Achieve better decision making at all levels.

Importantly, during COP-10 over 120 legislators from 38 Parties to the Convention participated in the Parliamentarians and Biodiversity Forum co-organized by GLOBE International, its Japan chapter, and the CBD Secretariat. They adopted the Nagoya Declaration on Parliamentarians.

It called for “a transition to a new global economy where the true values of biodiversity, ecosystem services and natural capital are carefully integrated into policy making processes at all levels of government.” The Declaration also recognized “the essential role of parliamentarians in influencing the decisions of governments and translating the consensus reached internationally into tangible actions at the national level”. This call was strongly reiterated during COP10.

By COP-10 171 countries had created NBSAPs (whereas to date we now have 175). All Parties committed to complete or revise their NBSAPs to promote the mainstreaming of biodiversity into relevant sectors, to establish national and regional targets, to integrate these into national development and poverty reduction strategies and policies, and to adopt the revised NBSAPs as policy instruments.

With their law-making and oversight roles, Parliaments are well-placed to facilitate and ensure that the countries’ governments take the necessary legislative, administrative and/or policy actions in order to meet the obligations of the Convention. They can help legally anchor the national biodiversity planning process, elevate the legal status of NBSAPs, appropriate sufficient financial resources to ensure the NBSAPs’ effective implementation and in their oversight capacity monitor and evaluate implementation. Individually Parliamentarians can promote greater awareness of biodiversity conservation and sustainable use amongst their constituencies at sub-national level working as appropriate with government, civil society and business.

To support countries with respect to their NBSAPs, the Convention Secretariat has embarked on a series of regional capacity building workshops with significant financial assistance from the Japan Biodiversity Fund. Among other things these aim to facilitate national implementation of the Strategic Plan, including by assisting Parties to develop national biodiversity targets in the framework of the Aichi Biodiversity Targets. They also aim to assist Parties in reviewing, updating, revising and implementing their NBSAPs, with consideration given to how it can serve as an effective tool for mainstreaming biodiversity into broader national policies.

In addition, the Japan Biodiversity Fund has enabled the Convention Secretariat to initiate a new project on the legal aspects of implementing the Aichi Biodiversity Targets. The project will provide conceptual and practical tools for countries to increase their legal preparedness to achieve the Aichi Targets.

COP10 was also significant in that Parties adopted a new Protocol to the Convention. The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS) to the Convention on Biological Diversity was adopted on 29 October 2010. The Protocol supports the further implementation of the Convention's third objective: the fair and equitable sharing of benefits arising out of the utilization of genetic resources.

The Nagoya Protocol responds to the need for a clear legal framework for access to genetic resources and ensures the fair equitable sharing of benefits arising out of their utilization. It aims to create greater legal certainty and transparency for both providers and users of genetic resources.

The Protocol, which has yet to enter into force, does this in three key ways. First, it establishes more predictable conditions for access to genetic resources. Second, it helps to ensure benefit sharing when genetic resources leave a country that provides them. And third, it creates incentives to conserve and sustainably use genetic resources, and therefore enhances the contribution of biodiversity to development and human well-being.

The engagement of Parliamentarians is critical to ensuring the early entry into force and the effective implementation of this important international legal instrument.

With USD 1 million from the Global Environment Facility, over the last year the Convention Secretariat has undertaken a number of in-country Parliamentary briefings upon request to raise awareness on the Protocol and to help Parliamentarians work with their country's governments on ratification.

During this time ninety-two countries signed the Nagoya Protocol and five have now ratified it. I would like to congratulate those five - Gabon, Jordan, Mexico, Rwanda and the Seychelles – for their early leadership in ratifying the Protocol. I hope that these countries' governments and Parliaments can work together to champion the Nagoya Protocol throughout their respective regions.

To increase the momentum towards the 50 ratifications that are needed, the Convention Secretariat and GLOBE signed a collaboration agreement last year to join forces to raise awareness about the Nagoya Protocol with a view to promoting its ratification and early entry into force.

I would like to take this opportunity to invite all Parliamentarians here to please work closely and expeditiously with their countries' governments to ensure early entry into force of this innovative and vitally important new international instrument.

In closing I am very pleased to take part in the World Summit of Legislators. I very much look forward to the continued collaboration between the Convention Secretariat and GLOBE as well as to the opportunity to closely work with each one of you in promoting the ratification of the Nagoya Protocol and the overall implementation of the CBD in your respective countries.